

**Scottish Government Consultation on the Proposal for a Council Regulation  
on the Protection of Animals at the Time of Killing**

**Submission by Advocates for Animals**

Advocates for Animals welcomes the opportunity to comment on the proposal for a Council Regulation on the protection of animals at the time of killing. Our responses to key questions in the consultation are set out below. We have not answered every question, but only those where we feel we have a remit to comment.

**Q1 - Will the proposals effectively address current concerns about the welfare of animals at killing?**

No. Advocates for Animals does not believe that the proposal in its current form will adequately protect the welfare of animals at killing. We welcome certain aspects of the proposal, particularly the requirements for Animal Welfare Officers and certificates of competence, the requirement to sever both carotid arteries and the introduction of the requirements for electrical stunning equipment to deliver a constant current and for breast comforters on shackle lines (although the phase-in period is too long and we believe that shackling of conscious poultry should be phased out).

However, the proposal does not include a number of detailed technical specifications that are necessary to protect welfare, including some which are covered by the existing Directive, and does not address a number of practices that scientific research has identified as leading to poor welfare, including:

- The shackling of conscious poultry;
- The use of high frequencies to stun poultry;
- The use of high concentrations of carbon dioxide to stun poultry;
- The use of high concentrations of carbon dioxide to stun pigs;
- Religious slaughter without pre-stunning;
- The use of a number of inhumane methods for the killing of fur animals.

***Shackling of conscious poultry***

We believe that shackling of conscious poultry causes unacceptable suffering and should be prohibited. Electrical stunning involving the shackling of conscious birds should be phased out and replaced by gas killing with non-aversive gas mixtures.

The Scientific Panel on Animal Health and Welfare of the European Food Safety Authority states (AHAW, 2004a):

*“Catching, restraint applied by humans during shackling, and hanging inverted on shackles are distressing and painful to birds. The legs of birds are inevitably compressed during shackling and the degree of compression could be as high as 20%, which is extremely painful.”*

The AHAW Panel concludes (AHAW, 2004b):

*“Since welfare is poor when the shackling line and water bath electrical stunning method is used, and birds are occasionally not stunned before slaughter, the method should be replaced as soon as possible. At present, the inert gas stun/killing method is the best alternative.”*

Until such time as the shackling of conscious birds is prohibited, the Regulation should limit the time birds may be suspended from the shackles to a maximum of 1 minute.

The AHAW Panel concludes (AHAW, 2004b):

*“The maximum shackle duration must be limited to 1 min.”*

This is confirmed by recent research by Bedanova *et al* (2007). They conclude:

*“[T]he act of shackling is a considerable traumatic procedure for broilers, and its stress effect is markedly dependent on duration of shackling period that the broiler chickens experience. It follows from our study that the optimal shackling period should be less than 60 s.”*

#### **Use of high frequencies to stun poultry**

The proposal permits the use of high frequencies up to 1500Hz to stun poultry. Parameters to achieve an effective stun have not been established for frequencies above 800Hz AC or above 200Hz DC (Raj, 2006). Electrical parameters set out in the Regulation should include only those which have been established by scientific research as capable of achieving an effective stun.

#### **Use of high concentrations of carbon dioxide to stun poultry**

Scientific evidence clearly shows that carbon dioxide is aversive to poultry and that welfare is improved by the use of non-aversive gases. We believe that the use of high concentrations of carbon dioxide to stun poultry should be prohibited.

The Scientific Panel on Animal Health and Welfare of the European Food safety Authority states (AHAW, 2004b):

*“Concentrations of more than 30% CO<sub>2</sub> are aversive and may cause pain and respiratory distress before loss of consciousness.”*

The following gas mixtures are recommended for poultry by AHAW (2004b):

- Argon or nitrogen (or other inert gas) in air with a maximum of 2% oxygen by volume;
- A mixture of argon or nitrogen (or other inert gases) in air and CO<sub>2</sub> provided that the CO<sub>2</sub> concentration does not exceed 30% by volume and the oxygen concentration does not exceed 2% by volume.

We believe that specific parameters for acceptable gas mixtures and exposure times should be set out in the Regulation. Only gas mixtures which have been demonstrated by scientific research to be relatively humane should be permitted in the Regulation. Any new gas mixtures should require prior approval before they can be used.

