

Department for Environment, Food and Rural Affairs

Welfare of Animals at the Time of Killing in England

December 2012

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EU Regulation 1099/2009 *on the protection of animals at the time of killing* comes into force on 1 January 2013. Whilst most aspects of the EU Regulation apply immediately, some measures in relation to layout, construction and equipment in existing slaughterhouses do not come into effect until December 2019.

From 1 January 2013, businesses and individuals **in England** should continue to meet the requirements of WASK as well as comply with certain new requirements and restrictions in Regulation 1099/2009.

WATOK - The Welfare of Animals at the Time of Killing (England) Regulations 2013 (new domestic legislation which will be made in 2013).

WASK - The Welfare of Animals (Slaughter or Killing) Regulations 1995 (existing domestic legislation)

What legislation will apply from 1 January 2013?

WASK will remain in force in England, alongside the EU Regulation until new domestic legislation - WATOK - is brought into force later in 2013. Although Regulation 1099/2009 applies automatically in all Member States including the UK from 1 January 2013, there will be no immediate change to the existing legal framework in England.

Will there be any changes to the legislation in England?

Yes, but not until later in 2013. Consultation on proposed measures to implement and enforce Regulation 1099/2009 took place in October 2012 and work to finalise the new domestic legislation, in the light of the consultation responses received, is continuing.

Why does WASK still apply?

WASK remains in force in England until it is repealed. Regulation 1099/2009 allows the Government to keep national rules already in force that give greater protection to animals at the time of killing. A significant number of responses were received in the consultation on what existing rules in WASK should be kept above and beyond

the requirements of Regulation 1099/2009. Work is on-going to review and assess what is needed. Until that work is finalised, the Government is not in a position to replace WASK in England.

When will the legislation change in England?

There will be no change to the legislation in England before 1 July 2013. We will issue another Information Note confirming when the existing legal framework in England will change, how it will change and what this means for you nearer the time. This information will also be made available via the internet.

Will I be required to do anything different from 1 January 2013?

In many areas if you continue to meet all the WASK requirements you will also comply with the requirements in Regulation 1099/2009. However Regulation 1099/2009 introduces a number of new requirements and restrictions e.g. introducing Standard Operating Procedures and appointing an Animal Welfare Officer, which do not feature in WASK. You must meet these additional requirements and restrictions from 1 January 2013 – but what you are required to do depends on the type of

activity or operation undertaken – see table below.

Where will I stand if I do something that is permitted under Regulation 1099/2009 but is not permitted under WASK?

In a number of areas Regulation 1099/2009 is more flexible than WASK e.g. the range of gas stunning methods permitted in slaughterhouses as well as elsewhere and less detailed provisions on facilities, equipment and operational rules in knackers' yards and on-farm. The Government is still considering which national rules to keep in England and is not yet in a position to confirm whether existing prohibitions in WASK will be removed. Until this is clear, any expenditure or resources you commit to activities or operations which do not comply with WASK will be at your own business risk.

Will existing slaughtermen and licence-holders under WASK be expected to make any changes on 1 January 2013?

No – WASK will continue in force in England until new national legislation is implemented and all licences issued under WASK will remain in force and continue to be valid until further notice. Following consultation, further consideration is being given to what existing licence-holders and workers will be expected to do to meet the new requirements for Certificates of Competence under Regulation 1099/2009 in England. More information will be provided as soon as a decision has been taken.

Will new slaughtermen or persons undertaking slaughter or killing operations for the first time after 1 January 2013 require a WASK licence?

Yes – the WASK licensing arrangements will remain in place in England from 1 January 2013 until WATOK comes into force. Where a person is employed to undertake slaughter operations for which a WASK licence is currently required, for the first time, they should apply for a

provisional WASK licence in the normal way.

Do the new requirements for certificates of competence extend to activities not currently covered by a WASK licence?

