



Department
for Environment
Food & Rural Affairs

www.defra.gov.uk

Animal Welfare

Summary of Responses to the Consultation on the Welfare of Animals at the Time of Killing from 13 September 2012 to 24 October 2012

May 2013

© Crown copyright 2013

You may re-use this information (not including logos) free of charge in any format or medium, under the terms of the Open Government Licence. To view this licence, visit www.nationalarchives.gov.uk/doc/open-government-licence/ or write to the Information Policy Team, The National Archives, Kew, London TW9 4DU, or e-mail: psi@nationalarchives.gsi.gov.uk

This document/publication is available on our website at:

<https://www.gov.uk/government/consultations/welfare-of-animals-at-the-time-of-killing>

Any enquiries regarding this document/publication should be sent to us at:

Animal Welfare Team
Area 5E/D
Nobel House
17 Smith Square
London SW1P 3JR

or email: animalwelfareconsultations@defra.gsi.gov.uk .

Contents

Introduction	5
Topic of this consultation	5
Background	5
Headlines	5
Organisations that responded	8
Summary of responses	10
All responses to individual questions.....	10
Question 1 - Standard Operating Procedures	10
Question 2 - Cervical dislocation	12
Question 3 - Competent authority	14
Question 4 – 6 - Certificates of Competence.....	15
Questions 7 – 10 - National rules	20
Questions 11 – 13 - National rules in relation to religious slaughter.....	27
Religious slaughter campaign responses.....	35
Question 14 - Depopulation.....	36
Question 15 - Offences and Penalties.....	37
Question 16 - Enforcement	38
Question 17 - Powers of Entry	40
Question 18 - Appeals.....	41
Question 19 - Transitional Measures	42
Question 20 - CCTV and monitoring	43
CCTV campaign No 1 response.....	45
CCTV campaign “Question 20” response.....	46
Questions 21 – 24 - Approach to consultation.....	47

Proposed way forward	52
Legislation	52
National rules.....	52
Small-scale poultry production.....	52
Religious Slaughter	54
Depopulation	54
Competent authority	54
Enforcement, Powers of Entry, Appeals, Offences and Penalties	54
CCTV and monitoring	55
Method of slaughter labelling.....	55
Annex 1	57
Proposed approach to National Rules	57
Certificates of Competence	57
Lairage facilities.....	57
Restraint	57
Stunning equipment - general.....	57
Electrical stunning	58
Mechanical stunning - Captive bolts	58
Gas stunning	58
Bleeding / pithing	58
Annex 2	61
Revised approach to Certificates of Competence (CoC).....	61

Introduction

Topic of this consultation

This consultation sought views on proposals to implement Council Regulation (EC) 1099/2009 on the protection of animals at the time of killing, in England. The consultation ran from 13 September 2012 to 24 October 2012. This document provides a summary of the 446 responses received in response to the consultation document, including 353 responses submitted using survey monkey. In addition a further 300 near identical responses were received campaigning for compulsory CCTV in slaughterhouses, some 140 near identical responses were received disagreeing with the suggestion that slaughterhouse operators are best placed to decide which monitoring tools are most appropriate for their individual circumstances, and almost 80 individuals submitted responses campaigning for tighter controls on meat slaughtered for religious purposes.

Background

Defra sought views on proposed measures to implement:

- the legal obligations in Regulation 1099/2009;
- national rules to maintain existing welfare standards where these are higher than those in Regulation 1099/2009;
- transitional measures;
- criminal and administrative sanctions and penalties for breaches of Regulation 1099/2009 and stricter national rules.

Implementation requires new domestic regulations, The Welfare of Animals at the Time of Killing Regulations 2013 (WATOK) to implement and enforce Regulation 1099/2009 and to repeal and replace the Welfare of Animals (Slaughter or Killing) Regulations 1995 (insofar as they apply to England), save for certain transitional provisions.

Full details of all the proposals can be found in the consultation document which is at:

<https://www.gov.uk/government/consultations/welfare-of-animals-at-the-time-of-killing>

Headlines

The total number of responses received were;

General comments	91
Survey Monkey Responses	353
CCTV campaign responses	301
“Question 20” CCTV campaign responses	137
Non stun slaughter campaign responses	78

The key issues raised were:

Maintaining existing national rules which provide more extensive protection than Regulation 1099/2009 – The industry was broadly opposed to maintaining any national rules. However no evidence was provided to indicate the nature of, or help quantify, the flexibilities arising from abolishing current rules. Further no evidence was provided to indicate how abolishing existing national rules would reduce operating costs. However the industry was keen to see a common approach across the whole of UK. Welfare groups and the public were broadly supportive of maintaining the current requirements on welfare grounds.

Religious slaughter – There was strong pressure from welfare groups, veterinary interests and the public for a prohibition on all slaughter without stunning. Religious community representatives expressed concerns about the explicit provisions proposed for recoverable stunning. They were concerned this could be seen as an attempt to redefine Halal slaughter. Detailed representations were received from industry on current bleed out times which will require further technical assessment and review. Welfare organisations would prefer the current arrangements to be tightened if slaughter without stunning is allowed to continue. Religious community representatives are concerned this will undermine their religious freedoms. Some 80 near identical responses suggested the existing rules, requiring religious slaughter to be limited to slaughter by a Jew or Muslim for the food of Jews or Muslims, should be strengthened and enforced.

Certificates of Competence (CoC) – the proposed arrangements attracted considerable criticism. In particular they were considered to be too bureaucratic and expensive. Significant issues were raised by small-scale seasonal poultry producers who confirmed they would struggle to meet the experience requirements as defined, to trigger the simplified application process. Welfare organisations and the public were keen to ensure CoCs are credible and robust. The industry was very concerned about the high costs and suggested that there is no reason why a further assessment should be required for all persons holding WASK licences as they have already undergone training, assessment and been certified as competent by a vet.

CCTV - There was strong pressure for compulsory CCTV in all slaughterhouses from welfare groups and the public. This view attracted considerable support with two campaigns supporting this approach. The industry is generally opposed to compulsory CCTV and would prefer to have the flexibility to determine which monitoring arrangements are most suitable. This issue is outside the scope of legislation to implement Regulation 1099/2009.

Method of slaughter labelling - There was strong pressure for compulsory method of slaughter labelling from welfare groups, the public and some in the Muslim

community. Again the industry was opposed to this approach. This issue is outside the scope of legislation to implement Regulation 1099/2009.

Consultation – There was a general concern amongst many consultees about the complexity of the consultation and the short period (6 weeks) allowed for comments.

Organisations that responded

Responses were received from the following organisations:

Agriculture and Horticulture Development Board	Islamic Medical Association
Animal Aid	Jack Brand Ltd
Animals Count	Kelly Turkeys
Association of Independent Meat Suppliers (AIMS)	Lamex Foods
Association of Non-Stun Abattoirs	Livestockwise Ltd
Barnabas Fund	Muslim Council Of Britain MCB
British Deer Farms and Parks Association (BDFPA)	Muslim Council of Scotland
British Meat Processors Association	Muslim Poverty Relief
British Poultry Council	National Farmers Union
British Veterinary Association	National Pig Association
BVA	National Secular Society
Cargill Meats Europe	National Sheep Association
Compassion In World Farming	RSPCA
Council for Mosques	Shechita UK
Euro Quality Lambs Ltd	Simply Halal (Banham) Ltd
Farm Animal Welfare Committee	Summers Poultry
Halal Food Authority	Trading Standards Institute
Halal Monitoring Committee	Universal Halal Agency Ltd
Humane Slaughter Association	Viva
	World Horse Welfare

In addition responses were received from 51 members of the public

Some 300 individuals submitted responses campaigning for compulsory CCTV in slaughterhouses.

80 individuals submitted responses campaigning for tighter controls on meat slaughtered for religious purposes.

140 almost identical responses were received disagreeing with the suggestion that slaughterhouse operators are best placed to decide which monitoring tools are most appropriate for their individual circumstances

Summary of responses

All responses to individual questions

The following section summarises the responses to each of the individual questions. Where respondents did not use the response form provided, responses have been included in the summary below against the appropriate questions.

The following summary provides:

- The answers to each question as a percentage of all the responses to that question that expressed a view
- The total number of responses to each question
- Summary of the key issues raised
- Key quotes to illustrate points made by respondents

Question 1 - Standard Operating Procedures

Consultation question 1. Will the flexibility Regulation 1099 / 2009 provides to adapt procedures to meet local circumstances through Standard Operating Procedures lead to cost savings? If so how and to what extent will costs be reduced?

Analysis of responses:

	Cost savings will be achieved	No cost savings anticipated
	Total number of responses: 128 (including 92 Survey Monkey replies)	
% of Responses	39	61

Key points:

- Many larger Food Business Operators already have Standard Operating Procedures (SOPs) in place
- Some industry (SMEs) concern that requirement to introduce SOPs will increase costs
- Little concrete evidence to suggest increased flexibility associated with the introduction of SOPs will reduce costs
- Concern that businesses will put economic considerations before

welfare when drafting SOPs

Quotes:

- *It is difficult to calculate time and effort savings but it is hugely significant and its impact cannot be underestimated given the huge degree of regulation that slaughterhouses already have to comply in health & safety, food hygiene, environmental, animal by-products etc. [Euro Quality Lambs]*
- *The flexibility allowed by Regulation 1099/2009 through the use of Standard Operating Procedures (SOPs) is crucial to its operation and should be broadly encouraged. [British Poultry Council]*
- *Standard operating procedures are already in use at our abattoir. I do not understand the concept or idea that the use of SOP's will reduce costs. I cannot see any supportive evidence to suggest it will do so. [Summers Poultry]*
- *Flexibility in respect of local circumstances is desirable. However, we do not believe that documentation in the form of SOPs will make any practical contribution to animal welfare. Analogous documentation in hygiene legislation (HACCP & SOPs) does not appear to have made any contribution to improving or maintaining hygiene standards in the meat industry so there is no reason to believe that SOPs will deliver higher standards of welfare. [Association of Independent Meat Suppliers]*
- *Allowing business operators to write their own Standard Operating Procedures will, in all likelihood, lead to cost savings for them. It would be surprising if they voluntarily chose to commit to measures that would have a negative financial impact on their businesses. [Animal Aid]*
- *There is a real danger that paper is produced to fulfil legislation but is not relevant to actual practice. [Livestockwise]*

How and to what extent will costs be reduced?

Key points:

- Use of proforma SOPs could reduce costs for some/SME businesses
- Some (unquantified) scope for cost savings at senior management level
- Cost savings will be at the expense of welfare
- Business concern that costs will increase not fall

Quotes:

- *Minimum Cost for Abattoir SOP's = £ 6587.50 (£330 per Operative) [Simply Halal]*
- *Whilst Standard Operating Procedures may add flexibility to the local needs of a business, to ensure compliance there may be increased work for regulators to ensure that good practice within the scope of the Standard Operating Procedure is met. [Trading Standards institute]*
- *Generic SOPs for procedures that are essentially similar or identical*

in different plants will deliver major cost savings. [Association of Independent Meat Suppliers]

- *Direct cost savings to the FBO are likely to be limited, but the opportunity it offers for greater responsibility is significant. [British Poultry Council]*

Question 2 - Cervical dislocation

Consultation question 2. Will the prohibition on the use of cervical dislocation of poultry as a routine slaughter method cause operational difficulties? If so what additional costs will be involved?

Analysis of responses:

	Operational difficulties will arise	No operational difficulties anticipated
Total number of responses: 89 (including 69 Survey Monkey replies)		
% of Responses	36	64

Key points:

- Strong support for prohibition from welfare and veterinary organisations
- Alternative more humane stunning methods are available
- Concern over cost of alternative stunning methods particularly for small scale seasonal poultry producers
- Some respondents stated that slaughter on site using neck dislocation has some welfare advantages compared with catching and transport to a slaughterhouse

Quotes:

- *Compassion welcomes the prohibition on the use of cervical dislocation of poultry as a routine slaughter method. [CIWF]*
- *Animal welfare should trump 'operational difficulties', particularly in a consultation about the Welfare of Animals at the Time of Killing. [7 members of the public]*
- *We are not aware of any operational difficulties associated with the prohibition of cervical dislocation as a routine slaughter method. Captive bolt equipment, that is freely available and can offer a more humane and controlled kill, can be used for purposes where cervical dislocation was previously used routinely. [RSPCA]*
- *Neck dislocation is a method of stunning yet cannot be used routinely! One wonders why? I have been using this method for 40*

years. In the beginning as a routine kill and latterly for emergency killing on all our farms. [DK Turkey Producer]

- I would anticipate for the small poultry operation this would cause operational difficulties and additional cost related to new equipment and its maintenance. [Livestockwise]

What additional costs will be involved?

