

Welfare of Animals at the Time of Killing

A Consultation

13 September 2012

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Part I – About this consultation

Topic of this consultation

This consultation seeks views on proposals to implement Council Regulation (EC) 1099/2009 on the protection of animals at the time of killing, in England, with effect from 1 January 2013.

Scope of this consultation

Defra is seeking 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.

Legislation

New domestic regulations, The Welfare of Animals at the time of Killing (England) Regulations 2012 (WATOK) will be laid before Parliament at the end of 2012 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.

Geographical extent

The new domestic regulations will apply in England only. Separate implementing regulations will be made in Scotland, Wales and Northern Ireland.

Impact assessment

An impact assessment is available by following the link to the consultation papers at www.defra.gov.uk/consult .

Audience

Anyone may reply to this consultation. Defra would like to hear from anyone with an interest including food business operators, livestock and poultry keepers, animal welfare organisations, veterinary interests, faith groups and members of the public.

Body Responsible for the consultation

Defra's Animal Welfare Team is responsible for the policy and this consultation.

Duration

This consultation started on 13 September 2012.

This consultation closes on 24 October 2012.

How to respond or make an enquiry

Enquiries and responses should be directed / sent to:

Animal Welfare Team
Area 8B LMB
C/o Nobel House
17 Smith Square
London SW1P 3JR

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

After the consultation

When this consultation ends, we will place a copy of the responses in the Defra library at Ergon House, London. This is so that the public can review them. Also, members of the public may ask for a copy of the responses under Freedom of Information legislation.

If you do not want your response - including your name, contact details and any other personal information - to be publicly available, please say so clearly in writing when you send your response to the consultation. Please note, if your computer automatically includes a confidentiality disclaimer that will not count as a confidentiality request.

Please explain why you need to keep details confidential. We will take your reasons into account if someone asks for this information under Freedom of Information legislation. However, because of the law, we cannot promise that we will always be able to keep those details confidential.

We will summarise all responses and place this summary on our website at www.defra.gov.uk/consult . This summary will include a list of names of organisations that responded but not people's personal names, addresses or other contact details.

Compliance with Consultation Principles

This consultation is in line with the Coalition Government's Consultation Principles. Please note that a consultation period of 6 weeks applies, reflecting a previous consultation that was undertaken (in 2009) on the European Commission's proposals for a new EU Regulation on the killing of animals, on-going dialogue with stakeholders and other interested parties during 2011 and 2012 and the requirement to implement Regulation 1099/2009 by 1 January 2013. More information on the Coalition Government's Consultation Principles can be found at:

<http://www.cabinetoffice.gov.uk/resource-library/consultation-principles-guidance>.

Part II – Background information

Objectives for intervention

1. There are public good benefits, animal welfare and ethical considerations associated with the conduct of animal slaughter which provide a rationale for the Government's involvement. Council Regulation (EC) 1099/2009 on the Protection of Animals at the Time of Killing (see <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2009:303:0001:0030:EN:PDF>) requires Member States to lay down rules on penalties and to take all measures to ensure they are implemented. Penalties must be effective, proportionate and dissuasive. Under Article 26(1) of Regulation 1099/2009, Member States can maintain existing national rules ensuring more extensive welfare protection than the minimum standards provided under Regulation 1099/2009. Article 26(2) allows Member States to adopt new national rules in relation to religious slaughter, slaughter outside a slaughterhouse and slaughter of farmed game. To avoid duplication of statutory requirements, redundant elements of the current legislative framework must be repealed insofar as it applies to England where superseded by Regulation 1099/2009. These measures require Government intervention.

Background

2. Welfare of animals at slaughter and killing is currently subject to the requirements of Council Directive 93/119/EC which has been implemented in Great Britain by The Welfare of Animals (Slaughter or Killing) Regulations 1995, as amended (WASK). In 2008 the Commission brought forward proposals to replace Council Directive 93/119/EC with a new EU Regulation which, unlike the EU Directive, contains legal obligations that are directly applicable and binding in their entirety in Member States. In proposing a Regulation and introducing fully harmonised requirements (including timely entry into force on 1 January 2013), the European Commission's general objectives were to improve the protection of animals at the time of slaughter or killing, while ensuring a level playing field for all business operators concerned. In doing so, the European Commission has granted a degree of flexibility to Member States to enable them to maintain or, in specific fields, adopt more extensive national rules affording greater protection to animals, provided the rules do not affect the functioning of the internal market.