Yes. From 1 January 2013 certain operations in slaughterhouses or carried out on farms for the purpose of killing animals for food will require a certificate of competence. These are:

- Handling and caring for animals before restraining animals
- Shackling and hoisting live animals; and
- Killing animals by free bullet

WASK licences are not currently required for these activities. Until WATOK comes into force and arrangements are finalised for issuing Certificates of Competence, existing employees working in these areas after 1 January 2013 and persons entering the industry and undertaking these operations for the first time after 1 January 2013 may do so without a WASK licence or Certificate of Competence. We will issue another Information Note in the New Year to confirm when anyone undertaking these activities will be expected to apply for a Certificate of Competence.

What should Standard Operating Procedures (SOPs) cover from 1 January 2013?

Where the requirement for SOPs applies (see table below), SOPs must incorporate certain information. This includes key parameters for each stunning method used. We do not expect industry to finalise SOPs without a clearer picture on what national rules will continue to apply once WATOK is implemented next year (as many of these rules impact on the application of stunning methods). In the interim period, we would encourage business operators to draw up SOPs to

cover as much as possible where there is certainty on the new EU requirements, with a view to finalising the SOPs once the position on national rules is confirmed. The following information should, as a minimum, be included in SOPs from 1 January 2013:

- checking procedures under Article 5 – who will be responsible for checks; frequency of checks; proportion of animals to be checked
- measures to be taken when checks referred to in Article 5 indicate that an animal is not properly stunned
- in the case of religious slaughter, measures to be taken when checks referred to in Article 5 indicate that the animal still presents signs of life
- checking and maintenance of facilities and restraining/stunning equipment used for killing and related operations
- In addition, for slaughterhouses:
 - monitoring procedures under Article 16 (which can be a separate document or form part of the SOPs)
 - responsibilities of the animal welfare officer

Will things be different in other parts of the UK?

Separate legislation to implement Regulation 1099/2009 is being developed in Scotland, Wales and Northern Ireland. In Scotland legislation has been laid before the Scottish Parliament and will come into effect on 1 January 2013. There may be some differences of approach between England and the devolved administrations in future.

What enforcement arrangements will apply from 1 January 2013?

From 1 January 2013 until WATOK comes into force there will be no change to the current enforcement mechanisms.

How will welfare at slaughter or killing be enforced from 1 January 2013?

From 1 January 2013 until WATOK comes into force, the Animal Welfare Act 2006 will deal with cases of unnecessary suffering of animals during killing as a result of failing to comply with WASK and/or the new requirements in the EU Regulation. You will be expected to meet the requirements to promote animal welfare and to prevent harm to animals. Prevention of harm means not causing unnecessary suffering. Promotion of welfare imposes a duty of care and a person who is responsible for an animal must ensure the animal's needs are met, including:

- Suitable housing
- Suitable food and water
- The ability to behave normally
- To be kept with other animals or alone according to the needs and requirements of that species
- To be protected from pain, suffering, injury and disease

Any person who fails to comply with the standards imposed by the Animal Welfare Act 2006 may be prosecuted and liable to a prison sentence and/or a fine. In addition, Improvement Notices may be issued requiring business operators to take specific action in order to protect animals at the time of killing.

Does Regulation 1099/2009 affect equipment manufacturers?

Yes – From 1 January 2013 restraining and stunning equipment should only be sold if appropriate instructions are provided on the use and maintenance of that equipment (see Article 8 of Regulation 1099/2009). Such instructions must be made publicly available on the Internet.

Where can I obtain further information?