Key points:

- Unit cost of new equipment required quite low
- Cost of any new equipment will take many years to recoup where small numbers of birds are slaughtered on a seasonal basis
- Additional costs small in absolute terms but will impact negatively on viability of smaller businesses

Quotes:

- An electric stunner will cost £620 – this is not feasible [DK Turkey Producer]
- Many small (fewer than 10,000 birds per year) and seasonal producers have traditionally used cervical dislocation as a routine method of slaughter. The loss of this method will be a significant impact to the traditional sector of the poultry industry. The cost of an alternative method of stunning is likely to be from £400 (captive bolt device) up to £1500 (basic electrical stunning). For producers who may slaughter as few as fifty birds every year this, along with the cost of re-training, is a significant investment. In respect of larger producers the removal of cervical dislocation and insistence upon alternative methods will attract cost in excess of £50,000 per supplier in order to ensure each and every operating site is equipped with a percussive device. [British Poultry Council]
- If captive bolt equipment is used then there is the initial capital cost of the equipment but then minimal on-going maintenance costs. The costs are not therefore considered to be significant and are justified by the welfare benefit of using such equipment over cervical dislocation. [RSPCA]
- There is no cost now. Presumably any alternative will involve buying new equipment which will have to be maintained, so the costs will increase. [Jack Brand Ltd]

Question 3 - Competent authority

Consultation question 3. Do you have any comments on the proposed allocation of competent authority and Member State responsibilities?

Total number of responses: 39
(including 22 Survey Monkey replies)

Key points:

- General support for proposed approach to proposed allocation of competent authority and Member State responsibilities
- Concerns about effectiveness of Official Veterinarians in approved slaughterhouses
- Concern that over excessive implementation and enforcement might put UK at an economic disadvantage
- Support for suggestion that Muslim Community should establish a body to oversee slaughter using the Muslim method
- Competent Authority should delegate responsibility to an awarding body for Certificate of Competence

Quotes:

- *We would like to see an independent body – in addition to these measures and suggestions – overseeing these responsibilities.* [Viva]
- *We are happy with the proposed allocation of authority as mentioned in the consultation document.* [British Meat Processors Association]
- *There is an urgent need for the Muslim community to establish Competent Authority for purposes of overseeing / regulating religious slaughter activities using the Muslim method of slaughter and for granting licence and Certificate of Competence (CoC) to individuals involved in the religious method of slaughter (i.e. slaughter without stunning) for Muslims.* [Muslim Council of Britain]
- *The allocation of competent authority and Member State responsibility falls down when the OV is tasked with the assessment of competence* [Farm Animal Welfare Committee]

Question 4 – 6 - Certificates of Competence

Consultation question 4. Do you have any comments on the overall approach proposed in relation to the introduction of Certificates of Competence?

Total number of responses: 72
(including 28 Survey Monkey replies)

Key points:

- Cost of proposed approach to Certificates of Competence considered excessive by most industry representatives
- The process for obtaining a Certificate of Competence (CoC) contains too many bureaucratic steps that add unnecessary cost and burdens into the system
- Arrangements for transferring existing slaughter licence holders to the new system need to be made more flexible to ensure costs are kept to a minimum
- All persons who have been assessed as competent for slaughter licence purposes should be given a new Certificate of Competence automatically
- Vetting procedures should be tightened up and a CRB check should be included
- Certificates of Competence should apply to anyone slaughtering for commercial purposes
- Difference of view as to whether this should extend to small scale operations – welfare organisations in favour – industry supports exemption under Article 11

Quotes:

- *A training and assessment system for the CoCs that is proportionate to what is sought – consistently competent operatives. We feel the proposed Level 2 NVQ system is excessive. Flexible interpretation of ‘three years’ experience. An immediate awarding of a full CoC to any holder of a full WASK licence. Where a lairage operative has more than 3 years’ experience, this should translate directly to a CoC with no requirement for them to undergo a practical assessment. Reasonable and proportionate interpretation of “unable to take the final exam” aspect restricting the reissuing of a temporary CoC. Total one off cost to members some £1.5m [British Meat Processors Association]*
- *While we recognise the theory of charging for Government services the proposal here is disproportionately bureaucratic and unnecessary. Further, any charges being proposed by Defra must be subject to the review of the Animal Health and Welfare Board of England (AHWBE), who in turn will make a recommendation on the matter to the Minister. [British Poultry Council]*
- *Unnecessarily creating a whole new set of qualifications, courses*

and costs when many existing stricter regulations should be viewed as adequate to meet the new regulation. EU laws are adhered to throughout the EU in the spirit of the law and not necessarily to the letter of the law. [British Deer Farming Association]

- *It is also positive that England will keep the stricter national rule that says **all** prior welfare convictions under national or EU legislation ‘will be taken into consideration when assessing whether a person can be given a CoC’. However, without adequate checks being undertaken to ensure that the applicant is telling the truth, this ‘stricter’ measure is essentially meaningless. Criminal Records Bureau checks should be conducted to ensure compliance. [Animal Aid]*
- *There should be no exclusions for anyone involved in commercial slaughter (regardless of religious views) from having to have a qualification certificate in order to get a CoC. (HSA is concerned that, regardless of threshold, operators should have CoCs for commercial slaughter). [Humane Slaughter Association]*
- *Article 11 of 1099/2009 provides an exemption from certain requirements of the regulation for those persons undertaking small-scale slaughter of poultry, rabbits and hares on farm for the purpose of directly supplying meat to the final consumer or to local retail outlets. The European Commission has indicated that it is up to each Member State to set the maximum limit and it should be in line with other regulation. In the UK this has long been defined as fewer than 10,000 birds per year and in order to ensure consistency we expect Defra to apply this exemption on that basis. [NFU]*
- *We welcome the introduction of Certificates of Competence as a means of ensuring that those who work with live animals in a slaughterhouse receive appropriate training and are shown to be competent in handling them and carrying out tasks they are required to perform. Specific training and Certificate of Competence will be required for undertaking tasks associated with religious slaughter (slaughter without stunning). [Muslim Council of Britain]*
- *CoCs should be required for all personnel involved in the slaughter of all animals regardless of the scale of operation (ref. paragraph 29 in the consultation report). Scale of operation has no bearing on the required level of competence, i.e. persons involved in small scale operations are not inherently more competent, nor are the animals at less risk if the operator is not competent. As such, welfare is of concern regardless of operational scale. We therefore agree with the proposal to require all individuals carrying out small scale slaughter to hold a CoC. [RSPCA]*
- *The sole authority of the Rabbinical Commission to award Certificates of Competence for shechita is crucial for the Jewish community and we are grateful that Government has recognised this point in its proposals. [Shechita UK]*
- *On a small scale it will cost too much money & be prohibitive for the small producer because we only spend 5 days per year killing. [JB Poultry Producer]*

Consultation question 5. Do you have any comments on the Certificate of Competence transitional arrangements?

Total number of responses: 41
(including 20 Survey monkey replies)

Key points:

- Proposed approach too complicated and difficult to understand
- Industry view that more use should be made of flexibilities available within the Regulation 1099 /2009 transitional provisions to make transition easier for existing slaughter licence holders
- Industry challenging need for experienced workers who do not hold a slaughter licence to undergo a practical assessment – primarily on cost grounds
- Welfare organisations would prefer to see use of transitional provisions limited to ensure all operatives are certified as competent as quickly as possible

Quotes:

- *If a CoC is required at some point by those with previous experience, a possible two year delay in having to hold one does not appear consistent with ensuring good welfare during slaughter/killing is maintained during this period. There appears to be no strong or clear welfare case for enacting such a delay. There should be an immediate requirement for a CoC. [RSPCA]*
- *The procedure should not be simplified in the manner proposed for persons with three years relevant professional experience. Abuses of the law in England already captured on CCTV demonstrate that a person may have been doing their job for a while and yet still performing it incorrectly. We favour the approach of all professionals obtaining the certificate of competence in the same way and there being no simplified route. [Animals Count]*
- *The process and the transitional dates need to be simplified. Few people will understand the proposals without repeated reading and this will affect implementation. [National Sheep Association]*
- *We regard the transitional arrangements as potentially disastrous, whilst entirely appreciating that the problems lie with the Regulation rather than with the UK Government/DEFRA. We believe that the current proposals will result in competent, experienced slaughtermen losing the right to work and being replaced with those with only a brief period of practical experience and theoretical training or, almost definitely, those from other member states with certificates of competence of questionable status. [Association of Independent Meat Suppliers]*
- *There needs to be more flexibility in allowing personnel who hold the appropriate slaughter licences just before 1-Jan-2013 but not necessarily the 3 years experience, to be able to transition to the new*

Certificates of Competence by the end of 2015. [Euro Quality Lambs]

- The transitional arrangements appear to be even more complicated – if not impossible to understand. The short timeframe for qualifying seems unnecessary especially given the likely education levels and possible communication issues of the staff – let alone the fact that they are already skilled. The fact that members of staff cannot re-apply if they fail at first, given the above, seems illogical – again, their ability to pass exams is not representative of their skills level, expertise or experience in handling and slaughtering animals. Some may even be put out of a job – just because they cannot pass an exam. [Jack Brand Ltd]*

Consultation question 6. Do you consider the approach to establishing three years’ relevant professional experience is proportionate? Can more be done to recognise wider experience where relevant particularly in relation to seasonal slaughter operations?

Analysis of responses:

	Approach proposed proportionate	Approach proposed not proportionate
Total number of responses: 87 (including 52 Survey Monkey replies)		
% of Responses	57	43

Key points:

- Strong push for maximum flexibility from industry representatives
- Welfare organisations and the public pressing for a strict approach to implementation to ensure welfare standards maintained and improved

Quotes:

- *Compassion is opposed to the recognition of wider experience i.e. beyond that referred to in the Consultation Document. [CIWF]*
- *It’s proportionate, and standards must not be lowered to accommodate slaughterers with less experience at Christmas. [Animal Aid]*
- *The proof of three years’ experience for WASK licence holders is not proportionate. Successfully holding a WASK licence, regardless of the length of time should allow the individual direct transfer into the new system and a CoC. [British Poultry Council]*
- *We believe that the three years should encompass any work handling animals, not merely slaughtering, as the Regulation purports to major on the broader issues of care in handling animals. Due to the work patterns in the industry, an inappropriate interpretation is likely to exclude many first class people, who will,*

again, be replaced by foreign nationals who do not speak English or Welsh adequately and have unsatisfactory sensitivities to animals. [Association of Independent Meat Suppliers]

- *The interpretation of 3 years meaning 720 days actual working is far too specific. For seasonal slaughtering and for part time workers 3 years should mean the experience gained over 3 years in that type of business. Relevant experience such as working with livestock outside the plant could be taken into account. [National Sheep Association]*
- *This is going to cause great difficulty in the recruitment of Muslim slaughtermen and be totally impractical. Workers with WASK licence or lairage experience of more than 1 year that can be proven should be allowed until 2015 to get a certificate of competence. It would be more appropriate to assess the slaughterman on number of animals slaughtered rather than years of experience. [Association of Non Stun Abattoirs]*
- *Experience does not guarantee competence. Someone could have been undertaking various procedures for years but not applying best practice. It should be a requirement for all personnel, regardless of experience, to hold a CoC as soon as possible and not have a two year grace period. However, perhaps for those with a WASK licence, only training and assessment of those additional practices and procedures not covered for a WASK licence could be given in the first instance. [RSPCA]*

Can more be done to recognise wider experience where relevant and appropriate?

Key points:

- Some general concerns that recognition of wider experience risks diluting standards
- Industry strongly in favour of taking account of all work involving live animals on farm, during transport and in markets

Quotes:

- *Experienced slaughterhouse managers and existing AWO with suitable qualifications should be provided CoCs automatically. [Euro Quality Lambs]*
- *A years' experience working in a lairage OR as a slaughterman is more than enough time to understand and be of a competent level. [Summers Poultry]*
- *All slaughtermen that are approved to slaughter in ANSA approved abattoirs have all been issued Certificates of Competence by ANSA & the FBOs Local Mosque. This criteria needs to be taken into consideration, to ensure the Muslim community can be assured of the slaughterman's and abattoir's continued credibility [Association of Non Stun Abattoirs]*
- *Recognising the importance of wider experience is appropriate if this experience was obtained on the same species that the requested*

CoC relates to. This recognises the requirement for knowledge of basic behavioural patterns and the needs of the species concerned, whilst also recognising that stunning equipment is inherently less variable than animal behaviour and that technical expertise in stunning could thus be obtained in a period shorter than 3 years. [AHDB]

- Should recognise courses like Sparsholt which covered marksmanship welfare meat hygiene and safety [Upcott Deer Farm]

Questions 7 – 10 - National rules

Consultation question 7. Do you consider that the proposed approach in relation to national rules will be effective in maintaining existing welfare standards?

Analysis of responses:

	Approach proposed will maintain welfare standards	Approach proposed will not reduce welfare standards
Total number of responses: 70 (including 33 Survey Monkey replies)		
% of Responses	25	75

Key points:

- Some concerns that removing existing national measures providing more extensive welfare protection than Regulation 1099/2009 will compromise welfare
- Support by welfare organisations for use of national rules
- Majority of industry representatives against national rules which they consider to be gold plating
- Some industry concerns about possible differences of approach between England and Devolved Administrations and the increased burdens this will impose on some larger businesses

Quotes:

- *We agree with Defra's proposal to retain those mentioned. Equal implementation of 'national rule' requirements and certificate of competence procedures across the UK. [British Meat Processors Association]*
- *Compassion welcomes Defra's intention to maintain many of the existing national rules. It is important that Council Regulation 1099/2099 does not result in any weakening of existing English legislation designed to protect the welfare of animals at slaughter. [CIWF]*
- *Given the recent, widely publicised exposés of animal abuse in some*

English slaughterhouses we would hope that welfare standards are not merely maintained, but actually significantly improved. [Viva]

- *We consider the ideal starting principle for welfare standards should be to retain all existing provisions in legislation which would provide greater protection for animal welfare than adopting other measures. [BVA]*
- *We ask that national rules be removed in their entirety. National rules add little to the Regulation that cannot be detailed in individual SOPs, and may indeed cause confusion, particularly given that they may only apply to England. [British Poultry Council]*
- *Existing standards must be not only maintained but improved in some situations outwith slaughterhouses [World Horse Welfare]*

Consultation question 8. Will the national rules proposed reduce the flexibility Regulation 1099 / 2009 provides to adapt procedures to meet local circumstances through Standard Operating Procedures – which of the proposed national rules measures do you consider will reduce flexibility – what is the reason for this – what impact will this have on business operating costs?