3. Regulation 1099/2009 on the protection of animals at killing was agreed by the European Council in September 2009 and comes into effect on 1 January 2013 (although some measures in relation to layout, construction and equipment in slaughterhouses do not come into effect until December 2019 for existing slaughterhouses). The Regulation will be directly applicable in all Member States including the UK. Directive 93/119 will be repealed (except for specific articles subject to transitional provisions and listed in Article 28 of the Regulation) when Regulation 1099/2009 comes into effect on 1 January 2013.

4. Regulation 1099/2009 provides a legal framework for ensuring overarching welfare outcomes are achieved. This outcome-driven process differs in some aspects to the current regulatory framework in England which establishes overarching welfare requirements but, also establishes detailed technical standards for all key aspects of the slaughter process on the assumption that if these standards are met, the required welfare outcomes will result.

5. Regulation 1099/2009 will apply to the killing of all animals bred and kept for the production of food, wool, skin, fur or other products in slaughterhouses or on farms as well as the killing of animals for disease control purposes. The Regulation applies to all vertebrate animals including poultry and fish, but excluding reptiles and amphibians. All animals must be spared avoidable pain, distress or suffering during killing and related operations. For all animals (other than fish) specific requirements apply requiring them to be killed by a method that leads to instant death or death after stunning. The only exception to this is emergency killing and where slaughter is carried out in accordance with religious rites (e.g. Halal or Schechita) subject to, national rules that may be introduced by individual Member States. However in all cases the Regulation requires that animals must be spared any avoidable pain, distress or suffering.

6. Regulation 1099/2009 will impact on the welfare of some (FSA data – 2011):

- 740 million poultry
- 9 million sheep
- 8 million pigs
- 2 million cattle
- 5,272 farmed game
- 10,500 horses

slaughtered or killed annually in England.

7. Regulation 1099/2009 will affect all Food Business Operators (FBOs) in England involved in slaughtering vertebrate animals (other than fish). In addition Regulation 1099/2009 will impact on on-farm slaughter operations registered to undertake seasonal slaughter of poultry. It will also impact on livestock and poultry producers, animal collection centres, knackers' yards and others involved in killing animals outside a slaughterhouse. There will be an impact on companies manufacturing restraining and stunning equipment for use in slaughterhouses. The main types of business affected will be:

| Business Type | Number |
|--|--------|
| Approved slaughterhouse/establishment: | |
| Poultry | 75 |
| Cattle/Sheep/Pigs | 208 |
| Farmed Game | 24 |
| On-farm operators registered to slaughter poultry on a seasonal basis. | 359 |
| Holdings with livestock* | 73,043 |
| Holdings with poultry* | 20,085 |
| Hatcheries* | 40 |
| Collection centres | 171 |
| Equipment manufacturers based in England | 5 - 10 |

Note: * Excludes holdings not considered to be operating on a commercial basis i.e. holdings with less than 10 cattle, 20 sheep, 50 pigs, 10 breeding pigs or 1000 poultry.

Government agencies e.g. Food Standards Agency (FSA) and Animal Health Veterinary Laboratories Agency (AHVLA) responsible for approving facilities, verification and enforcement activities and supervision of depopulation operations will also be affected. There is also a wider impact on society as members of the public generally expect the Government to ensure animals are treated humanely at the time of slaughter or killing.

8. For the purposes of this Consultation it is assumed all livestock holdings, poultry holdings, collection centres, farmed game and seasonal slaughter operators will be micro businesses (businesses employing less than 10 people). This affects some 94,000 businesses. Regulation 1099/2009 is directly applicable to all businesses in scope including micro businesses although, smaller businesses are exempt under the Regulation from the Animal Welfare Officer requirements (those killing less than 1000 livestock units of mammals or 150,000 birds each year i.e. some 480 of the 660 slaughter businesses in England). Where measures maintain pre-existing higher WASK welfare standards or simplify/consolidate the regulatory requirements by ensuring consistency of requirements between killing and slaughter operations, they are considered to be outside the scope of 'One-in, One-out' and the micro business moratorium.

Previous consultation

9. Defra ran a consultation on the European Commission's proposals to introduce an EU Regulation to protect the welfare of animals at the time of killing in 2009 (<http://webarchive.nationalarchives.gov.uk/20091118095901/http://www.defra.gov.uk/corporate/consult/slaughter/index.htm>). Four options were considered:

- Option 1 – Do nothing
- Option 2 - Implement the Commission's proposal as it stands

- Option 3 – Implement an amended proposal that maintains existing welfare protection in current EU/UK legislation and introduces improvements where welfare benefits are proportionate to the costs involved
- Option 4 – Implement an amended proposal as at Option 3 based on a Directive rather than a Regulation

Defra favoured option 3.