#### **Use of high concentrations of carbon dioxide to stun pigs**

Scientific evidence clearly shows that carbon dioxide is aversive to pigs and that welfare is improved by the use of non-aversive gases. We believe that the use of high concentrations of carbon dioxide to stun pigs should be phased out and replaced with more humane systems based on non-aversive gas mixtures.

The Scientific Panel on Animal Health and Welfare of the European Food safety Authority states (AHAW, 2004b):

*“[A]t concentrations above 30% CO<sub>2</sub>, the gas is known to be aversive and cause hyperventilation and irritation of the mucous membranes that can be painful, and elicits hyperventilation and gasping before loss of consciousness.”*

The AHAW Panel concludes (AHAW, 2004b):

*“The gas used to induce unconsciousness should be non-aversive. In this regard, the use of argon, nitrogen or mixtures of these gases seems to have animal welfare advantages, because hypoxia induced with these gas mixtures is not aversive to pigs.”*

The following gas mixtures are recommended for pigs by AHAW (2004b):

- A mixture of 30% CO<sub>2</sub> and 60% argon or nitrogen in air with a maximum of 2% oxygen by volume;
- 90% argon or nitrogen (or other inert gas) in air with a maximum of 2% oxygen by volume.

We believe that specific parameters for acceptable gas mixtures and exposure times should be set out in the Regulation. Only gas mixtures which have been demonstrated by scientific research to be relatively humane should be permitted in the Regulation. Any new gas mixtures should require prior approval before they can be used.

### ***Religious slaughter***

Scientific research makes it clear that slaughter without pre-stunning causes great suffering. Whilst we respect the right to religious freedom, we do not believe this should extend to practices that inflict suffering on sentient animals.

The UK Farm Animal Welfare Council states (FAWC, 2003):

*“When a very large transverse incision is made across the neck a number of vital tissues are transected including: skin, muscle, trachea, oesophagus, carotid arteries, jugular veins, major nerve trunks (e.g. vagus and phrenic nerves) plus numerous minor nerves. Such a drastic cut will inevitably trigger a barrage of sensory information to the brain in a sensible (conscious) animal... such a massive injury would result in very significant pain and distress in the period before insensibility supervenes.”*

FAWC (2003) concludes:

*“Council considers that slaughter without pre-stunning is unacceptable and that the Government should repeal the current exemption.”*

The Scientific Panel on Animal Health and Welfare of the European Food Safety Authority states (AHAW, 2004b):

*“Cuts which are used in order that rapid bleeding occurs involve substantial tissue damage in areas well-supplied with pain receptors. The rapid decrease in blood pressure which follows the blood loss is readily detected by the conscious animal and elicits fear and panic. Poor welfare also results when conscious animals inhale blood because of bleeding into the trachea. Without stunning, the time between cutting through the major blood vessels and insensibility, as deduced from behavioural and brain response, is up to 20 seconds in sheep, up to 25 seconds in pigs, up to 2*

*minutes in cattle, up to 2½ or more minutes in poultry, and sometimes 15 minutes or more in fish”.*

The AHAW Panel concludes (AHAW, 2004b):

*“Due to the serious animal welfare concerns associated with slaughter without stunning, pre-cut stunning should always be performed.”*

The Federation of Veterinarians of Europe is also strongly opposed to slaughter without pre-stunning. FVE (2002) states:

*“FVE is of the opinion that the practice of slaughtering animals without prior stunning is unacceptable under any circumstances”.*

Advocates for Animals is strongly opposed to any derogation from the requirement for pre-stunning. However, if the proposal is not amended to require all animals to be pre-stunned, at the very least the Regulation should require that all animals receive an immediate post-cut stun.

We are concerned that in some EU Member States, many more animals are slaughtered without stunning than are required by religious communities. The exemption from the requirement to pre-stun for religious slaughter is clearly being abused. This is unacceptable not only from an animal welfare point of view but also because consumers have no way of knowing whether the meat they consume has come from an animal that has been slaughtered without pre-stunning. If the proposal is not amended to require all animals to be pre-stunned, the Regulation should stipulate that before any animal is slaughtered without pre-stunning, slaughterhouse operators must take reasonable steps to satisfy themselves that the carcass is destined for consumption by the religious community concerned and is not intended for export to third countries. There should also be a legal requirement for all meat from animals which have not been pre-stunned to be labelled as such.