	National rules will reduce flexibility	National rules will not reduce flexibility
Total number of responses: 61 (including 33 Survey Monkey replies)		
% of Responses	40	60

Key points:

- General concern from industry that national rules will limit flexibility
- Little supporting evidence given for industry view or any information on cost implications
- Welfare organisations and members of the public generally support retention of national rules and argue these will not place any new burdens on industry

Quotes:

- *The UK Government must not ‘gold-plate’ legislation to the detriment, practical and commercial, of poultry producers. Keeping current requirements as National Rules will gold-plate the new Regulation, and may compromise the flexibility of FBOs to meet both the letter and spirit of the Regulation.[British Poultry Council]*
- *If portions of WASK are to be retained, it is possible that there may be some loss of flexibility. However, FBOs are supposed to already abide by these WASK measures, and retaining them should cause them no significant problems. [Animal Aid]*
- *The national rules that Defra proposes to retain are either so*

important that flexibility should not be permitted (e.g. a captive bolt should not be used if it has not been retracted to its full extent) or couched in terms that allow a degree of flexibility (e.g. adult bovines should be “confined in a stunning pen which is in good working order”). [CIWF]

- *If the national rules approach reduces flexibility then they should not be retained. The question suggests that they will and therefore be contrary to the EU law that is being so assiduously adhered to. [British Deer Farmers Association]*
- *The proposed national rules which aim to help to maintain good animal welfare standards should be adopted. We do not regard them as a hindrance to the effective implementation and use of Standard Operating Procedures. [BVA]*

Which of the proposed national rules measures do you consider will reduce flexibility – what is the reason for this – what impact will this have on business operating costs?

Key points:

- One comment received on bleeding and pithing.

Quote:

- Section on bleeding or pithing WASK schedule 6, 3(2). Based on your findings and a lack of specific research we do think that this national rule reduces the flexibility Regulation 1099 / 2009 provides to adapt procedures to meet local circumstances through Standard Operating Procedures. We would suggest removing all reference to gas concentrations as this just restricts the flexibility of current CAK systems which are not detrimental to welfare, in fact improve welfare. Reference and compliance to annex I, chapter I, table 3 of Regulation 1099/2009 should be sufficient.[Cargill Meats]

Consultation question 9. Is there a welfare case for retaining other Welfare of Animals (Slaughter or Killing) Regulations 1995 (WASK) measures identified at Annex 4 through national rules - which measures do you consider should be retained and what is the welfare justification for each?

	More WASK rules should be maintained	No additional WASK rules should be maintained
Total number of responses: 51 (including 33 Survey Monkey replies)		
% of Responses	58	42

Key points:

- Industry generally opposed to additional national rules
- Welfare organisations and the public generally supportive of keeping all existing rules that provide more extensive welfare protection than Regulation 1099/2009

Quotes:

- *I feel that the current legislation in place was more than adequate and the proposed changes are wholly unnecessary. [Summers Poultry]*
- *On welfare grounds we support the principle that all the existing national rules relating to equines that go beyond Regulation 1099/2009 should be retained. [World Horse Welfare]*
- *All the WASK provisions being considered for retention in the national rules (as set out in Annex 4 of the consultation document) should be kept. [RSPCA]*
- *Our view is that the measures which demand the highest welfare standards must be retained. Provisions should be included in national rules to cover farmed fish. It is noted that 1099/2009 removes the requirement for stunning farmed fish before slaughter or using an approved method that leads to instant death. We consider that the stunning provision for fish should remain and be made clear in the national rules, in order to protect the welfare of farmed fish. [BVA]*

Which additional WASK measures do you consider should be retained and what is the welfare justification for each?

Key points:

- Support for inclusion of specific **additional** national rules from CIWF and RSPCA – see below

Quotes:

RSPCA: *The following provisions from WASK should be retained in addition to those considered for retention as set out in Annex 4 of the consultation document.*

- *The definition for adverse weather condition, as in WASK Part I, Section 2(1), should be retained, as this is undefined in the new Regulations.*
- *The definition for lairage, as in WASK Part I, Section 2(1), should be retained, as this is undefined in the new Regulations.*
- *The definition for ‘stunning’ should be broadened to include ‘without distress’ in addition to without pain. This particularly relates to stunning using gas where WASK had this requirement under*

Schedule 7, Part III, section 7(1). This point is pertinent as, under the new regulations, gas can now be used to just stun - not kill - birds. However, although requirement does apply within the new Regulations where the gas is used to kill birds, it is not stated where gas is used to stun the birds.

- *The requirement to ensure birds are conveyed to the point in the chamber of maximum concentration within a given time period, as in WASK Schedule 7, Part III, section 8(a)(ii), should be retained.*
- *The WASK requirement to kill poultry using gas should be retained (Schedule 7, Part III, section 9(a)), as this constitutes best practice and eliminates potential complications with return to consciousness after exit from the gas mixture.*
- *WASK requirement Schedule 3, Part II, section 4, requiring animals that have experienced pain or suffering during transport be slaughtered/killed immediately, should be retained.*
- *WASK requirement under Schedule 6, section 3(1), requiring bleeding to be rapid, profuse and complete, should be retained, as this adds further clarity and detail.*
- *The specific WASK requirements for killing surplus chicks by exposure to gas mixtures, as set out under Schedule 11, section 3, should be retained. It is not clear in the new Regulations whether chicks can be killed using gas and, if they can then, what gas mixtures are permitted for this purpose. WASK also requires chicks to be killed when gas is used, which, again, is not clear whether this would be the case under the current Regulations.*
- *In WASK Appendix 4 (Killing birds by gas outside a slaughterhouse) Schedule 7A, Part IV, 4 (2) states that: 'No person may operate a chamber consisting of a bird shed except under the direct supervision of a veterinary surgeon' - this is not present in Appendix 4 of the consultation. No reason is given for this. This should be retained to help safeguard bird welfare during a process where there is such significant risk to the birds.*

CIWF: *In our view the following WASK measures should be retained as national rules:*

- *Para 3 of Schedule 5 which requires animals not to be stunned unless it is possible to bleed them without delay. In general stunning provides a short period of unconsciousness. Accordingly, the interval between stunning and bleeding should be as short as possible.*
- *Para 12 of Schedule 5 which provides that waterbath stunners must not be used unless a person is available to ascertain whether it has been effective in stunning the birds and who, where it has not been effective, will either stun and slaughter or kill any bird without delay. This is an essential safeguard as a proportion of birds are not effectively stunned in the waterbath stunner.*
- *Para 5(1) of Schedule 6 which provides that a person must be present to ascertain whether the automatic neck cutter has effectively severed the blood vessels. Para 3.3 of Annex III to Regulation 1099/2009 contains a similar provision but it is weaker in that it does not require a person to be present.*

- *Para 2(1) & (2) of Schedule 6 which provide that animals must be bled **without delay** after stunning. This is implicit in Article 4(1) of Regulation 1099/2009 but it is so important that it should be expressly spelt out by being retained through national rules.*
- *Para 3(1) of Schedule 7 correctly only allows high concentrations of CO₂ to be used to kill pigs not to stun them. In contrast to this Regulation 1099/2009 permits high concentrations of CO₂ to be used to stun pigs. The requirement to only use high concentrations of CO₂ to kill pigs should be retained through national rules. If pigs are only stunned by the gas, they may regain consciousness before dying as a result of bleeding.*
- *Schedule 7 provides that when inert gases are being used the maximum concentration of oxygen should be 2% by volume. This provision should be retained through national rules as a concentration of oxygen above 2% impairs the effectiveness of inert gases.*

Consultation question 10. Should the WASK prohibition on poll stunning of bovines be removed and, if so what detailed requirements should apply?

	WASK provision on poll stunning should be removed	WASK provision on poll stunning should be retained
Total number of responses: 53 (including 33 Survey Monkey replies)		
% of Responses	19	81

- Key points:**
- Limited support for changes to permit poll stunning of water buffalo but not all bovines
 - Concern about effectiveness of current methods available for poll stunning of water buffalos and residual welfare concerns as a result
 - General agreement that more research required
- Quotes:**
- *The published evidence (Gregory and others, 2009) on the effectiveness of poll stunning of water buffalos is not conclusive. The paper describes the application of a captive bolt in the poll position that resulted in a shallow depth of concussion in 53% of animals. Further evidence is required before the methodology should be included in the legislation. [Farm Animal Welfare Committee]*
 - *Poll stunning is unnecessary. Its use would introduce significant additional risks to welfare compared with other accepted methods*

and hence should continue to be prohibited. [RSPCA]

- It is noted that the use of captive bolt in the conventional frontal position is not always effective in water buffalo and use of captive bolt equipment of the dimensions and power necessary can have other problems in this species. However, research has shown that stunning these animals in the poll position has been found to be effective. A poll shot to the back of the head provided more consistent penetration to the brain cavity of the captive bolt but only caused a very short period of unconsciousness just less than 60 seconds. There is also available a German captive bolt gun with a longer bolt and this will give penetration to the cranial cavity in the conventional position. We suggest that providing it is possible to ensure wording of the legislation and Standard Operating Procedures are flexible, then reference should be made to allow stunning of buffalo in the poll position where it is advantageous for animal welfare. It should be noted that while there is merit in allowing an alternative position for the shot there is evidence that shows this can lead to other welfare issues if the stun to bleed time is not very quick. Ideally more research is needed but this could be difficult to justify with a small population of water buffalo in the UK. [BVA]*
- We suggest that clauses should be included to permit stunning of water buffalo in the poll position. [Humane Slaughter Association]*
- I have also looked at the study Effectiveness of poll stunning water buffalo with captive bolt guns by Gregory and others including Charlie. This found that for water buffalo the “frontal position was ineffective as the animal did not collapse, and all animals shot in the crown position resumed breathing shortly after shooting, indicating a shallow depth of concussion”. The study concluded that “poll shooting can be effective in water buffalo, but it produces a shallow depth of concussion compared with frontal shooting in cattle. It requires accurate placement of the gun to ensure that buffalo are not shot through the spinal cord instead of the brain. Vigilance is needed in ensuring that the animals are stuck promptly so that none recover consciousness.”The legislation should permit the poll stunning of water buffalo but the legislation should not be amended to permit the poll stunning of other bovines. However, we would prefer these to be dealt with not by SOPs but by detailed provisions similar to the existing WASK requirement for sheep and goats at Schedule 5 paragraph 5 (3)(b) with parameters adjusted for water buffalo. [CIWF]*
- Does this question relate to all bovines or to water buffalo? Recent research indicated that ‘poll shooting can be effective in water buffalo, but it produces a shallow depth of concussion compared with frontal shooting in cattle’. Dr Temple Grandin, Professor of Animal Science at Colorado State University and humane slaughter expert, does not support poll shooting for bovines as it is less effective than the frontal position. We would not wish to see the WASK prohibition removed. (Animal Aid)*

If the WASK provision on poll stunning is removed what detailed requirements should apply?

Key points:

- Need for SOPs for water buffalo if poll stunning was to be allowed for them.

Quotes:

- *Of course SOPs would need to cover details such as the appropriate type of captive-bolt instrument, minimum impact energies, placement for maximum effectiveness and training of personnel. (Humane Slaughter Association).*

Questions 11 – 13 - National rules in relation to religious slaughter

Consultation question 11. Do you have any comments on the national rules proposed to maintain welfare protection for animals slaughtered in accordance with religious rites?