10. Responses were received from 36 respondents. There was general support for the introduction of a Regulation to replace the current EU Directive and the measures to improve the knowledge of personnel involved in killing or slaughter activities. There were some concerns about increased costs especially for small and medium size slaughterhouses while considerable concern was voiced about the proposed weight and number limits that will restrict the use of cervical dislocation to kill poultry. Four consultees considered that the arrangements for killing for private consumption needed to be more robust. Six consultees had concerns about a possible reduction in welfare standards as a result of the proposal and supported the use of national rules where necessary to maintain existing standards. Seven consultees thought further clarification was needed in relation to enforcement issues and suggested that a role should be specified for the Official Veterinarian present in most slaughterhouses.

11. Eighteen consultees commented on religious slaughter. One thought religious slaughter should be permitted as a right. The other seventeen thought religious slaughter should be prohibited or thought some form of stunning during the religious slaughter process should be required. Three consultees supported compulsory labelling of meat from animals that have not been stunned. Welfare organisations would like to see electric waterbath stunning of poultry phased out and direct exposure to high concentration carbon dioxide gas mixtures banned for routine slaughter operations. The poultry industry was concerned that some of the proposed stunning currents and frequencies could increase carcase damage in poultry leading to extensive production losses.

Part III – Implementation in England

Directly applicable measures

12. Regulation 1099/2009 will apply to the killing of animals kept for the production of food, wool, skin, fur or other products as well as animals killed for the purposes of depopulation and related operations. It applies to vertebrate animals only (excluding amphibians and reptiles). Regulation 1099/2009 does not apply to animals killed during scientific experiments, hunting, recreational fishing, cultural or sporting events or to rabbits and poultry slaughtered outside a slaughterhouse by their owner for his / her private domestic consumption.

13. Some aspects of Regulation 1099/2009 only apply to slaughter activities. In this context it is important to note Regulation 1099/2009 introduces a new definition of slaughter which differs from that used in WASK. Regulation 1099/2009 defines slaughter as “killing for human consumption” **instead of** “causing the death of an animal by bleeding” as is currently the position under WASK. Regulation 1099/2009 also classifies processes resulting in instantaneous death, as stunning methods and introduces a new term “simple stunning” i.e. stunning methods which do not result in instantaneous death of the animal and require a further intervention e.g. bleeding, pithing, electrocution or prolonged anoxia to ensure death. A summary of the key provisions in Regulation 1099/2009 is provided at Annex 1.

14. Regulation 1099/2009 adopts an outcome-led approach in some areas and sets out a number of overarching requirements (*Article 3*) that business operators must meet, to ensure the welfare of animals is protected when they are killed. It obliges business operators to ensure animals are spared any avoidable pain, distress or suffering when killed and requires measures to be taken to ensure animals:

- are provided with physical comfort and protection, in particular by being kept clean in adequate thermal conditions and prevented from falling or slipping;
- are protected from injury;
- are handled and housed taking into consideration their normal behaviour;
- do not show signs of avoidable pain or fear or exhibit abnormal behaviour;
- do not suffer from prolonged withdrawal of feed or water;
- are prevented from avoidable interaction with other animals that could harm their welfare.

15. Regulation 1099/2009 goes on to establish a framework for business operators to work within, to ensure these requirements are met. Although there is an element of prescription within the EU legislation, Regulation 1099/2009 provides a measure of flexibility for business operators to determine how these requirements are met at an individual business level through Standard Operating Procedures (SOPs).

16. Regulation 1099/2009 introduces a number of new legal obligations which are directly applicable in England. These include the need to:

- Draw up and implement Standard Operating Procedures (SOPs) – *Article 6*
- Replace existing WASK slaughtermen licences with a Regulation 1099/2009 Certificate of Competence – *Article 7*
- Ensure all other persons working with live animals (including lairage staff and poultry live hangers) in a slaughterhouse hold a Regulation 1099/2009 Certificate of Competence – *Article 7*
- Provide instructions as a manufacturer for the use of restraining and stunning equipment – *Article 8*
- Ensure equipment is maintained in accordance with manufacturers' instructions and a record is maintained – *Article 9*
- Develop and disseminate Guides to Good Practice – *Article 13*
- Ensure all animals slaughtered in accordance with religious rites are individually restrained – *Article 15*
- Ensure ruminants slaughtered in accordance with religious rites are mechanically restrained – *Article 15*
- Introduce and implement monitoring procedures in slaughterhouses – *Article 16*
- Designate an Animal Welfare Officer for every slaughterhouse above a minimum size – *Article 17*
- Ensure every Animal Welfare Officer holds a certificate of competence for every activity for which he / she is responsible – *Article 17*
- Ensure Certificate of Competence examination is free from any conflict of interest – *Article 21*
- Ensure bodies given delegated authority to issue a Certificate of Competence have the necessary expertise, staff and equipment – *Article 21*
- Establish a simplified approach to issue of Certificates of Competence, over a period to 8 December 2015, to staff with three or more years relevant professional experience – *Article 29*
- Use specific currents and frequencies to stun poultry in an electric waterbath and head-only stunning of certain species – *Annex I*
- Prohibit the use of cervical dislocation and concussion for the routine slaughter of poultry and restrict its use for slaughter under other situations – *Annex I*
- Restrict the use of non-penetrative captive bolt to animals of 10 kg. – *Annex I*
- Prohibit the use of decapitation as a method of stunning
- Ensure automatic stunning equipment deliver a constant current - *Annex II **
- Ensure lines used to shackle live poultry incorporate breast comforters – *Annex II **
- Ensure birds are not suspended live for more than 1 minute (or 2 minutes in the case of ducks, geese and turkeys) – *Annex II **
- Ensure electrical and gas stunning equipment is fitted with a device to record key parameters and keep records for one year – *Annex II **

*Note: * applies to existing slaughterhouses from 8th December 2019*

There is no scope for making changes to the provisions listed above and, questions in this consultation relating to them have been included to elicit more information on the impact of the directly applicable measures in Regulation 1099/2009.

17. Member States have no discretion over the introduction of the directly applicable elements of Regulation 1099/2009. However, the discretion afforded to Member States under the EU legislation to maintain or, in specific areas, adopt stricter national rules to ensure greater welfare protection to animals than that established under Regulation 1099/2009 will impact on the application of some aspects of the directly applicable elements of Regulation 1099/2009. This consultation focuses on the discretionary aspects of the implementation arrangements and stricter national rules proposed in England.

Part IV – Detailed implementation in England

Domestic legislation

18. Subject to the outcome of this consultation, we are intending to introduce new domestic regulations in England, The Welfare of Animals at the time of Killing (England) Regulations 2012 (WATOK) to:

- implement and enforce the directly applicable obligations in Regulation 1099/2009;
- maintain specific national rules that were in force on 8th December 2009 where they afford greater welfare protection to animals at the time of killing (pursuant to Article 26(1) of Regulation 1099/2009);
- maintain protection for animals slaughtered in accordance with religious rites (pursuant to Article 26(2) of Regulation 1099/2009); and
- repeal and replace the Welfare of Animals (Slaughter or Killing) Regulations 1995 insofar as they apply to England (save for certain transitional provisions that must be retained in accordance with Article 28 and 29(1) of Regulation 1099/2009).

19. WATOK will be made under powers in section 2(2) of the European Communities Act 1972. Since it is intended that the policy proposals forming the subject of this consultation will be refined in the light of this consultation, draft regulations are not available for review. However, Defra's proposals as regards application of the directly applicable EU obligations and what stricter national rules Defra is seeking to maintain (or adopt where relevant) are described in full in this Part of the consultation document.

Competent Authority

20. The “Competent Authority” has a number of responsibilities under Regulation 1099/2009 which will be divided between the Secretary of State (Defra or the Animal Health Veterinary Laboratory’s Agency (AHVLA)) and the Food Standards Agency (FSA). The division of responsibilities between the Department and two agencies is set out below.

Secretary of State (Defra)

21. The Secretary of State will be designated the Competent Authority for the purposes of:

- assessing guides to good practice drawn up by business operators in accordance with Article 13(3) of Regulation 1099/2009;

- developing and publishing guides to good practice in accordance with Article 13(4) of Regulation 1099/2009;
- establishing and implementing an action plan for any depopulation operation in accordance with Articles 18(1) and (2) of Regulation 1099/2009;
- granting derogations from compliance with Regulation 1099/2009 in accordance with Article 18(3) of Regulation 1099/2009;
- submitting a report to the European Commission on any depopulation operations carried out and publicising the report on the Internet in accordance with Article 18(4) of Regulation 1099/2009;
- ensuring the availability of training courses in accordance with Article 21(1)(a) of Regulation 1099/2009;
- approving training programmes and the content of the final examination in accordance with Article 21(1)(c) of Regulation 1099/2009;
- delegating the organisation of training courses and final examination to a separate body or entity in accordance with Article 21(2) of Regulation 1099/2009 and publishing details of any delegation on the Internet;
- publicising an up-to-date list of qualifications on the Internet which are recognised as equivalent to a Certificate of Competence in accordance with Article 21(7) of Regulation 1099/2009;
- notifying a suspension or withdrawal of a Certificate of Competence to the granting Competent Authority in another Member State.
- assessing applications for stunning methods outside those listed in Regulation 1099/2009.