If you have any questions about any of the issues raised in this information note please contact Geoff Webdale on:

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REGULATION 1099/2009 REQUIREMENT	1	2	3
	Slaughter-house	Killing Establish-ment / Killing elsewhere	Killing for private domestic consumption
<p>Restrictions on stunning methods</p> <ul style="list-style-type: none"> • maceration only permitted on chicks up to 72 hours old • cervical dislocation should only be used as last resort • manual cervical dislocation only permitted on 70 animals per day and shall not be used on animals more than 3kg live weight • mechanical cervical dislocation only permitted on birds up to 5kg in weight • percussive blow to head should only be used as last resort • percussive blow to head only permitted on 70 animals per day up to 5kg live weight • minimum currents for head-only electrical stunning • minimum currents for head-to-body electrical stunning • minimum currents for waterbath stunning • prohibition on shackling animals for electrical waterbath stunning if too small or likely to induce pain • requirement for shackles to be wet before live birds are shackled • gas stunning using carbon dioxide at high concentration - minimum concentration of 80% CO2 <p><i>Article 4 / Annex 1</i></p>	✓	✓	✓
<p>Restrictions on stunning methods</p> <ul style="list-style-type: none"> • non-penetrative captive bolt device shall only be used in slaughterhouses on ruminants less than 10kg of live weight • gas stunning using carbon dioxide, inert gases, combination of gases – prohibition on gases entering chamber in a way that would create burns/excitement by freezing or lack of humidity <p><i>Article 4 / Annex 1</i></p>	✓	✗	✗
<p>Restrictions on stunning methods</p> <ul style="list-style-type: none"> • Non-penetrative captive bolt device – prohibition on using this method outside slaughterhouse except on poultry, rabbits, hares; • gas stunning using carbon dioxide, inert gases, combination of gases – prohibition on gases entering chamber in a way that would create burns/excitement by freezing or lack of humidity 	Not applicable	✓	✓

REGULATION 1099/2009 REQUIREMENT	1	2	3
	Slaughterhouse	Killing Establishment / Killing elsewhere	Killing for private domestic consumption
<i>Article 4 / Annex 1</i>			
Checks on stunning Ensure persons responsible for stunning carry out regular checks to ensure animals do not show any signs of consciousness between the end of stunning and death and that checks are carried out on a sufficiently representative sample of animals at an appropriate frequency– <i>Article 5</i>	✓	✓	✓
Standard Operating procedures Draw up and implement Standard Operating Procedures (SOPs) in relation to Regulation 1099/2009 requirements in respect of killing and related operations– <i>Article 6</i>	✓	✓	✗
Stunning and Restraining Equipment Ensure equipment is maintained in accordance with manufacturers' instructions and a record is maintained – <i>Article 9</i>	✓	✓	✗
Lairage facilities <ul style="list-style-type: none"> • ventilation systems must be designed, constructed and maintained to ensure welfare taking into account expected weather conditions • provision of alarm device if mechanical ventilation system fails • lairage facilities designed and constructed to facilitate inspection of animals • pens designed and constructed to allow animals to move freely in required direction using their behavioural characteristics without distraction • pens, passageways and races designed and constructed to allow pigs or sheep to walk side by side (except races leading to restraining equipment) • waiting pens shall be constructed with level floor and solid sides between holding pens and race leading to point of stunning and designed so animals cannot be trapped or trampled <i>Article 14 / Annex II</i>	✓ From 8/12/19 for existing slaughterhouses	✗	✗
Restraining equipment <ul style="list-style-type: none"> • restraining equipment must be designed, built and maintained to minimise struggle and vocalisation when animals restrained and to minimise time of restraint • stunning pens for bovine animals must be fitted with device that restricts lateral and vertical movements of the head of the 	✓ From 8/12/19 for	✗	✗