Analysis of responses:

Total number of responses: 94
(including 33 Survey Monkey replies)

Key points:

- Strong support from welfare organisations, veterinary organisations and members of the public for a prohibition on slaughter without stunning
- General measure of support for the national rules proposed although further clarification needed on a number of points of detail
- Proposed post-cut minimum bleeding standstill periods challenged – suggestion that science supports longer bleed out times for cattle.
- Welfare and veterinary organisations supportive of additional measures to protect welfare

Quotes:

- *An emergency should allow for **any stunning method** and not only specify captive-bolt stunning which, unlike reversible electric head-only stunning, is impermissible for Halal slaughter. The meaning of “movement” should be clarified to mean any movement **out** of the restraint system (such as bovine pens, sheep tables & cradles) rather than controlled smooth movement **within** a restraint system (such as v-restrainers for sheep). The wording ‘surgically sharp’ is legally challengeable and open to abuse as it can be argued that no slaughter knife is surgically sharp (i.e. it cannot be used in a surgical operation). Care must be taken that the EU stunning parameters do not exclude any stun-to-stun parameters which is necessary for it to be acceptable for Halal slaughter. If any bird dies then the whole*

stunning parameter is void for the purpose of Halal slaughtering. The word "immediate" should be removed as a post-cut stun is effective whether applied at any point during the standstill period. Inversion should remain banned but lateral recumbancy (up to 90 degrees) should be permitted alongside upright slaughter. This is a woefully inadequate explanation of the standstill rules [20 second rule] surrounding the death process of animals and a misrepresentation of the science available. [Euro Quality lambs]

- *Compassion believes that all animals should be stunned before slaughter. Both EFSA and FAWC have made it clear that slaughter without stunning entails great suffering both during the throat cut and in the period between throat cutting and loss of brain responsiveness. Some of the specified [post-cut standstill] periods are arguably too short. The period specified for bovines is 30 seconds and for poultry it ranges from 90 seconds to 2 minutes whereas the 2004 EFSA Opinion states that the time between cutting through the major blood vessels and insensibility, as deduced from behavioural and brain response, is up to 2 minutes in cattle and up to 2½ or more minutes in poultry. In addition, Compassion urges that the following additional national rules should be introduced:*
 - *Slaughterhouses should be specifically approved for the purpose of performing slaughter without stunning and such approval should be subject to suitable equipment being available.*
 - *The wound should not be touched or manipulated during bleeding or until the animal is dead. This was recommended by FAWC (2003), Welfare of Farmed Animals at Slaughter or Killing Part 1 Red Meat Animals, June 2003*
<http://www.fawc.org.uk/reports/slaughter/report.pdf>
 - *If bleeding is impaired the animal must be stunned before the cut is repeated.*
 - *mandatory CCTV in premises undertaking non-stun slaughter for religious purposes*
 - *immediate post-cut stun for all bovine animals. (In the view of Compassion in World Farming, ideally this requirement should also be extended to sheep)*
 - *non-stun slaughter must only be carried out in the presence of a vet*
 - *Standard Operating Procedures for non-stun slaughter to be presented to competent authorities for approval.*
 - *Where animals are slaughtered without pre-stunning, national rules should require a post-cut stun to be performed immediately after the cut.*
 - *Meat derived from animals slaughtered without stunning should be labelled 'meat from slaughter without stunning'.*
 - *We believe that slaughterhouse operators should only be permitted to slaughter animals without stunning when they have an order for a specific quantity of unstunned meat.*
[CIWF]
- *The RSPCA is against the slaughter of animals that have not*

received a pre-cut stun on welfare grounds, a view informed by and in line with a significant volume of expert opinion including that expressed by the Government's advisory body, the Farm Animals Welfare Committee (formerly Council) in several reports. The RSPCA is, therefore, extremely disappointed that Defra has failed to take the opportunity afforded by transposition of the new Regulation to review and improve the protection provided to animals being slaughtered in accordance with religious rites. It is stated in Paragraph 90 that: 'the Government has confirmed it wishes to protect the welfare of animals slaughtered in this way' but in our view, this has not been achieved due to failure to strengthen the rules further in this area. However, the proposal to retain current national rules, as set out in the consultation document (Paragraph 91), is welcomed and we agree these should be retained. We would urge the Government to review and provide strengthened and transparent provision in relation to this exemption, to ensure that meat from animals slaughtered under the exemption is only consumed by the intended groups. [RSPCA]

- The following rule that the knife used for killing birds must be surgically sharp, the blade must be undamaged and the blade must be at least twice the width of the neck is impractical if the cut should be rapid and uninterrupted. A longer blade would be required to ensure that the cut is uninterrupted, with birds. [Farm Animal Welfare Committee]
- Religious Slaughter – clarification of terms used is required. [British Meat Processors Association]
- The British Poultry Council considers that the use of stunning is an essential part of humane slaughter. The parameters in the Regulation on electrical waterbath specifications are considered detrimental to meat quality and would cause carcass damage. These changes to electrical waterbath use will result in the death of the bird, something that is unacceptable for those engaged in religious slaughter. The exemption in the Regulation for religious rites should allow for alternative electrical stunning levels to be used, in order to keep the recoverable stun in the repertoire of religious rites. Defra has agreed it is legally possible for the derogation to allow for lower currents than those in the Regulation. We urge that this be provided for in order to avoid driving Halal poultry production towards the use of non-stun. We are concerned that Defra has defined what a knife is in relation to religious slaughter. Defra should not be defining religious slaughter in a piecemeal manner. If religious slaughter is to be defined it should be done through a comprehensive consultation process, which would also look at the appropriate controls to put in place. [British Poultry Council]
- We also have grave concerns that in some instances the stunning of animals for Halal may actually be worse welfare-wise than non-stunning. This is because so-called light stunning may be used to immobilise animals rather than actually render them fully unconscious. This could lead to the very real possibility that animals killed in this way not only have their throats cut when they are fully (or partially) conscious – they will also receive a painful electric shock

prior to this. [Viva]

- *It will have been known by all that what is officially put out as Halal slaughter only involves a procedure of severing the neck vessels of an animal or bird without prior stunning in other words while the animal is fully conscious. This is the most erroneous information given to wider public. The Muslim community is made to believe that any form of stunning causes pain, suffering, and death prior to slaughter, and therefore it is Haram that is unlawful. This is untrue. Indeed large numbers of prominent Muslim scholars accept those methods of stunning particularly electrical which induces unconsciousness only and not death prior to slaughter. [Universal Halal Agency Ltd]*
- *As far as stunning is concerned, HFA does, as you are aware, concur with electric stunning (dry tongs or water bath with lowest possible current), but as long as the animal/ bird is not dead prior to slaughtering – “no stunning to kill”. This is one of the reasons that HFA has not yet acceded to 'gas stunning' for poultry and, would refrain from using captive bolt on bovine animals". We would suggest that minimum bleeding time for Halal purposes should be extended (specially for lamb, sheep, goats & bovine animals) to facilitate effective bleed, as flowing blood which sometimes is retained in carcasses is not allowed for Muslims to consume. [Halal Food Authority]*
- *When performed correctly the religious method of slaughter (without stunning) is at least as humane as the conventional (secular) method of slaughter. There is however considerable pressure on religious communities about the religious slaughter methods. Stunning is often presented as the solution to the welfare problems associated with the slaughter of animals. There are different methods of stunning, surely there must be differences in the effect of these methods and effect of a given method of stunning on different species. There is paucity of literature on the relative AW benefits of the different methods of stunning. [Muslim Council of Britain]*
- *Dedicated Abattoirs only, for Ritual slaughter of Animals for Jews & Muslims. As mixed production as created unnecessary stigma and bias towards the Halal industry and has created a divide between communities which has lead to racism and hate from the far right extremists. All products should be clearly labelled. [Association of Non Stun Abattoirs]*
- *The provision of unstunned is a religious rite that must be maintained. We reject the attempt to add stunning to this definition of Halal. This definition is not something the Government should force on the faith communities but is a matter for the faith communities to agree. 100% of the faith communities accept the prophetic method of unstunned slaughter as being the most humane and in line with their beliefs and teachings. The majority of religious leaders in the UK (95%+ in an independent survey of over 350 scholars rejected stunning). [Halal Monitoring Committee]*
- *Jewish law prescribes that the Shochet should ensure his knife is surgically sharp, undamaged and twice the length of the width of the animal's neck. We are therefore comfortable with these measures*

entering the legislative framework and believe that they will improve animal welfare, where they are not already undertaken. It is also important to point out that a distinction must be made between religious slaughter, where no mechanical stunning method is used, and conventional slaughter, during which mechanical stunning methods are slightly modified to suit some religious groups. By definition, religious slaughter is slaughter without mechanical, electrical or gas stunning and therefore we are firmly of the opinion that a 'recoverable stun' should not be considered as being in the same category as authentic religious slaughter. [Shechita UK]

- It is essential that all meat produce which is derived from animals slaughtered in accordance with religious rites are clearly labelled, providing the consumer with sufficient information to make an informed choice. Well-intended rules to protect the animal from unnecessary suffering are welcomed, however the government must also protect the consumer's right to make an informed choice when purchasing meat produce based on their own conscience. This should apply to religious slaughter by stunning AND non-stunning methods. [Barnabas Fund]*
- We consider that all animals should be stunned before slaughter, for welfare reasons and as a consequence of our position, we have difficulty answering this question. However, we recognise the need to be pragmatic on this issue and where non-stun slaughter is to be permitted, we consider the proposed national rules relating to welfare should be in place. Due to the welfare risks of slaughter without stunning all animals, where such slaughter is permitted it should only take place in slaughterhouses where facilities and operating procedures are regulated. Where stunning is not carried out, all measures to refine the process of the neck cut for the animal's welfare are important. It should be made clear that the blade length is at least twice the width of the neck. We agree that manipulation of wounds should be prohibited until the animal is dead, since manipulation prior to loss of consciousness is likely to cause pain. We concur that non-stun slaughter must only be carried out in the presence of a vet, to help in dealing with situations where animals remain conscious after the neck cut. SOPs must be presented to Competent Authorities for approval, in order to check that the challenges to welfare associated with slaughter without stunning are minimised. We consider that existing provisions prohibiting inversion of animals for slaughter should be retained, in line with the recent FAWC report on this issue. [BVA]*
- Article 26(2) allows Member States to adopt new national rules in relation to religious slaughter. In order to minimise pain, suffering and distress of animals at slaughter, we request that the Government adopts new stricter national rules to end the exemption in relation to religious slaughter and ensure all animals are stunned prior to slaughter. [National Secular Society]*

Consultation question 12. Do you consider the modified arrangements for approving equipment for use in relation to slaughter in accordance with religious rites will ensure appropriate welfare protection?

Analysis of responses:

	Approach welfare protection ensured	Approach welfare protection not ensured
Total number of responses: 69 (including 33 Survey Monkey replies)		
% of Responses	33	67

Key points:

- Amongst those who commented there was a broad measure of agreement that the proposed approach is appropriate
- Some concern that delegating this role to FSA will lead to a reduction in welfare standards
- Some points of detail require further refinement

Quotes:

- *We believe that approval of equipment for religious slaughter should be part of the approval process of the entire abattoir by FSA veterinarians. Handling facilities also used for conventional slaughter is always involved and the specialised equipment is therefore better approved holistically with the entire slaughterhouse operation. Historically, approval by FSA veterinarians has worked satisfactorily. [Association of Independent Meat Suppliers]*
- *It is important that equipment intended for use in relation to slaughter (be it by the religious or secular method) be evaluated for its suitability from animal welfare perspective. BOs should be able to make a choice from an 'approved list'. We therefore welcome this approach. [Muslim Council of Britain]*
- *We require fair and balanced arrangements that do not add costs or introduce and unbalance playing field for religious slaughter food businesses. Whilst we are happy with the modified arrangements for approval, we remain cautious to the implementation of 'arrangements' which are not applied fairly and with proven science and religious based concerns. [Halal Monitoring Committee]*
- *Compassion urges Defra to retain the WASK provision that the Minister must approve any restraining pen that is to be used for the slaughter of bovines without stunning and be satisfied that it has been installed in such a manner as to ensure that it will operate efficiently. The use of proper restraining pens and their efficient installation is vital and the requirement for the Minister's approval is*

an important component in trying to reduce the suffering of bovines that are slaughtered without stunning. [CIWF]

- *With regard the proposed change to Schedule 12(4) (c), as set out under Paragraph 92 in the consultation document, it is not clear who would inspect/approve any modifications to restraining equipment.[RSPCA]*
- *A clearer definition for mechanical restraint would avoid any difficulties that might otherwise arise regarding what constitutes mechanical restraint. We propose that an external approval process be put in place for the individual mechanical restraint of ruminants, to ensure consistency and high welfare standards. It is not appropriate for OV's to be responsible for the approval process. [BVA]*
- *We are concerned that national rules regarding the mechanical restraining equipment used during religious slaughter are open to abuse. It will therefore be important to be clear about who holds the authority to determine whether or not mechanical restraining equipment protects the animal from avoidable pain and distress. We must also ensure that there are appropriate checks and balances as well as a robust appeals process to ensure that the system works well without any impediment or obstruction to the practice of shechita. [Shechita UK]*
- *Since the government itself has a preference that, on welfare grounds, non-stun slaughter should end, it is clear to all that any 'modified arrangements' it proposes will not ensure appropriate welfare protection. [Animal Aid]*

Consultation question 13. Will any of the national rules proposed impact on members of the Muslim and Jewish communities' ability to eat meat prepared in accordance with their religious beliefs?