22. In addition, it is proposed that the Secretary of State will act as the Member State for the purpose of:

- Articles 13(5) (forwarding guides to good practice validated by the Competent Authority to the Commission);
- Article 14(3) (maintaining/establishing national rules on mobile slaughterhouses);
- Article 20 (ensuring availability of sufficient independent scientific support to Competent Authorities and identifying a single contact point responsible for sharing technical and scientific information and best practices regarding implementation of Regulation 1099/2009); and
- Article 23 (laying down rules on penalties applicable to infringements of the Regulation and taking all measures necessary to ensure rules are implemented).

Secretary of State (AHVLA)

23. It is proposed that the AHVLA on behalf of the Secretary of State (as regards the killing of animals elsewhere than in a slaughterhouse) will act as the Competent Authority for the purposes of:

- receiving documents or records in accordance with Articles 6(4), 9(1), 17(5) of Regulation 1099/2009;
- taking action in the event of non-compliance with the EU Regulation in accordance with Article 22(1) of Regulation 1099/2009, including (where appropriate) suspending or revoking Certificates of Competence, temporary Certificates of Competence or transitional Certificates of Competence.

Food Standards Agency

24. It is proposed that the Food Standards Agency will act as the Competent Authority for the purposes of:

- issuing and delivering Certificates of Competence (see paragraph 41);
- issuing and delivering temporary Certificates of Competence (see paragraph 39);
- issuing and delivering transitional Certificates of Competence (see paragraph 46);
- suspending or revoking Certificates of Competence, temporary Certificates of Competence or transitional Certificates of Competence (where appropriate); and
- modifying Certificates of Competence.

25. In addition, it is proposed that the Food Standards Agency (as regards the killing of animals in a slaughterhouse) will act as the Competent Authority for the purposes of:

- receiving and assessing information on the layout, construction and equipment of slaughterhouses supplied by the business operator in accordance with Article 14(2) of Regulation 1099/2009;
- receiving documents or records in accordance with Articles 6(4), 9(1), 17(5) of Regulation 1099/2009; and
- taking action in the event of non-compliance with the EU Regulation in accordance with Article 22(1) of Regulation 1099/2009.

Certificates of competence

Legal obligations

26. Article 7(2) of Regulation 1009/2009 requires every person undertaking the following operations for **the purpose of killing animals for human consumption** to hold a Certificate of Competence (CoC):

- the handling and care of animals before they are restrained;
- the restraint of animals for the purpose of stunning or killing;
- the stunning of animals;
- the assessment of effective stunning;
- the shackling or hoisting of live animals;
- the bleeding of live animals;
- the slaughtering in accordance with Article 4(4) (Religious slaughter).

27. However, a person may obtain a Temporary Certificate of Competence (TCoC) allowing them to carry out any of the above operations before applying for a full CoC in accordance with Article 21(5) of Regulation 1099/2009. Before a TCoC can be issued, the Competent Authority will need to be satisfied the person is registered on an approved training course and the applicant has not previously been issued a TCoC for the same operations unless he or she was unable to take the final assessment due to exceptional circumstances. A TCoC is valid for a maximum of three months and allows a person to carry out any of the above operations under the direct supervision of a person holding a CoC for the same operations.

28. Article 17(4) of Regulation 1099/2009 also requires all Animal Welfare Officers to hold a CoC. The scope of the CoC must cover all operations taking place in the slaughterhouse for which the Animal Welfare Officer is responsible. Annex 2 provides more information on who will need a CoC and how to apply for one.