#### ***Inhumane methods for the killing of fur animals***

Acceptable methods of killing fur animals have not been established. However, certain methods and practices have been identified as particularly inhumane and we believe these should be prohibited by the Regulation:

Carbon dioxide: The EU Scientific Committee on Animal Health and Animal Welfare states that CO<sub>2</sub> is “highly aversive” to mink. SCAHAW (2001) recommends:

*“Killing mink with CO<sub>2</sub> should be avoided, and humane methods developed.”*

Carbon monoxide produced by an engine: The proposal requires gas produced from an engine to be cooled and filtered. However, SCAHAW (2001) states:

*“[F]iltered exhaust gases... induce unconsciousness slower than pure CO, and it is preceded by excitation and convulsions.”*

We believe that the use of carbon monoxide should only be permitted if it is supplied from a pure source.

Batch killing: The EU Scientific Committee on Animal Health and Animal Welfare reports that 30 to 50 mink may be placed in a gassing box. SCAHAW (2001) states:

*“[A]nimals may pile up and be killed in part by suffocation. Thus the use of a gas apparatus in which each mink is individually placed in a tube is thought to be more acceptable”.*

For carbon monoxide, the proposal requires animals to be introduced individually, allowing time for unconsciousness or death before the next animal is introduced. We believe this requirement should be extended to the use of carbon dioxide for fur animals.

Electrocution of foxes: Farmed foxes are extremely fearful of people (SCAHAW, 2001) and the handling required for restraint and insertion of electrodes in the rectum and mouth will be very distressing. Head to tail stunning may not cause immediate unconsciousness and may cause cardiac fibrillation before unconsciousness. In our view, the operation and effect of this slaughter method render it entirely unacceptable and we would prefer it to be prohibited as soon as possible.

**Q2 - Do you agree a regulation is the best way to ensure the application of common rules and standards throughout the EU?**

Yes. We believe that a Regulation is preferable to a Directive to ensure that there is no scope for EU rules to be weakened during transposition into the legislation of individual Member States. A Regulation also allows for amendments based on evolving knowledge and technological developments to be incorporated more easily than would be the case with a Directive.

However, we are concerned that more stringent rules in some Member States may be overruled by a Regulation. It is essential that the Regulation provides the option for Member States to implement more stringent rules within their own territory should they wish to do so.

**Q4 - Do you consider the outcome based approach will ensure the welfare of animals is adequately protected and can this approach be enforced effectively?**

No. Effective enforcement will be more difficult to achieve if detailed legally-binding technical standards are not set out in the Regulation. We believe that an integrated approach is required, combining clearly-defined technical standards with clear responsibility of slaughterhouse operators to achieve satisfactory welfare outcomes.

Scientific research has established that many of the stunning and killing methods currently in common use are not able to provide for an acceptable level of welfare (see our response to Question 1 in this consultation for details). These methods should be prohibited by the Regulation.

Research has also elucidated certain technical parameters that, if adhered to, reduce the likelihood and/or severity of welfare problems. For example, maximum duration of shackling, exposure times for various gas mixtures, maximum stun to stick intervals, minimum time intervals between sticking and any further processing of the carcass to ensure that animals are dead. Such technical parameters should be legally-binding so that they can be effectively enforced and should be amended as new knowledge becomes available.

At the very least, the proposal should be amended to include technical standards for those areas that are presently covered by technical standards in the current Directive and UK legislation.

**Q5 - What are the potential risks to animal welfare associated with a more flexible output based legislative approach and is the level of risk acceptable?**

No. We believe that an outcome based approach without detailed legally-binding technical standards will result in an unacceptable level of risk to animal welfare. Food and Veterinary Office inspection reports reveal poor enforcement of the current Directive in many Member States. The removal of certain technical parameters from the legislation will make effective enforcement even more difficult to achieve.

**Q7 - Do you support the Commission view that there is a need to increase the knowledge of personnel involved in slaughter / killing operations?**

Yes. In many Member States welfare problems arise or are exacerbated by lack of knowledge and skills. We believe the proposal's provisions on training and certification of competence should be strengthened to bring them into line with the requirements in this area of UK legislation.