Analysis of responses:

	Some Impact	No Impact
Total number of responses: 71 (including 33 Survey Monkey replies)		
% of Responses	19	81

Key points:

- There is nothing to indicate the proposed arrangements will have any material impact on the ability of the Muslim and Jewish communities to eat meat prepared in accordance with their religious beliefs
- Some points of detail need to be reviewed in the light of the comments received to ensure the proposed arrangements are clear

Quotes:

- *AIMS believes in religious freedom and personal liberty in parallel with optimising animal welfare. We believe that Government should take particularly careful account of any concerns expressed by members of the faith communities affected, the views of those directly affected being likely to be well informed. The objective should be legislation that delivers the optimum possible animal welfare without infringing religious freedom. [Association of Independent Meat Suppliers]*
- *Monitoring, or indeed licensing, of slaughterhouses with the capability to undertake religious rite is a reasonable approach, and will continue the ability of religious communities to eat meat according to their requirements. [British Poultry Council]*
- *Any changes to the definition of Halal will cause significant issues for the Muslim and faith based communities. 100% of Muslims accept the prophetic method of slaughter unequivocally, and any changes to this will be detrimental and impact the religious rights of this group. [Halal Monitoring Committee]*
- *No providing Abattoirs are permitted to carry out Ritual Slaughter, then meat will be available for Muslims & Jews without prejudice. [Association of Non Stun Abattoirs]*
- *We do not anticipate that the National Rules regarding Religious Slaughter will have a directly negative effect on the Jewish community's ability to eat meat prepared according to our religious beliefs. However we are concerned that national rules regarding the mechanical restraining equipment used during religious slaughter, are open to abuse. It will therefore be important to be clear about who holds the authority to determine whether or not mechanical restraining equipment protects the animal from avoidable pain and distress. We must also ensure that there are appropriate checks and balances as well as a robust appeals process to ensure that the system works well without any impediment or obstruction to the practice of shechita. [Shechita UK]*
- *We are concerned that the new national rules could lead to an increase in non-stunned meat on the shelf, thus impacting all those who desire not to eat meat that has been religiously slaughtered. Other groups in the community, such as Sikhs, Christians and atheists may also have a serious conscience issue on eating meat that has been slaughtered/dedicated to an alien 'god'. [Barnabas fund]*
- *We consider that the law should be changed to require all animals to be stunned prior to slaughter. We recognise there are complex issues associated with this but our position remains that all animals should be stunned prior to slaughter, to help prevent suffering. We do not envisage any of the new proposed rules impacting on the ability of members of the Muslim and/or Jewish communities to eat meat prepared in accordance with their religious beliefs. [BVA]*

Religious slaughter campaign responses

Total number of responses: 78

Text of campaign response received:

I am responding as a simple meat consumer, I do not really understand all the ins and outs of your Consultation, but I do know what matters to me, and will try to explain it.

My reply mainly concerns questions 11, 12 and 13 and also section 131. I am disgusted that although you ask 'Consultation question 13. Will any of the national rules proposed impact on members of the Muslim and Jewish communities ability to eat meat prepared in accordance with their religious beliefs?', nowhere do you ask for the wider communities views on this.

I want proper control of religiously slaughtered meat, to prevent it from entering the 'normal' food chain, and I want this control right through the food chain and into retail, restaurants and food products.

I am concerned that although it is currently illegal to supply religiously slaughtered meat to people not of those communities, that it is happening all the time, on a massive scale. I expect the replacement wording for Schedule 12 which outlaws this practice to be identical to its current form, and not watered down in any way. (Ref 1).

I want an official way to make effective complaints about transgressions of these regulations as currently it is impossible to make an effective complaint.

I want proper control of illegal semi stunning. (Ref 3 and Ref 4)

I want proper control of the circulation of meat killed by cutting the trachea and oesophagus at time of slaughter. (Ref 6)

I want proper control of the circulation of meat which has been blessed as this is unacceptable and offensive to many people. (Ref 5)

I want mandatory CCTV in all slaughterhouses, to demonstrate the cruelty of unstunned slaughter and semi stunning (section131).

I want a letter similar to Ref 2, explaining the regulations, sent to all slaughterhouses, meat wholesalers, major meat retailers including supermarkets and restaurant chains, and also to trading standards, as they too currently completely ignore any complaints.

Ref 1 Parliamentary briefing note SN/SC/1314 www.parliament.uk/briefing-papers/SN01314.pdf

Ref 2

http://www.iccservices.org.uk/downloads/reports/farm_animal_welfare_council_report_on_welfare_of_livestock_slaughtered_by_religious_methods.pdf

Ref 3 <http://www.halalfoodauthority.co.uk/seminars-halalglobal.html>

Ref 4 <http://www.legislation.gov.uk/ukxi/1995/731/schedule/4/made>

Ref 5 <http://www.christianvoice.org.uk/?p=4327>

Ref 6 Regulation (EC) No. 853/2004 - 'H2' Page 21, Point 7a http://www.fsai.ie/uploadedFiles/Reg853_2004%281%29.pdf

Question 14 - Depopulation

Consultation question 14. Do you agree that derogations should be authorised in writing by the Secretary of State should exceptional circumstances arise?

Analysis of responses:

	Derogations should be authorised in writing and published	Derogations need not be authorised in writing and published
Total number of responses: 54 (including 33 Survey Monkey replies)		
% of Responses	41	59

Key points:

- Derogations, where permitted, should not be general and should be tailored to specific situations
- Use of Ventilation Shutdown opposed by welfare and veterinary organisations

Quotes:

- *Compassion believes that the use of ventilation shutdown should be prohibited. [CIWF]*
- *Derogations for depopulation should fall under the responsibility of the Secretary of State. However, it should be possible to delegate the decision to the Local Disease Control Centre overseeing an incident. This would ensure a rapid response in situations where time is of the essence. [British Poultry Council]*
- *We do not support the derogation from welfare laws in times of disease outbreak. The shocking suffering inflicted on animals during the BSE and foot-and-mouth outbreaks is a stark reminder of why animal protection laws must be upheld, especially in such circumstances. [Animal Aid]*
- *We take the view that the authorisation could be undertaken by the CVO acting on behalf of the Secretary of State [World Horse Welfare]*
- *We do agree [that derogations should be authorised in writing]. However, the notice should be specific, not general, be published in full and made publicly available. In addition, the provisions currently under WASK that relate to the slaughter/killing of animals under exceptional circumstances should also be retained where this would improve welfare above the new Regulation requirements, including whereby retaining them would provide additional detail or clarity to the new provisions. Further, the RSPCA does not agree with the use*

of ventilation shutdown as an acceptable form of killing animals. The emphasis should be on all farms to have in place an effective farm-specific contingency plan which clearly details the steps that can be taken to humanely kill the animals on that farm in the event of conditions arising as described under Paragraph 100 in the consultation document. [RSPCA]

- *We acknowledge the need for Ministers to have the power to authorise emergency derogations in particular circumstances, such as to control disease. However, we would query whether derogations should be general, as we understand their usual purpose is to address a specific issue. [BVA]*

Question 15 - Offences and Penalties

Consultation question 15. Do you consider that the proposed penalties represent proportionate and effective sanctions?

Analysis of responses:

	Approach proposed proportionate	Approach proposed not proportionate
Total number of responses: 59 (including 33 Survey Monkey replies)		
% of Responses	29	71

Key points:

- Support for harsher penalties from welfare organisations and the public
- Industry generally think the offences proposed are proportionate or too harsh.

Quotes:

- *In serious cases higher fines and longer prison sentences than those proposed should be available. [CIWF]*
- *Indictable offences should not be ruled out for serious breaches of the law in this area and longer sentences should be an option for those convicted. We do not agree that the level of maximum financial penalty is high enough to act as a sufficient deterrent in all circumstances. Moreover we do not agree that a financial penalty alone will provide a sufficient deterrent to breaking the law. Imprisonment should be included as a maximum penalty for all offences. [Animals Count]*
- *Maximum penalties of between £3-5,000 are derisory amounts that are unlikely to deter offences taking place. [Viva]*

- *These penalties may be effective for workers – if caught and action is taken – but we do not consider £5,000 to be an ‘effective, proportionate and dissuasive’ penalty for business operators, some of whom have an annual turnover running into millions. [Animal Aid]*
- *Completely excessive. [Summers Poultry]*
- *We have no concerns at this moment with the proposed schedule of offences and associated penalties or with the approach to enforcement. [British Meat processors Association]*
- *Proportionate No - Effective Yes. One lapse can result in penalties that are extreme in the circumstances. The penalties are in many instances too severe. [British Deer Farming Association]*
- *It is considered that the suggested penalties are appropriate and proportionate, and are similar to other penalties for animal health offences. [Trading Standards Institute]*
- *Some of the sanctions seem harsh considering that it is not always possible to control what an employee does – and you cannot be behind them one hundred percent of the time, despite training, education and disciplinary procedures. Nevertheless, many of the sanctions are against Company leaders who would not condone such behaviour. [Jack Brand Ltd]*

Question 16 - Enforcement

Consultation question 16. Do you consider that the proposed approach to enforcement will be effective in dealing with non compliance?

Analysis of responses:

	Approach proposed effective	Approach proposed not effective
Total number of responses: 54 (including 33 Survey Monkey replies)		
% of Responses	21	79

Key points:

- The comments received generally agree that the approach proposed will be effective subject to some amendments
- Cautious welcome for the proposal to introduce enforcement notices.
- Criminal sanctions should be consistent

Quotes:

- *Generally yes but it is important that enforcers recognise that 1099/2009 has taken an outcome-based approach so the risks should be assessed based on the outcomes. [Euro Quality Lambs]*

- *Compliance to standards can presumably be adjusted during inspections (i.e. the use of light stunning could be suspended during official visits but what safeguards are in place that correct procedures are maintained at all times?). Bullying and intimidation within slaughterhouse facilities have been documented and are believed to be widespread. This will of course have an impact on maintaining standards and promoting the reporting of failings. [Viva]*
- *While we support the government's plan to apply administrative sanctions as widely as possible, and the proposal that Local Authorities will also be added to those authorised to prosecute, non-compliance must first be detected. [Animal Aid]*
- *It must be understood that the AHVLA could take enforcement action should the Local Authority decide not to do so. The use of enforcement notices is a welcome step forward. [World Horse welfare]*
- *We welcome the opportunities provided by the wider range of options under the new Regulation to enforce the legislation and agree with the 'sliding scale' principle of sanctions, depending on the level of threat to animal welfare caused by the infringement. The effectiveness of the proposed approach will depend on the efficacy of the enforcement procedure in the first instance, and on the robustness of the follow-up activities aimed at verifying initial rectification and on-going maintenance of the improvements. [RPSCA]*
- *However, there is one apparent discrepancy under the legislation. The recording of improvements made to animal welfare by the Animal Welfare Officer is, essentially, an administrative measure. Failing to record improvements made is unlikely to pose a risk to animal welfare or cause any unnecessary suffering. This attracts a level 5 fine on the standard scale. However, offences under Article 7, such as killing or related operations being carried out by a person who does not have the appropriate level of competence, do pose a risk to animal welfare, yet they attract a level 3 fine. [NFU]*
- *The approach towards enforcement is proportionate and the proposal for Local Authorities to have powers should they choose to enforce the legislation is welcomed, being particularly beneficial for enforcement of illegal slaughter. [Trading Standards Institute]*
- *Yes. The government is viewing enforcement with such vigour that you would think that the UK had high levels of animal cruelty. [British Deer Farming Association]*
- *We support the consistent staged approach to enforcement and providing the powers to amend Standard Operating Procedures, increase checks and remove Certificates of Competence as well as to issue enforcement notices. [BVA]*

Question 17 - Powers of Entry

Consultation question 17. Do you consider that the proposed powers of entry ensure appropriate enforcement action can be taken whilst protecting the rights of individuals?

Analysis of responses:

	Approach proposed proportionate	Approach proposed not proportionate
Total number of responses: 44 (including 33 Survey Monkey replies)		
% of Responses	61	39

Key points:

- General agreement that the provisions proposed are proportionate
- Concern that prior notice requirement will render enforcement action ineffective

Quotes:

- *The ability of an officer/inspector authorised by the Secretary of State to enter an abattoir without notice is extremely important. The ease with which the term 'reasonable suspicion' (of a failure) can be challenged – and hence such officers prevented from entering premises without notice – is therefore crucial. Further guidance on how the term 'reasonable suspicion' will be analysed would be helpful for all, not least in ensuring consistency. [RSPCA]*
- *It is considered that the powers of entry are proportionate and reflect the rights of individuals whilst ensuring animal welfare is not compromised. [Trading Standards Institute]*
- *We note that it is proposed to require a warrant for 'Admission to premises used wholly or mainly as a private dwelling house'. We agree that a warrant should be required to enter private dwellings. However, for the purposes of consistency and effective enforcement – to secure evidence and avoid unnecessary delays - the powers of entry should be made consistent with other similar legislation. [BVA]*
- *Enforcement action cannot be considered appropriate whenever there is a requirement for officers / inspectors to give 'reasonable notice'. The requirement of officers to give notice of an inspection makes something of a mockery of the law, allowing, as it would, unlawful conduct to be temporarily suspended until the inspection, only to be resumed afterwards. [Animals Count]*
- *Giving notice to establishments that an inspection will have will invariably mean a sometimes inaccurate picture of normal practice.*

Authorities should make unexpected and regular visits to avoid this. [Viva]

- *These are standard provisions in other legislation. However it must be clear that officers can use their powers of entry, without prior notification, should a serious welfare offence be suspected. [World Horse Welfare]*

Question 18 - Appeals

Consultation question 18. (Asked on behalf of the Tribunal Procedure Committee) To what extent do you agree that the General Regulatory Chamber Rules will suit the handling of these appeals?