29. Article 11 of Regulation 1099/2009 provides an exemption from the requirement for a CoC and other requirements in Chapters II and III of Regulation 1099/2009 for persons undertaking small-scale slaughter of poultry, rabbits and hares on-farm for the purpose of directly supplying meat by the producer to the final consumer or to local retail outlets. The exemption only applies where the numbers of animals slaughtered is less than the threshold agreed by the European Commission (through the process of comitology). No threshold has been specified to date, nor has the Commission come forward with any proposals to agree a threshold before Regulation 1099/2009 comes into force on 1 January 2013. As such, the exemption cannot be triggered until a threshold has been formally agreed at EU level, and we are proceeding on the basis that all individuals carrying out small scale slaughter of poultry, rabbits and hares on-farm for direct supply will be required to hold a CoC (and comply with the other measures set out

in Chapters II and III of Regulation 1099/2009 insofar as they can apply to on-farm slaughter –see paragraph 16).

Stricter national rules on CoCs

30. The Government considers that the killing of animals and related operations for commercial purposes, whether for human consumption or otherwise, should only be undertaken by individuals that have been trained, assessed and authorised as competent to undertake those operations. This reflects the current position under WASK.

31. It is therefore proposed that stricter national rules be retained in accordance with Article 26(1) of Regulation 1099/2009 to maintain the requirement for a CoC or TCoC for the full scope of slaughter or killing operations that currently require a licence or provisional licence under WASK. The additional killing operations which should continue to be carried out by persons holding a CoC or TCoC are:

- any of the following activities, where an animal is killed **for a purpose other than for human consumption**—
 - the restraint of animals for the purpose of stunning and killing;
 - the stunning of animals;
 - the assessment of effective stunning or pithing;
 - the bleeding of live animals;
- pithing an unconscious animal following simple stunning;
- the slaughter of an animal by a person under the responsibility and supervision of the owner for private domestic consumption (an owner who does not hold a CoC for the activities involved, would not be qualified to supervise a person working under a TCoC);

32. In addition to the above, the Government is proposing that any person involved in one of the following operations **for a purpose other than killing for human consumption** will also need a CoC or TCoC:

- handling and caring for animals before they are restrained; and
- shackling or hoisting live animals.

Although WASK licences are not currently required for these activities, the Government considers that the obligation under Regulation 1099/2009 to hold a CoC or TCoC from 1 January 2013 for carrying out handling, hoisting and shackling operations for slaughter purposes (i.e. for human consumption) should apply to the same operations where animals are being killed for commercial purposes other than for human consumption. It is proposed this new requirement will be adopted as a stricter national rule in accordance with Article 26(2)(a) of Regulation 1099/2009.

33. The Government is also intending to keep the national rule, currently applied under WASK (Schedule 1, paragraphs 7(2) and 8) that all prior convictions of welfare offences under national or EU legislation will be taken into consideration when assessing whether a person can be given a CoC (previously a slaughter licence). This is stricter than the provision under Regulation 1099/2009 (Article 21(6)) which only requires applicants to declare offences committed in the last 3 years – see paragraph 39.

Training and assessment

34. Individuals who require a CoC to carry out any of the killing and related operations listed in paragraphs 26, 31 and 32 must undergo a training course and an independent final assessment in accordance with Article 21 of Regulation 1099/2009.

35. An accredited Level 2 qualification in “Protecting the Welfare of Animals at Time of Killing” has been developed for this purpose. The unit structure is set out in Annex 3 and was developed following extensive consultation with key stakeholder interests. The unit structure does not form part of this consultation and is included for information only.

36. The organisation and administration of the training courses and final assessment have been delegated to and will be delivered through Awarding Organisations (bodies recognised and regulated by Ofqual as an Awarding Organisation) which will offer the Level 2 accredited qualification through their approved centres. At the time of this consultation Food and Drink Qualifications (FDQ) and Royal Society for Public Health (RSPH) have indicated an interest in offering this qualification.

37. Under this arrangement it will be possible for training and assessment to be undertaken in-house by business operators approved as centres or externally using third party training and assessment bodies approved as training centres by Awarding Organisations. These arrangements will be quality assured by the Awarding Organisations. Assessment will be conducted by persons who have demonstrated to the Awarding Organisations they are competent in carrying out the killing and related operations listed in paragraphs 26, 31 and 32 without causing animals avoidable pain, suffering or distress and can undertake assessments on that basis. In addition:

- assessors must hold a Level 2 Award or Certificate for Proficiency in Protecting the Welfare of Animals at Time of Killing, crediting units which cover the specific activities to be assessed.
- assessors should preferably have at least three years’ relevant professional experience in a role involving the activities to be assessed.
- where an assessor cannot demonstrate that they are working directly and currently in roles protecting the welfare of animals, they must demonstrate a minimum of 2 days of Continuing Professional Development (CPD) per year,

relevant to the units they will assess. This will be agreed and monitored by the external quality assurer (appointed by the Awarding Organisation). In some cases the external quality assurer may decide that up to 5 days of CPD per year are required.