REGULATION 1099/2009 REQUIREMENT	1	2	3
	Slaughterhouse	Killing Establishment / Killing elsewhere	Killing for private domestic consumption
animal <i>Article 14 / Annex II</i>	existing slaughterhouses		
Electrical stunning equipment <ul style="list-style-type: none"> • Must be fitted with device that displays and records the electrical parameters for each animal. Device must be placed so clearly visible to personnel. • Records must be kept for at least a year • Automatic electrical stunning equipment associated to a restrainer must deliver a constant current <i>Article 14 / Annex II</i>	✓ From 8/12/19 for existing slaughterhouses	✗	✗
Waterbath stunning equipment <ul style="list-style-type: none"> • Birds must not be hung conscious for more than one minute. Ducks and geese must not be hung conscious for more than two minutes. • The whole length of the shackle line up to the point of entry into scald tank shall be easily accessible in case animals have to be removed. • Size and shape of metal shackles must be appropriate to size of legs of poultry • Equipment shall be equipped with an electrically insulated entry ramp and designed and maintained to prevent overflow of water at entrance. • Waterbath designed so that level of immersion of birds can be easily adapted. • Waterbath designed and maintained so that when shackles pass over water they are in continuous contact with earth rubbing bar • System in contact with breast of bird shall be built from point of shackling until birds enter the waterbath stunner • Waterbath stunner fitted with device that displays and records details of the electrical key parameters used. Records must be kept for at least a year. <i>Article 14 / Annex II</i>	✓ From 8/12/19 for existing slaughterhouses	✗	✗
Gas stunning equipment <ul style="list-style-type: none"> • Gas stunning equipment designed and built to minimise struggle and vocalisation when animals are restrained. 	✓	✗	✗

REGULATION 1099/2009 REQUIREMENT	1	2	3
	Slaughterhouse	Killing Establishment / Killing elsewhere	Killing for private domestic consumption
<ul style="list-style-type: none"> Gas stunner should be equipped to measure continuously, display and record the gas concentration and time of exposure. Records should be kept for at least a year. Gas stunner should be designed so that even at maximum permitted throughput, the animals are able to lie down without being stacked on each other. <p><i>Article 14 / Annex II</i></p>	From 8/12/19 for existing slaughterhouses		
<p>Slaughterhouse approval</p> <p>Information should be provided to the competent authority as part of approval of slaughterhouse in relation to the maximum number of animals per hour for each slaughter line; categories of animals and weights for restraining/stunning equipment; maximum capacity of each lairage area. - <i>Article 14</i></p>	✓	✗	✗
<p>Religious slaughter</p> <p>Ensure all animals slaughtered in accordance with religious rites are individually restrained Ensure ruminants slaughtered in accordance with religious rites are mechanically restrained – <i>Article 15</i></p>	✓	Not permitted outside a slaughterhouse	Not permitted outside a slaughterhouse
<p>Arrival, handling and moving of animals</p> <ul style="list-style-type: none"> Welfare conditions of each consignment of animals shall be systematically assessed by Animal Welfare Officer or person reporting to AWO on arrival to identify priorities Containers in which animals are transported shall be kept in good order When containers are put on top of the other, precautions should be taken to limit urine and faeces falling on the animals placed underneath; ensure stability of the containers; ensure the ventilation is not impeded. For purpose of slaughter, unweaned animals, lactating dairy animals, females having given birth during the journey or animals delivered in containers shall be given priority over other types of animal. If not possible arrangements should be made to relieve them from suffering in particular by (a) milking dairy animals at intervals of not more than 12 hours; (b) providing appropriate conditions for suckling and welfare of newborn animals in case of female having given birth; (c) providing water to animals delivered in containers. (Note: it is an offence under WATO and EC 1/2005 annex I chapter 1, 2 (c) to transport pregnant females for whom 90 % or more of the expected gestation period has already passed, or females who have given birth in the 	✓	✗	✗