Analysis of responses:

	Approach proposed suitable	Approach proposed not suitable
Total number of responses: 49 (including 31 Survey Monkey replies)		
% of Responses	48	52

Key points:

- Some support for the approach proposed
- Proposal that magistrates courts should deal with enforcement

Quotes:

- *We support all truly independent measures to regulate this industry. [Animal Aid]*
- *The rules of the General Regulatory Chamber provide a degree of flexibility that will enable the First Tier Tribunal to deal with appeals fairly, and in a manner which is appropriate to the facts and circumstances of the particular case and the individuals concerned. This makes the First Tier Tribunal well suited to handling appeals of this nature, particularly in relation to decisions to withdraw or suspend certificates of competence. Given the close relationship between enforcement notices and criminal proceedings, it may be more appropriate to appeals against enforcement notices to be dealt with by the Magistrates' Court than by the First Tier Tribunal. [NFU]*
- *TSI believes that the appeal process is fair and it can be demonstrated that appeals are considered by those other than the competent authorities. [Trading Standards Institute]*
- *The proposed rules seem fine, and appear to appropriately cover all eventualities [Council for Mosques]*
- *No. The makeup of the Tribunal appears arbitrary and yet they have*

- the power to deny an appeal. [British Deer Farming Association]*
- *We welcome a consistent approach to appeals. Since the first-tier chamber is likely to be dealing with a broad range of issues, it is hoped that they will have the appropriate expertise to be able to judge WATOK appeals fairly. The general tribunal rules appear fairly complex and formal and consider the Government should take care to ensure they would be appropriate for this purpose. We also note that there is a possibility that costs could be attached to the appeals process in future. [BVA]*

Question 19 - Transitional Measures

Consultation question 19. Do you have any comments on the proposed approach to transitional measures?

Total number of responses: 42
(including 31 Survey Monkey replies)

Key points:

- General support for the transitional measures proposed

Quotes:

- *A general comment to reiterate that transitional measures should be flexible in relation to Certificates of Competence (i.e. focus on competence rather than attendance). [Euro Quality Lambs]*
- *It is of concern that existing matters that need clarifying (such as the potential of widespread light stunning for Halal slaughter) may not be tackled until 2019. We hope that would not be the case. [Viva]*
- *We applaud the lead in times for technical measures and wish that a similar timescale had been applied to staff training and certificates of competence. We do not believe this legislation should be enforced at all until all other Member States can demonstrate compliance or a realistic time table for compliance and we believe that saving legislation for WASK might prove necessary. [Association of Independent Meat Suppliers]*
- *Industry has been given very little information, to be able to comment [Association of Non Stun Abattoirs]*
- *We support the proposed approach to transitional measures. [British Poultry Council]*
- *The RSPCA welcomes the continuation of the national rules listed under paragraph 123 in the consultation document to safeguard welfare until the new rules are implemented in 2019. However, in addition to those provisions highlighted to be retained permanently in the national legislation beyond 2019, the RSPCA would like to see the following retained, also:*
 - *Schedule 2, Part I (1)(b), to ensure all slaughterhouses and knackery yards have suitable equipment and facilities available for the purpose of unloading animals from means of*

- *transport.*
 - *Schedule 5, Part II (10)(b) & (d), to ensure that, despite the minimum provisions prescribed for electrical water bath stunning in the new Regulations, there is a specific requirement for the strength and duration of the current to immediately render the bird unconscious and that must be good electrical contacts. This adds further detail and clarity and will ensure that, even if the specific requirements for frequency, current and duration are being met, these desired outcomes must be achieved.*
 - *Schedule 7, Part III (8)(a)(ii), to ensure birds are conveyed to the point in the chamber of maximum concentration within a set time period.*
 - *Schedule 7, Part III (8)(b), to ensure the gas chamber has an apparatus to maintain the required gas concentration.*
- *[RSPCA]*
- *More Information is needed to the FBO's, not sufficient time has been allowed for the Industry to consult on this correctly. [Simply Halal]*
- *We broadly support the proposed approach to transitional measures, with the retention of WASK welfare provisions in the meantime. We note that the transitional period allows producers a generous six year period to comply with the Regulation in terms of the layout and equipment of slaughterhouses and would query why such a long period is proposed. However, assuming that England already has good welfare standards in slaughterhouses, then welfare at slaughter should not be significantly compromised by a delay in the introduction of modifications to slaughterhouses. [British Veterinary Association]*

Question 20 - CCTV and monitoring

Consultation question 20. Do you agree business operators are best placed to decide which monitoring tools are most appropriate for their individual circumstances?

Analysis of responses:

	Business operators should decide best approach for them	Uptake of CCTV should not be left to business operators
Total number of responses: 72 (including 31 Survey Monkey replies)		
% of Responses	29	71

Key points:

- Most welfare organisations and all members of the public who commented specifically support compulsory CCTV
- Food Business Operators generally see compulsory CCTV as an unnecessary imposition
- Some questions remain over the effectiveness of CCTV, how footage obtained should be dealt with and who should be required to view it

Quotes:

- *Compassion believes that Defra should make it mandatory to install CCTV in all slaughterhouses to enable slaughterhouse operators, the Food Standards Agency and independent parties to effectively monitor slaughter operations to ensure compliance with the legislative requirements on the welfare of animals at slaughter and to eliminate cruelty. [CIWF]*
- *Strongly we do not. Whilst we agree that CCTV has its limitations, it is still better than not having it and will at least promote best practice. Those establishments that do not uphold best practice on a regular basis will be the ones most likely to not install CCTV, which is why we believe that it should be mandatory in all slaughterhouses. We also believe that the results of CCTV should be monitored by those other than people working in those establishments – to avoid a conflict of interest where welfare infringements might possibly be overlooked to avoid penalties. [Viva]*
- *Absolutely not, and it is both extraordinary and unethical that the regulator should seek to hand control to those being regulated. Animal Aid's investigations have shown widespread flouting of animal protection laws inside English slaughterhouses. None of the breaches were acted upon by the FBO but, instead, cruelties were permitted to continue over prolonged periods. Even when caught, several FBOs issued public statements denying that the film was even taken on their premises. None took responsibility for the acts that were committed on their premises, even though in law the ultimate responsibility does, indeed, lie with them. [Animal Aid]*
- *We have considered this area in detail and analysed carefully the issues you have raised, particularly under paragraph 129 in the consultation report. As there is an increase in the voluntary installation of CCTV this is good evidence that some within the industry have themselves recognised the benefits of installing CCTV. As such, if not made mandatory, only those 'good' slaughter plants, that have already installed this technology, will continue to operate it, whilst those slaughter plants that may be considered of greater concern, would not. The RSPCA feels strongly that the installation of CCTV should be made mandatory and in line with this position, has made it a requirement within its welfare standards for farm animals that are implemented by members of the Society's farm assurance scheme, Freedom Food. [RSPCA]*
- *We are not convinced that the case against compulsory CCTV has been made. We suggest that the issue should be revisited as soon as more evidence on the value of CCTV becomes available. [World*

Horse Welfare]

- *Yes, given that competent authorities can require modification of SOPs should a need to do so arise. [Humane Slaughter Association]*
- *We consider that Food Business Operators (FBOs) must have effective procedures in place either to constantly monitor stunning and slaughter operations, whether this is via CCTV or an aperture or window in the stunning pen – as appropriate. [BVA]*
- *FBOs are the best placed to decide which monitoring tools are most appropriate for their individual circumstances. However, some discussion with customers, assurance schemes, and the Competent Authority would be appropriate in order to implement an approach that is robust and auditable. [British Poultry Council]*
- *We strongly support the approach Defra has taken on monitoring procedures and the recognition that CCTV is one of many available monitoring methodologies and abattoirs should be free to select those methods that work best for them. [British Meat Processors Association]*
- *CCTV can be a useful tool – but more often acts as a deterrent. Otherwise, it is dependent on being able to review the CCTV which is hugely time-consuming. Management and good direction are more effective. [Jack Brand Ltd]*

CCTV campaign No 1 response

Total number of responses: 301

Text of campaign response received:

I'm writing in response to the consultation on The Welfare of Animals at the Time of Killing.

<http://www.defra.gov.uk/consult/files/animal-welfare-killing-condoc-120912.pdf>

You have said that you 'do not plan to pursue proposals for compulsory CCTV further'. One of the reasons you give for this is 'the existence of alternative methods of inconspicuous monitoring available to business operators'. Please can you explain what these alternative methods are, and also tell me what percentage of UK slaughterhouses have so far installed independently monitored CCTV?

It should be compulsory for all UK slaughterhouses to have CCTV, with the footage being made available to a third party.

Animal Aid have filmed in nine slaughterhouses and eight of them were found to have breached the law. This is a failure rate of 89% which is simply unacceptable. As well as improper stunning, Animal Aid filmed slaughtermen sadistically abusing already frightened animals by kicking, punching, goading and burning with cigarettes. They also filmed heads of sheep being cut off before the statutory time had elapsed and while they were, in all probability, still alive. In one slaughterhouse the stun operator had trouble making effective and clean stuns, and a significant proportion of animals (12 per cent of the 114 cows filmed) endured multiple stuns in order to render them unconscious before slaughter.

Pigs were maliciously stunned on the body, and others were screaming from

improper stuns and had to be restunned. Animals were dragged, goaded and thrown into stunning areas. Cows were left for up to 65 minutes in the stunning box before they were stunned. Animals were shackled before they were stunned. These are just some examples of the inexcusable abuse that was filmed.

I hope you will reconsider your position on mandatory CCTV in slaughterhouses. The protection it will afford the animals will far outweigh any financial costs. The animals in this industry are extremely vulnerable and should be protected from sadistic abuse by workers and improper stunning.

On your website it says the following - 'It is an offence to cause or permit an animal avoidable excitement, pain or suffering'.

While all animals will obviously suffer in a slaughterhouse you have the ability to stop the additional abuse from sadistic/incompetent slaughtermen and the blatant rule breaking. Not to do so would surely be going against your own rules.

CCTV campaign “Question 20” response

Total number of responses: 137

Text of campaign response received:

Question 20: Do you agree that business operators [i.e. slaughterhouse owners] are best placed to decide which monitoring tools are most appropriate for their individual circumstances?

Absolutely not, and it is both extraordinary and unethical that the regulator should seek to hand control to those being regulated. This would be a laughable proposition if it did not involve the abuse inflicted on animals in these establishments. Killing animals for a living is one of the worst jobs and necessarily involves workers becoming desensitised. Part of this is a demonisation of the animals which makes it easier to kill them but also makes it easier to abuse them, to show that it doesn't bother you, that you're as macho as everyone else is also pretending to be, unless they are psychopaths.

Animal Aid's investigations have shown widespread flouting of animal protection laws inside English slaughterhouses. None of the breaches was acted upon by the FBO but, instead, cruelties were permitted to continue over prolonged periods. Even when caught, several FBOs issued public statements denying that the film was even taken on their premises. None took responsibility for the acts that were committed on their premises, even though in law the ultimate responsibility does, indeed, lie with them. At Cheale Meats, for example, the company's CCTV footage was wiped shortly before the FSA inspectors requested it. The company already knew that its staff were facing serious welfare allegations and, rather than hand the footage to the regulators, it destroyed the evidence that could have convicted men of gross cruelty.

FBOs do not want regulation and strongly resist all attempts to monitor activities on their premises. Those charged with monitoring – vets and hygiene inspectors – report that bullying is commonplace. For years, the industry has been lobbying for vets to be removed from slaughterhouses altogether, which would leave the animals with virtually no protection. Allowing FBOs to decide how they will be monitored is a dereliction of the government's duty.

Questions 21 – 24 - Approach to consultation

Consultation Question 21. – Do you have any other comments on the implementation of Regulation 1099/2009 in England?

Total number of responses: 67
(including 29 Survey Monkey replies)

Key points:

- Concerns about the way the consultation was conducted including limited time for comment and absence of draft legislation
- A number of points of detail were raised where further clarification or consideration is required
- Implementation should be harmonised across the UK
- Support for method of slaughter labelling from members of the public and wider interest groups
- Support for prohibition of slaughter without stunning from members of the public

Quotes:

- *There should have been a draft legislation tabled so that responses could be made on the appropriateness of the text, to ensure that welfare outcomes are at the forefront and ‘unintended consequences’ are countered.[Euro Quality Lambs]*
- *The NFU urges Defra to work with the Welsh, Scottish and Northern Irish administrations and Governments to create a harmonised implementation across the UK as failure to do this will potentially result in confusion, and unnecessary costs and bureaucracy. [NFU]*
- *I would ask for clarification of the legal welfare provision to crabs and lobsters at time of slaughter (or which there is currently none). This would be the perfect opportunity for the Government to extend that protection to these sentient animals. Currently it is legal to boil them or dismember them alive in England. Whilst we understand that there is some debate around the extent of their ability to feel pain, we strongly believe that the scientific consensus is now that they do have such an ability – and it is a severe welfare injustice that they are not currently offered the protection of stunning at point of slaughter (especially as contraptions such as the Crustastun have proven to be commercially viable and appear to provide a more humane way of killing these animals). [Viva]*
- *The AWO – could be a company-wide role, does not have to be a unique AWO in each site of a multisite company. Does not have to be physically present at all times. Annex III 2.4 of Regulation 1099 requires that “every day that the slaughterhouse operates, before any animal arrives, isolation pens for animals that require specific care*

shall be prepared and kept for immediate use.” This would be a retrograde step as there is no longer the need in the UK to have a permanent isolation pen. We urge the UK interpretation to be that a slaughterhouse should have the capability to provide an isolation pen as necessary and appropriate. An example would be that an animal with a broken leg should have the isolation pen created where it is rather than moved to the predetermined isolation pen. Not only would the Regulation requirement impose inflexibility on the operator but it has the potential to cause animal suffering. [British Meat Processors Association]

- *The provisions relating to use of gas to stun pigs seem confusing. In addition, we are disappointed that Defra has not taken the opportunity to set a date for phase out of the use of carbon dioxide to stun/kill pigs. It is known to be aversive (as indicated by significant body of research) and the successful transition to use of inert gases to kill poultry indicates that such a move for pigs would be achievable, given sufficient planning and motivation. We would be interested to know – in the absence of any provisions to this effect in the revised WASK Regulations – what plans Defra has to progress this issue. [RSPCA]*
- *If slaughter without stunning is still to be permitted, we believe no more animals should be slaughtered under the exemption than is absolutely necessary to meet religious demand. We therefore request that this WASK provision be retained and effectively enforced. One way of enforcing this provision would be through the mandatory labelling of non pre-stunned meat. House of Commons Library Standard Note: SN/SC/131412 states: “Much of the meat from animals slaughtered by religious methods is not sold as such, because it comes from the wrong cut of meat. Many people believe that if such meat had to be labelled as coming from animals slaughtered without pre-stunning, they would not buy it.” [National Secular Society]*
- *I write in response to the consultation on animal welfare at slaughter, which has only just come to my attention. I am concerned about animal welfare and as such as I abhor any religious slaughter that results in more suffering for the animal than would be the case if normal slaughtering practices were used. As such, based on my understanding of current methods, I think all animals should be stunned before slaughter and I urge the government to put this in to law. [Member of the public]*

Consultation Question 22. – Do you consider that the consultation paper explained the key issues sufficiently for you to properly consider your responses?