38. It is proposed that licences to practice Shochetim (slaughter in accordance with Jewish religious rites) currently issued by the Rabbinical Commission will continue to be recognised as an equivalent qualification to the Level 2 qualification for the purpose of obtaining a CoC.

Application for a Temporary CoC

39. Before applying for a Temporary CoC (TCoC) the applicant must register with an Awarding Organisation to undertake the accredited qualification for Protecting the Welfare of Animals at the Time of Killing. When applying for a TCoC, applicants will be required to provide:-

- details of the categories of animal, operations and, where appropriate, the type of equipment for which a TCoC is sought;
- a passport size photograph;
- photo ID (e.g. passport or driving licence);
- confirmation of registration on a training course with an Awarding Organisation which covers the categories of animal, operations and, if appropriate, type of equipment, for which a TCoC is sought;
- the application fee (see paragraph 55);
- a written declaration confirming he / she has not:
 - committed any offences under EU or national law on the protection of animals in the three years preceding the date of application; and
 - has not previously held a TCoC for the same combination of species, operations and equipment;
- further written details if the applicant has:-
 - been convicted of any offences under EU or national law on the protection of animals prior to the three years preceding the date of the application;
 - been refused a licence to slaughter or kill animals under the Slaughter of Poultry Act 1967, the Slaughterhouses Act 1974, any regulations made under those Acts or WASK;
 - had any such licence to slaughter or kill animals revoked or suspended.

The Government is proposing to keep the national rule, currently applied under WASK (Schedule 1, paragraphs 7(2) and 8) that all prior convictions of welfare offences under national or EU legislation will be taken into consideration when assessing whether a person can be given a CoC (previously a slaughter licence). This goes further than the provision under Regulation 1099/2009 (Article 21(6)) which only requires applicants to declare welfare offences committed in the last 3 years. The Competent Authority will

take past welfare convictions into account when determining whether a person is fit and proper to hold a CoC or TCoC.

40. The person receiving the application (Official Veterinarian in approved slaughterhouses or the AHVLA Veterinary Officer or FSA CoC processing team for other premises) will issue a receipt of application permitting the person to work under supervision while the application is processed by the FSA and the TCoC is issued.

Application for a CoC

41. If the applicant is working under a TCoC, he or she may apply for the TCoC to be converted into a CoC. If a person wishes to continue working, this must be done before the TCoC expires. A second TCoC will not be issued unless exceptional circumstances (e.g. sudden illness) have prevented the applicant undertaking the final assessment.

42. The additional information which the applicant will be required to provide at the application stage is the qualification certificate (either the Level 2 award or certificate) issued by the Awarding Organisation, or in the case of slaughter in accordance with Jewish religious rites, the licence to practice Shochetim issued by the Rabbinical Commission) confirming that he / she has been assessed as competent and indicating the categories of animals, operations and, where appropriate, type of equipment for which the assessment has been undertaken. The applicant will also be expected to pay an application fee in order to convert the TCoC to a CoC (see paragraph 55).

43. When applying for a full CoC the applicant will be required to provide:

- the qualification certificate from an Awarding Organisation (Level 2 award or certificate) / Licence to practice Shochetim indicating the species, operation and equipment to which it relates;
- the application fee (see paragraph 55);
- a written declaration confirming he / she has not
 - committed any offences under EU or national law on the protection of animals in the three years preceding the date of application; and
 - has not previously held a TCoC for the same combination of species, operations and equipment.
- further written details if the applicant has:-
 - been convicted of any offences under EU or national law on the protection of animals prior to the three years preceding the date of the application;
 - been refused a licence to slaughter or kill animals under the Slaughter of Poultry Act 1967, the Slaughterhouses Act 1974, any regulations made under those Acts or WASK;
 - had any such licence to slaughter or kill animals revoked or suspended.

Refusal, suspension and withdrawal of CoCs

44. The Competent Authority may refuse to grant a TCoC or CoC if the applicant fails to provide any of the required information listed in paragraph 43 above or if the Competent Authority is satisfied the applicant is not a fit and proper person to hold a CoC or TCoC. An applicant will have the right to appeal any decision made by the Competent Authority to refuse to issue a TCoC or CoC (see paragraphs 117 - 121). Awarding Organisations have separate procedures in place to deal with appeals against assessment decisions. A decision to refuse a CoC or TCoC will be served on the applicant by formal notice which will confirm the reasons for the refusal and provide details of the right to appeal.