The requirements for certification of competence should apply equally to all persons involved in the killing of fur animals as in the killing of other animals. In addition, we believe that the killing of fur animals should be supervised by an Official Veterinarian, as is the case with animals killed in slaughterhouses.

**Q8 - Taking account of the Commission's preferred approach, please indicate whether you consider the proposed Regulation will ensure all existing welfare protections are maintained and if not what changes are required to maintain current protections?**

The proposal omits the following protections that are included in Directive 93/119. We believe that these should be included in the proposed Regulation:

***Annex C: section II: paragraph 3. A 2 (b) & (c)***

Electrical stunning equipment shall:

- (a) incorporate an audible or visible device indicating the length of time of its application to an animal;
- (b) be connected to a device indicating the voltage and the current under load, positioned so as to be clearly visible to the operator.

***Annex B: paragraph 4***

Electrical stunning equipment must not be used as a means of restraint or immobilization or to make animals move.

***Annex A: section I: paragraph 6***

Animals which are unable to walk must not be dragged to the place of slaughter, but must be killed where they lie.

***Annex C: section II: paragraph 1 (a), (b) & (c)***

Captive bolt stunning

1. The captive bolt must be positioned so as to ensure that the projectile enters the cerebral cortex. In particular, it is prohibited to shoot cattle in the poll position. Sheep and goats may be shot in the poll position if the presence of horns prevents use of the crown position. In such cases the shot must be placed immediately behind the base of the horns and aimed towards the mouth, and bleeding must commence within 15 seconds of shooting.

2. When using a captive bolt instrument, the operator must check to ensure that the bolt retracts to its full extent after each shot. If it does not so retract, the instrument must not be used again until it has been repaired.

3. Animals must not be placed in stunning pens unless the operator who is to stun them is ready to do so as soon as the animal is placed in the pen. Animals must not be placed in head restraint until the slaughterman is ready to stun them.

#### ***Annex D: paragraph 1***

Bleeding must be started without delay after stunning and be carried out in such a way as to bring about rapid, profuse and complete bleeding.

#### ***Annex D: paragraph 2***

After incision of the blood vessels, no further dressing procedures nor any electrical stimulation may be performed on the animals before the bleeding has ended.

The proposed Regulation also omits a number of additional protections that are included in UK legislation. We urge the Scottish Government to push for these to be included in the proposed Regulation and, in any case, to push for the Regulation to permit Member States to apply more stringent provisions within their own territory.

#### **Q10 - Are the welfare concerns such that either or both the transitional periods should be shorter?**

Yes. We believe that the transitional periods are too long and should be significantly shortened. We urge the Scottish Government to press for the transitional periods to be shortened to a maximum of the following:

- Seven years for the introduction of the requirements set out in Annex II of the Regulation to apply to all slaughterhouses;
- Two years for the full introduction of the requirements for certificates of competence set out in Article 18 of the Regulation.

#### **Q11 – Do you consider Guidelines are an appropriate way to specify detailed technical provisions? Would you prefer to see additional technical provisions (e.g. stun to stick times, live shackling times) set out in legally binding EU implementing regulations?**

We believe that Guidelines are not an appropriate way to specify detailed technical provisions as they are not enforceable. Scientific research has established certain technical parameters that are essential to minimise welfare problems. For example, maximum duration of shackling, exposure times for various gas mixtures, maximum stun to stick intervals, minimum time intervals between sticking and any further processing of the carcass to ensure that animals are dead. Such technical parameters should be legally-binding so that they can be effectively enforced.

**Q13 - What is the incidence of ineffective electrical stunning at present? Will the introduction of constant current equipment reduce or eliminate this problem and if so to what extent?**

As stated above, we believe that electrical waterbath stunning of poultry that involves shackling of conscious birds should be phased out. However, until such time that this method is prohibited, the introduction of constant current equipment would be expected to greatly reduce the incidence of ineffective stunning.

Constant voltage stunners lead to individual birds receiving different currents, which may be too low to produce an effective stun. Other birds receive currents that are too high, which may cause carcass damage. The use of constant current equipment would facilitate the use of appropriate currents and frequencies to achieve an effective stun without damage to the carcass and avoid the present situation where the voltage used may be too low or the frequency too high for an effective stun because of concern about the risk of carcass damage in those birds receiving higher currents.