REGULATION 1099/2009 REQUIREMENT	1	2	3
	Slaughter-house	Killing Establish-ment / Killing elsewhere	Killing for private domestic consumption
<p>previous week.)</p> <ul style="list-style-type: none"> • A steady supply of animals for stunning and killing shall be ensured in order to prevent animal handlers rushing animals from holding pens. • Animals shall not be tied by the horns, antlers or nose rings. When animals need to be tied, ropes, tethers or other means used shall be strong enough not to break; allow the animal if necessary to lie down and eat/drink; designed to eliminate any danger of strangulation or injury and allow animal to be quickly released. <p><i>Article 15 / Annex III</i></p>			
<p>Additional requirements for mammals in lairage</p> <ul style="list-style-type: none"> • Animals shall be kept securely in the lairage and care taken to prevent them from escaping and protect them from predators. • For each pen it must be indicated with a visible sign the date and time of arrival and, except for cattle kept individually, the maximum number of animals to be kept. • Every day the slaughterhouse operates, before any animals arrive, isolation pens for animals that require specific care shall be prepared and kept ready for immediate use. <p><i>Article 15 / Annex III</i></p>	✓	✗	✗
<p>Bleeding</p> <ul style="list-style-type: none"> • For simple stunning and slaughter without prior stunning, the two carotid arteries or vessels shall be systematically severed. • Automatic neck cutters shall not be used to slaughter birds unless it can be ascertained that the neck cutters have effectively severed <u>both</u> blood vessels. (WASK only mentions 1 vessel). When neck cutters have not been effective, the bird shall be slaughtered immediately. <p><i>Article 15 / Annex III</i></p>	✓	✗	✗
<p>Prohibited Methods of Restraint</p>	✓	✗	✗

REGULATION 1099/2009 REQUIREMENT	1	2	3
	Slaughterhouse	Killing Establishment / Killing elsewhere	Killing for private domestic consumption
Certain methods of restraint including mechanical clamping of the legs/feet of animals; severing their spinal cord such as by the use of a puntilla or dagger are prohibited - <i>Article 15</i>			
<p>Monitoring Procedures</p> <p>Business operators must put in place and implement appropriate monitoring procedures (in writing), for each slaughter line, to describe how checks will be carried out on stunning and to include certain specified information. - <i>Article 16</i></p>	✓	✗	✗
<p>Animal Welfare Officer</p> <p>Business operators must designate an Animal Welfare Officer for each slaughterhouse slaughtering more than 1,000 livestock units (mammals) or 150,000 birds per year. The AWO must report directly to business operator on welfare issues and require remedial actions from personnel if necessary. The responsibilities of the AWO should be set out in SOPs. The AWO must hold CoC for each operation taking place in slaughterhouse. The AWO must keep record of action taken to improve welfare, kept for at least a year. – <i>Article 17</i></p>	✓	✗	✗

Definitions

Column 1 – SLAUGHTERHOUSE (From 1 January 2013 unless indicated)

Defined in Regulation 1099/2009 as “any establishment used for slaughtering terrestrial animals which falls within the scope of Regulation 853/2004”. Includes:

- red meat slaughterhouses

- white meat slaughterhouses
- on-farm slaughter facilities (where animals slaughtered at place of origin) including on-farm slaughter of farmed game, e.g. deer, wild boar, ratites

but excludes:

- on-farm slaughter of less than 10,000 poultry and lagomorphs per year;
- on-farm slaughter of poultry and lagomorphs where the number of animals slaughtered are over 10,000 but the farmer is a member of an appropriate assurance scheme and either dry plucks by hand or slaughters for less than 40 days per year, and the supply is local.

Column 2 - KILLING ESTABLISHMENT

Establishments where terrestrial animals are killed for commercial purposes other than for human consumption, including associated facilities for moving and lairaging animals. Includes:

- knackers' yards
- collection centres

Column 2 - KILLING ELSEWHERE THAN IN A SLAUGHTERHOUSE OR KILLING ESTABLISHMENT FOR HUMAN CONSUMPTION

Includes:

- on-farm slaughter of less than 10,000 poultry and lagomorphs per year
- on-farm slaughter of poultry and lagomorphs where the number of animals slaughtered are over 10,000 but the farmer is a member of an appropriate assurance scheme and either dry plucks by hand or slaughters for less than 40 days per year, and the supply is local

Column 3 - KILLING FOR PRIVATE DOMESTIC CONSUMPTION

- Killing by the owner or by a third party on behalf of the owner for the owner's private domestic consumption

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