Analysis of responses:

	Issues explained sufficiently well	Issues not explained sufficiently well
Total number of responses: 55 (including 29 Survey Monkey replies)		
% of Responses	55	45

Key points:

- Consultation criticised for being too long and detailed
- Some consultees would have preferred the issues to have been presented more simply

Quotes:

- *Yes, aside from the important matter regarding which stricter national measures the government plans to retain [Animal Aid]*
- *It would have been helpful to have had a n/a box which could have been used by those organisations that only have a limited involvement with the slaughter of animals [World Horse Welfare]*
- *Unbelievably complex and detailed. Could have been simplified far more. [National Sheep Association]*
- *The way this consultation paper has been distributed, raises questions who has been consulted. None of the 11 members of ANSA which are all dedicated Ritual Slaughter Abattoirs have not been consulted Association of Non Stun Abattoirs]*
- *It is appreciated that this is a difficult exercise and, although the level of information provided was good, it would have been very useful to have had a list of all the requirements that are currently covered in WASK but are not covered by - or that will not be (or are not being proposed to be) retained - within the new rules. [RSPCA]*
- *It was obviously hoped that FBOs wouldn't complete this document, due to the complication of detail supplied and the time given. [Simply Halal]*
- *No. In many circumstances it was difficult to discover what the questions actually meant after reading the consultation paper. The time required to research the information was excessive. [British Deer Farming Association]*
- *No - Although you have provided lots of details in the consultation, some of the contents which is implied scientific, is questionable. In the consultation, it is not apparent that the animals will receive the best care it deserves. A 132 page document is rather lengthy and the time given to respond to it is not in any way proportionate.*

- *Difficult to understand [MF Upcott Deer Farm]*
- *It could have been put in plainer English and less jargon [JB Poultry farmer]*

Consultation Question 23. – Do you consider that you had sufficient time to respond to the consultation?

Analysis of responses:

	Time sufficient	Time not sufficient
Total number of responses: 52 (including 29 Survey Monkey replies)		
% of Responses	19	81

- Key points:**
- Most consultees thought a six week consultation period was too short for a consultation of this complexity
 - Some complaints about the way the consultation was circulated with a number of Food Business Operators complaining they were not notified direct
- Quotes:**
- *The consultation came out too late and is only available for a short period (6 weeks). By the end of it there will not be much time for Defra to review the consultation responses before implementation is due. As a result there is a high likelihood that implementation will be rushed which always leads to poor implementation practices, disputes between operators and enforcers, increased costs and significant disruption to business practices. It is surprising we are at this position given that meetings had been held in 2011 with industry in relation to the forthcoming regulation. [Euro Quality Lambs]*
 - *Absolutely not. Our company was not even on the consultation list! It was only until a food consultant forwarded it on to us did we realise there was a consultation being held in respect of the regulation change. [Summers Poultry]*
 - *Six weeks is not sufficient. We believe 12 or 16 weeks would have been more appropriate. [Animal Aid]*

Consultation Question 24. – Do you have any other comments on the way this consultation has been conducted?

Total number of responses: 45
(Including 29 Survey Monkey replies)

Key points:

- Concerns about the lateness of the consultation, its complexity and the lack of time available for comment
- Worries that post consultation decisions will be rushed and poorly considered as a result

Quotes:

- *It is of concern that the lack of time between the end of the consultation period and the requirement to implement the new Regulations is so short. If the consultation responses raise any points that require/warrant further investigation by Defra with a view, potentially, to changing the current proposals, there will be little time in which to achieve this. That in turn might result in a view that such changes cannot be made due to insufficient time to investigate properly the issues raised, rather than because the potential changes are unwarranted. [RSPCA]*
- *FBOs are not fully aware of the implications of this document and the importance of it! I would be very interested to see how many FBOs have completed this consultation document. [Simply Halal]*
- *This was a lengthy and complex document, when preparing any material it is important to establish the volume and complexity of any texts to establish how long it might take an individual to read a piece in the first instance before then setting the comprehension task – 50-70 hours of reading as a minimum is a significant workload if you consider your smaller businesses and individuals and genuinely seek to hear their views. [Livestockwise]*
- *Complicated and poorly worded. [MF Upcott Dear Farm]*
- *We have a good customer base providing local produce to local people. The legislation puts that in jeopardy not only for us but other local producers. Once again ensuring supermarkets put the small producers out of business. [JB Poultry farmer]*
- *Several points were highlighted to the Defra Animal Welfare team in pre-consultation meetings with the religious groups which were not assessed in the Impact Assessment or the Consultation. [Euro Quality Lambs]*
- *In one word, “poorly”. This consultation comes at a point under 3 months before the proposed changes are to be made. It is, in effect pointless. Industries concerns will be put to one side and brushed underneath the carpet. [Summers Poultry]*
- *Whilst we appreciate that the issues are sometimes complex, the way the consultation was conducted would be off putting to those with less in-depth knowledge of the issues but who might want to comment on specific areas. Ideally, there would be a pared down version to invite comment from the public. [Viva]*

Proposed way forward

Legislation

The Welfare of Animals at the Time of Killing Regulations 2013 (WATOK) - to implement Council Regulation (EC) 1099/2009 in England - will be finalised in the light of the consultation responses received and will then be laid before Parliament. It is anticipated that WATOK will come into force in late 2013.

National rules

The Government is committed to improving standards of animal welfare and will therefore seek to ensure there is no reduction in welfare standards that apply to animals at the time of killing, when Regulation 1099/2009 is fully implemented in England. We have also noted concerns about differences in approach across different parts of the UK, voiced by some in the industry. Scotland has already introduced implementing legislation maintaining all existing national rules which maintain better welfare protection than Regulation 1099/2009. Taking account of Government policy objectives and the comments received, and in common with a number of other Member States, the Government intends to maintain all existing national rules in the Welfare of Animals (Slaughter or Killing) Regulations 1995 which provide more extensive welfare protection than Regulation 1099/2009.

So far as the use of gas to stun and kill animals is concerned we have historically adopted a very restrictive approach by limiting the range of gases and gas mixtures that can be used. We are proposing to remove some current restrictions by allowing access to the wider range of gas mixtures permitted under Regulation 1099/2009 (with certain exceptions, such as carbon monoxide which will continue to be prohibited). This will include the use of gas mixtures to kill animals on-farm. However, Regulation 1099/2009 does not include provisions to regulate the use of gas on-farm where the Commission expects Member States to use national rules to protect welfare as required. To address this gap in the regulatory framework, we are proposing to apply similar controls to those that apply in a slaughterhouse to the use of gas to kill animals on farm.

Further details of the national rules we propose retaining are at Annex 1.

Small-scale poultry production

The consultation demonstrated considerable concern about the disproportionate impact of Government proposals on small-scale poultry producers, despite an overall lack of specific detail or evidence to support this. Regulation 1099/2009 (at Article 11) makes provision for an exemption from many of the EU requirements for persons slaughtering poultry, rabbits and hares on farm for the purpose of directly supplying small quantities of meat to the final consumer or local retail outlets. This exemption applies where slaughter volumes are below a threshold to be specified by the Commission. No threshold has been specified to date, nor has the Commission come forward with any proposals to trigger this provision. However, the Commission has stated, in a letter dated 10 September 2012 to the

Association of Poultry Processors and Poultry Trade in the EU countries, that the threshold applied under the EU food hygiene regime for determining “small-scale supply” should also apply for the purposes of the welfare regime under Regulation 1099/2009.

In the UK, “small-scale supply” under the food hygiene regime¹ (EU Regulation 853/2004) means the slaughter of less than 10,000 birds a year, or the slaughter of more than 10,000 birds a year by a producer who is a member of an assurance scheme and either dry plucks by hand or slaughters for 40 days per year or less. This threshold varies considerably from one Member State to another. In the absence of action by the Commission we are proposing to adopt this approach in England. This will exempt small-scale slaughter activities from many of the requirements in Regulation 1099/2009 (including the requirement for a certificate of competence). However, the approach proposed in relation to national rules will maintain current regulatory requirements for these activities; accordingly small-scale poultry producers will continue to be subject to the requirement to work under a licence issued by the competent authority. We are not proposing to introduce any new national rules which go beyond current national or EU requirements. This will ensure there is no change in the regulatory burdens that apply to small-scale poultry producers.

Certificates of Competence (CoC)

In the light of the comments received we propose simplifying and streamlining the CoC arrangements. (See Annex 2). Existing slaughter licence-holders have already been certified as competent following a 3-month training period and assessment by an authorised veterinarian under conditions equivalent to those laid down in the EU Regulation. As such, existing slaughter licences will be treated as equivalent to a CoC, and any person holding a valid slaughter licence will not be required to undertake further training or assessment provided that person registers their licence as a CoC with the competent authority and upgrades the existing licence document for a Regulation 1099/2009 document. All slaughtermen will continue to be subject to official monitoring and verification.

The Regulation also now requires a person to have a CoC for activities, such as handling and caring of animals before restraint, that were not previously licensed. Those who can demonstrate three years relevant experience will be able to apply for a CoC under a simplified procedure. Those with less than three years experience will not be able to use the simplified procedure and so must submit evidence of relevant training and examination. For CoC purposes “handling and care of animals before they are restrained” will be interpreted to commence after animals have entered the lairage and will not include third parties entering the lairage to undertake tasks not associated with the killing process e.g. shearers. This will reduce the number of people who will be required to obtain a CoC.

¹ <http://www.food.gov.uk/multimedia/pdfs/migpartone.pdf#page=21>

For persons involved in the slaughter of small quantities of poultry, rabbits and hares, and killing outside slaughterhouses other than for human consumption, we propose to retain the existing requirement for a licence (save for the exceptions currently applied under WASK) although the process for obtaining licences will be simplified and made more flexible.

Together it is provisionally estimated these changes will reduce the one-off cost to industry from £1.2m to £0.25m. Full details of the approach proposed are set out at Annex 2.

Religious Slaughter

Existing national rules will be retained in relation to religious slaughter. These rules limit slaughter without prior stunning to the slaughter of bovine animals, sheep, goats and birds by a Jew for the food of Jews or by a Muslim for the food of Muslims. In addition the following national rules will continue to apply:

- Bovines must be slaughtered in an upright position in a restraining pen approved for that purpose by the competent authority (which will be the Food Standards Agency under the new legislation). Restraint of a bovine animal is prohibited until the slaughterman is ready to make the incision
- Shackling and hoisting is prohibited until the animal is unconscious and not before a specified period has elapsed
- Back-up stunning equipment is to be available for use in an emergency
- The knife must be of a sufficient size and sharpness for slaughter
- Licences for Schechita slaughter will continue to be issued by the Rabbinical Commission
- Religious slaughter of poultry, rabbits and hares outside a slaughterhouse for private domestic consumption is prohibited

Depopulation

Derogations from Regulation 1099/2009 requirements where depopulation activities are undertaken by the Competent Authority will require explicit approval by the Secretary of State.

Competent authority

As originally proposed, Competent Authority responsibilities under Regulation 1099/2009 will be divided between the Secretary of State (Defra or the Animal Health Veterinary Laboratory's Agency (AHVLA)) and the Food Standards Agency (FSA).

Enforcement, Powers of Entry, Appeals, Offences and Penalties

We are not proposing any changes to the range of enforcement options that were considered under the consultation.

However, penalties have changed following a review by the Government's Criminal Offences Gateway within the Ministry of Justice. This gateway process scrutinises proposals for criminal offences in line with the Government's commitment to prevent a proliferation of unnecessary new offences in legislation.

Fines are now consistent for all offences (maximum of £5000). In recognition of the extended range of enforcement options, custodial sentences (up to a maximum of three months) will now only apply if actual harm or suffering is caused to an animal as a result of an infringement of EU requirements or national rules.

The range of powers for authorised officers/inspectors proposed in the consultation will apply along with the following additional powers :

- make any enquiries, observe any operation or process, and take recordings or photographs;
- have access to, inspect and check the data on, and operation of, any computer and any associated equipment;
- seize any computers and associated equipment for the purpose of copying data, but only if the inspector has a reasonable suspicion that an offence has been committed, and provided they are returned as soon as practicable.