The Scientific Panel on Animal Health and Welfare of the European Food Safety Authority states (AHAW, 2004a):

*“[T]he implementation of constant current stunning equipment will immensely improve bird welfare at stunning and slaughter”*

**Q14 - What role do Animal Welfare Officers play in improving welfare and what are the financial costs and benefits?**

We welcome the requirement in the proposal for slaughterhouses to designate a member of staff as an Animal Welfare Officer (AWO). It is very helpful to have a specific individual with responsibility for ensuring compliance with animal welfare legislation and who will hold a certificate of competence for all of the procedures carried out by the slaughterhouse. The AWO will be able to act as a source of advice to other members of staff and encourage proper attention to be paid to animal welfare in all aspects of slaughterhouse operations.

**Q16 – What role will reducing stress associated with handling live animals play in improving meat quality and reducing losses?**

The figures presented in the consultation document indicate that there would be significant economic benefits to be gained from reducing stress through improvements in pre-slaughter handling and slaughterhouse design and construction.

In addition to general improvements in handling and design, the prohibition of specific practices that have been identified as causing unacceptable levels of stress and injuries, such as shackling of conscious poultry, would be expected to have significant benefits in terms of reduced carcass damage and improved meat quality.

**Q19 - Do you consider the Commission proposals represent a proportionate approach to achieving improved welfare at slaughter or killing?**

The Commission’s proposals do not represent a proportionate approach and in their present form are unlikely to achieve improved welfare. The proposals do not address a number of practices that scientific research has identified as leading to poor welfare, as detailed in our response to Question 1 of this consultation. They also do not include many specific legally-binding technical parameters that scientific research

has established as necessary to protect welfare, including a number of provisions that are present in the current Directive.

**Q20 – Should the UK seek to negotiate changes to ensure existing levels of protection are maintained and costs are reduced as described under option 3?**

Yes, we believe that the UK should seek to negotiate changes to ensure that existing levels of protection are maintained.

However, we are strongly opposed to any delay to the introduction of the requirement to use constant current stunning equipment. The introduction of constant current equipment will greatly improve welfare, as set out in our response to Question 13 of this consultation. The UK should not seek to delay the introduction of such an important welfare reform.

**Q22 – Do you agree with this assessment of Option 4?**

Yes, we agree that a Regulation is preferable to a Directive for the reasons stated in our response to Question 2 of this consultation.

**Q24 – In your view, will the impact of the Commission proposal on animal welfare be significant? Will the impact be positive or negative?**

Overall we believe the proposal will have a significant negative impact on animal welfare for the following reasons:

- The proposal does not address a number of practices that scientific research has identified as leading to poor welfare, as detailed in our response to Question 1 of this consultation;
- The proposal does not include a number of detailed technical specifications that are necessary to protect welfare, including some which are present in the existing Directive, as detailed in our response to Question 4 and Question 8 of this Consultation.

**References**

AHAW (2004a) Scientific Report of the Scientific Panel for Animal Health and Welfare on a request from the Commission related to welfare aspects of animal stunning and killing methods.

AHAW (2004b) Opinion of the Scientific Panel on Animal Health and Welfare on a request from the Commission related to welfare aspects of the main systems of stunning and killing the main commercial species of animals. *The EFSA Journal*, 45: 1-29.

Bedanova, I; Voslarova, E; Chloupek, P; Pistekova, V; Suchy, P; Blahova, J; Dobsikova, R and Vecerek, V (2007) Stress in broilers resulting from shackling. *Poultry Science*, 86: 1065-1069.

FAWC (2003) *Report on the Welfare of Farmed Animals at Slaughter or Killing, Part 1: Red Meat Animals*. Farm Animal Welfare Council, London, UK.

FVE (2002) *Slaughter of Animals without Prior Stunning*. FVE Position Paper 02/104. Federation of Veterinarians of Europe.

Raj, ABM (2006) Recent developments in stunning and slaughter of poultry. *World's Poultry Science Journal*, 62:467-484.

SCAHAW (2001) *The Welfare of Animals Kept for Fur Production*. Report of the Scientific Committee on Animal Health and Animal Welfare.