All powers will be subject to the safeguards outlined in the consultation. In addition, if an item is seized by an inspector/authorised officer during the course of an investigation, a written receipt must be provided to the business operator and the inspector must return the item as soon as reasonably practicable after deciding that the items are no longer required apart from those that may be used as evidence in court proceedings.

No changes are proposed to the appeal procedure set out in the consultation.

CCTV and monitoring

We do not have legal powers under Regulation 1099/2009 to impose requirements for compulsory CCTV in all slaughterhouses. Article 26(1) of the Regulation only allows Member States to maintain existing stricter national rules for slaughterhouses that were in force before 8th December 2009. Despite the well-supported campaign supporting compulsory CCTV some of the undercover evidence has been gathered in premises which already had CCTV which implies CCTV may not be an effective monitoring tool though it could be helpful as a verification tool for audit purposes after a welfare breach has taken place in a particular slaughterhouse. However, the Government is not convinced of the need for further legislation at this time and will be keeping the need for CCTV under review in the context of the new monitoring requirements required under Regulation 1099/2009.

Method of slaughter labelling

Legal constraints under current EU labelling legislation (Directive 2000/13) means we cannot require compulsory method of slaughter labelling under the welfare regime in Regulation 1099/2009 and the new domestic regulations. The Government acknowledges the comments received on this issue and will look at the options for providing further

information to consumers in the light of further consideration of this matter in an EU context.

Annex 1

Proposed approach to National Rules

All existing national rules in the Welfare of Animals (Slaughter or Killing) Regulations 1995 (WASK) which provide more extensive welfare protection than the EU Regulation will be maintained.

The following key national rules will apply to the movement, lairaging, restraint, stunning and slaughter of animals and birds in slaughterhouses:

Certificates of Competence

- Require a person holding a CoC for slaughter activities falling within the scope of the WASK slaughter licensing arrangements to be over 18²
- Require a person applying for a CoC to declare all welfare offences, regardless of when they were committed.

Lairage facilities

- Require protection of animals from adverse weather in the lairage and the provision of adequate ventilation to ensure temperature, air relative humidity and ammonia levels are within limits that are not harmful to animals³.
- Lay down detailed requirements for handling, watering and feeding of animals in the lairage
- Require lairages (including field lairages) to have appropriate feeding and watering equipment
- Ensure field lairages do not pose a physical, chemical or health hazard to animals
- Require equipment for tethering animals in lairage
- Require a loose box in lairages confining horses to minimise injury
- Require a separate room or bay for killing horses

Restraint

- Require animals to be restrained by an appropriate method before stunning or killing
- Prohibit the use of a shackle line unless each bird suspended from it is kept clear of objects, including when its wings are outstretched
- Require shackle lines to be operated at a speed that without undue haste allows any act intended to be performed in relation to birds suspended from it.

Stunning equipment - general

- Ensure stunning equipment is designed and constructed to facilitate rapid and effective stunning / killing

² Age limit of 18 does not apply for applicants who seek CoC for handling and care of animals before they are restrained; or the shackling or hoisting of live poultry before stunning.

³ The requirement for animals to be placed in the lairage on arrival at the slaughterhouse is covered by paragraph 1.2 in Annex III of the EU Regulation.

- Prohibit the stunning of animals unless they can be killed without delay
- Require any defect found in spare stunning equipment or instruments held for emergency use to be rectified immediately

Electrical stunning

- Require electrical stunning equipment to stun immediately
- Require good electrical contact with the animal
- Require a waterbath stunner to be of adequate size and depth for the birds being stunned
- In the case of group stunning of birds in a waterbath, require voltage sufficient to ensure stunning of every bird is maintained
- If overflow in a waterbath is unavoidable, ensure measures are taken to ensure no bird receives an electric shock before being stunned

Mechanical stunning - Captive bolts

- Require the correct strength of cartridge or other propellant in accordance with manufacturer's instructions
- Prohibit poll stunning of bovines (i.e. in the back of the head)
- Where poll stunning is used for a sheep or goat require animals to be bled within 15 seconds or killed by another method within 15 seconds of shooting
- If a captive bolt fails to retract fully require the defective equipment to be rectified before it is used again

Gas stunning

- Lay down operational procedures for gas killing in a slaughterhouse
- Limit use of high concentrations of Co₂ to **killing** only (i.e. prohibit use as a stunning method)
- Ensure the gas chamber is designed to maintain required gas concentrations provide a means of flushing with air and allow access to animals with a minimum of delay
- Ensure a gas chamber is designed to allow pigs to remain upright until they lose consciousness and to see each other
- Require the gas chamber (for carbon dioxide at high concentrations) to be designed to ensure exposure to maximum concentration of gas within 30 seconds for pigs

Bleeding / pithing

- Where an animal is bled or pithed require this to be done without delay following stunning
- Require bleeding to be rapid, profuse and ensure it is completed before animal regains consciousness
- Prohibit dressing procedures or electrical stimulation until minimum bleed-out times have elapsed

In relation to killing operations outside a slaughterhouse, the following general principles will apply to the application of stricter national rules.

- Knackers' yards and businesses slaughtering small quantities of birds, rabbits and hares for local supply will continue to be treated in the same way as approved slaughterhouses. All killing and related operations taking place outside approved slaughterhouses will continue to be licensed by the competent authority, save for the exceptions currently applied under WASK (CoC arrangements are limited to killing for human consumption only)
- Persons operating a gas chamber outside a slaughterhouse will be required to hold a CoC or a licence
- Maintain national rules on restraining, stunning and killing operations for other commercial killing operations on farms
- Maintain national rules on stunning and killing operations in relation to the killing of animals for private domestic consumption

The following key national rules will continue to apply to knackers' yards and businesses slaughtering small quantities of birds, rabbits and hares for local supply (since Annexes II and III of the Regulation only apply to slaughterhouses).

- All the detailed requirements on moving and restraining animals, as well as prescriptive requirements on premises and stunning equipment will apply (since knackers' yards and businesses slaughtering small quantities of birds, rabbits and hares for local supply will continue to be treated in the same way as approved slaughterhouses).
- Require bridges, ramps and gangways to be fitted with means of protection to prevent animals falling off
- Require passageways to be constructed to minimise injuries and to be arranged to take account of gregarious tendencies of animals
- Require a floor which minimises the risk of slipping
- Require replacement means of maintaining adequate ventilation if original source of ventilation fails
- Require adequate lighting in lairages to allow for inspection of animals
- Lay down detailed requirements for operating shackle lines
- Require unweaned animals or those suffering pain to be slaughtered immediately
- Require animals that are not slaughtered immediately to be lairaged
- Require adequate and suitable bedding material in lairages
- Require adequate drinking water in lairages in appropriate facilities
- Prohibit the use of certain restraining and handling methods
- Prohibit the use of instruments which administer electric shocks to make animals move, subject to certain exceptions
- Require animals delivered in containers to be handled with care and not dropped, thrown or knocked over
- Require containers to be loaded and unloaded horizontally
- Require animals in containers to be unloaded individually

- In relation to animals killed by bleeding, require both the carotid arteries to be cut or the vessels from which they arise
- Require stunning, shackling, hoisting and bleeding of animals to be carried out consecutively in respect of one animal at a time
- Require stunning equipment (gas and electrical) to be fitted with devices that give clearly visible and audible warning signals if electric currents or gas levels fall below required level
- Require prior notification to the competent authority where animals killed on farms by gas (other than small scale slaughter of poultry, rabbits or hares)
- Lay down operational procedures and equipment requirements for gas killing on farm
- Prohibit the use of carbon monoxide associated with other gases e.g. exhaust gas (all other gas mixtures permitted by Regulation 1099/2009 will be allowed)
- Require a gas chamber used on farm to measure and display gas mixture volumes

Not all the above national rules will apply to other commercial killing operations on farm and killing for private domestic consumption. Only national rules on restraining, stunning and killing operations will continue to apply to killing on farm for purposes other than human consumption. In relation to the killing of animals for private domestic consumption, only national rules on stunning and killing operations will apply in certain scenarios to reflect the current position adopted under WASK.

Existing national rules in WASK will be retained for the following activities which fall outside the scope of Regulation 1099/2009:

- Require all animals within the scope of WASK (including reptiles, amphibians, crustaceans etc) which are kept or bred for the production of food,... or other products to be protected from avoidable pain, suffering and distress at the time of killing
- Require all poultry and rabbits which are bled for private domestic consumption outside a slaughterhouse to be stunned before bleeding.

Annex 2

Revised approach to Certificates of Competence (CoC)

1. Existing WASK slaughter licence holders

- Existing slaughter licences will be recognised as “equivalent” to a CoC on the basis the WASK licences have been obtained under conditions equivalent to those laid down in the EU Regulation.
- Current WASK licence-holders will be required to register their WASK licence as a CoC with the competent authority and exchange it for an EU-recognisable CoC that will cite the new EU and domestic legislation. This will be in the form of a registered photo card subject to payment of an administration fee (cost £25). WASK licence-holders will have until 8 December 2015 to upgrade their documents.
- WASK licence holders who fail to upgrade their licences by 8 December 2015 will not be permitted to continue working in the industry after that date unless they obtain a CoC via the full assessment process .
- When registering the WASK licence with the competent authority, applicants will be asked to confirm the operation, species and equipment which the registered licence covers and for which a new registered CoC photocard will be issued (Note: to be eligible for an automatic upgrade the operation, species and equipment for which a CoC is required must fall within the scope of the current WASK licence categories. If any modifications are required to the existing WASK licence (i.e. in order to add additional operations, species or equipment), the licence holder must have undergone the training and assessment process outlined below in section 3 in respect of those **additional** activities).

2. Persons undertaking additional slaughter operations in slaughterhouses who do not hold an existing slaughter licence

Under the EU Regulation, some additional slaughterhouse operations now require CoCs which did not previously require licences under WASK. These are:

- handling and caring for animals before they are restrained
- shackling of birds before stunning or killing
- slaughtering animals by means of a free bullet.

Persons that are currently undertaking those operations in slaughterhouses may apply for a CoC under a simplified procedure if they can demonstrate they have more than 3 years' professional experience in those operations. This simplified procedure is only available until 8 December 2015.

For persons who can demonstrate three years experience

- A person will be deemed to have three years' relevant professional experience in one of the additional slaughter operations listed if, on the date of application, they can demonstrate they have accrued at least 3 years' (720 days) experience in the relevant operation, species of animal, and where relevant, categories of equipment, for which a CoC is sought, in the last 10 years
- For such persons, a CoC (in the form of a registered photocard) will be issued without the need for an assessment by an accredited assessor provided that person obtains a veterinary endorsement at the time of the application confirming there are no grounds on which the applicant should be refused a CoC. Endorsements may be provided by private veterinarians (although there may be a charge for this service). The issue of a registered photo card will be subject to payment of an administration fee (cost £25).
- Experience gained up to 8 December 2015 will count towards the 3 years experience required (Note: as a result we will not be in a position to require any certification for people undertaking the additional slaughter operations in slaughterhouses before December 2015)

For persons who do not have three years experience

- A person who is not able to demonstrate three years' relevant professional experience at the date of application will be treated as a new entrant and must follow the process in section 3 below.

3. Arrangements for new entrants

- Any person with no previous experience, or any person who does not have sufficient previous experience to accumulate a total of 3 years experience by 8 December 2015, will be treated as a new entrant
- New entrants must register on an approved training course, obtain a Temporary CoC (free) and work under supervision of a CoC holder for a maximum of 3 – months
- Temporary CoC holders will be required to obtain an accredited qualification within the qualification framework developed for this purpose (Payment direct to Awarding Organisation) following a satisfactory assessment by an approved assessor before the end of the 3-month period.
- Successful candidates will be required to submit a written declaration in relation to previous convictions etc. and register their qualification with FSA to obtain a CoC photo card (cost £25).

4. Slaughter of small quantities of poultry & rabbits for human consumption and other killing operations for purposes other than human consumption

- The EU regulation does not require CoCs for these activities but they are currently regulated under existing WASK licensing arrangements. To maintain welfare standards, but in recognition of industry's concerns, we are introducing a simplified and more flexible licensing regime to ensure those carrying out the commercial killing of animals and related operations on farms continue to be assessed as competent by an authorised veterinary surgeon. Under the new regulation persons undertaking these activities must either:
 - Work under the direct supervision and in the presence of a veterinary surgeon or a person who holds a full CoC or a WATOK licence; **or**
 - Obtain a full CoC (if they already hold a WASK licence this can be obtained through the process described in section 1 above) ; **or**
 - Obtain a WATOK (national) licence to work unsupervised
- To obtain a WATOK licence the applicant must demonstrate to the satisfaction of an authorised veterinary surgeon:
 - a clear understanding of the legislative requirements in relation to handling and restraint of animals at the time of killing
 - a clear understanding of the legislative requirements that apply to the species, equipment and killing methods to be used
 - the competence to apply this understanding in practice in relation to the species, operation and equipment involved without causing any avoidable pain, distress or suffering
- In addition the applicant must:
 - Declare any relevant previous convictions or decisions by the competent authority to refuse to issue, withdraw or suspend a slaughterman's licence / WATOK licence / CoC
 - register with the competent authority
 - pay the appropriate fee (£25 for a registered CoC photocard).

5. Veterinary qualifications

- A formal veterinary qualification recognised by the RCVS and additional CPD training relevant to the species, operation and equipment concerned will be

recognised as evidence of training and assessment for the purpose of the Certificate of Competence application process.