45. The Competent Authority may also suspend or withdraw a CoC or TCoC if satisfied that any provision of the EU Regulation or the new domestic regulations have been contravened. As with decisions to refuse a CoC or TCoC, a decision to suspend or withdraw a TCoC or CoC will be confirmed by formal notice which will:

- give reasons for the suspension or withdrawal;
- state when the suspension or withdrawal comes into effect and, in the case of suspension, state on what date or event it is to cease to have effect; and
- give details of the right of appeal against the decision.

CoC Transitional arrangements

46. It is proposed that specific arrangements should be introduced in relation to the issue of CoCs for people in employment before 1 January 2013 and for some WASK licence holders who can demonstrate that they have at least three years' relevant professional experience in a relevant operation. Under these arrangements, it is proposed that:

- Anyone with a WASK licence issued before 1 January 2010 will have until 8th December 2015 to apply for a CoC.
- Anyone with a WASK licence issued after 1 January 2010 who **cannot** demonstrate they have **at least** 3 years' relevant professional experience will have until 1 July 2013 to apply for a CoC.
- Anyone with a WASK licence issued after 1 January 2010 who **can** demonstrate they have **at least** 3 years' relevant professional experience will have until 8 December 2015 to apply for a CoC.
- Anyone engaged in a lairage/handling operation before 1 January 2013 who can demonstrate **at least** 3 years' professional experience in that operation will have until 8 December 2015 to apply for a CoC, provided they obtain a transitional CoC before 30 January 2013.
- Anyone engaged in a lairage/handling operation before 1 Jan 2013 who has **less than** 3 years' professional experience in that operation will have until 1 July 2013 to apply for a CoC, provided they obtain a transitional CoC before 30 January 2013.

47. Under this approach:

- current WASK licences will continue in force after 1 January 2013 on a time-limited basis.
- all lairage workers / persons involved in live animal handling who do not currently require a WASK licence will need to apply for a transitional CoC by 30 January 2013, and provide:
 - evidence they were engaged in that operation before 1st January 2013;
 - a written declaration that they have not committed any welfare offences under EU or national legislation in the preceding 3 years;
 - written details that they have not been convicted of any welfare offences at any point in time or previously been refused a licence.

Simplified Procedure for persons with three years' relevant professional experience.

48. Where a person can demonstrate at least three years' relevant professional experience in an operation or operations for which they require a CoC, they will be entitled to apply for a CoC under a simplified procedure.

49. Three years' professional experience is not defined in Regulation 1099/2009. For clarification, it is proposed that three years' relevant professional experience be interpreted as follows:

- A person will be deemed to have three years' relevant professional experience if they have accrued at least 3 years' (720 days) experience in a relevant operation since 1 January 2008.
- Professional experience in this context is interpreted to mean carrying out a relevant operation in the course of employment or in a professional capacity for financial reward, but should exclude any experience gained whilst working under the supervision of a veterinary surgeon in accordance with a provisional licence granted under the Welfare of Animals (Slaughter or Killing) Regulations 1995.
- When calculating experience accrued, a person must be able to demonstrate that the experience relates to the relevant operation, species of animal, and where relevant, categories of equipment for which a CoC is sought.

For certain operations (i.e. the handling and care of live animals before restraint), it is proposed that appropriate experience gained in a general husbandry context should be considered relevant experience for that type of operation.

50. Three years' relevant professional experience must have accrued at the time Regulation 1099/2009 comes into force on 1 January 2013. The Government will not be expecting persons to demonstrate they have the relevant experience on that date.

Applicants will be expected to sign a declaration at the application stage confirming that they had accrued at least three years' relevant professional experience on 1 January 2013. Applicants may be asked to provide supporting evidence if appropriate, when they apply for a CoC / Transitional CoC.

51. Under the simplified procedure, persons that can demonstrate they have at least three years' experience in an operation will not have to submit a qualification certificate at the application stage to show they have completed a training course and passed a practical assessment, provided they meet certain conditions. The conditions will vary depending on whether the applicant is an existing licence holder or is a person that has been employed in certain handling operations (e.g. lairaging, shackling, hoisting) which do not currently require a licence under WASK.

52. **For WASK licence holders** the following conditions will apply and applicants must provide:

- a passport size photograph and photo ID;
- details of the species, operations and equipment to which their experience relates and for which a CoC is sought;
- a written declaration that they have at least three years' professional experience in the relevant operations (and relating to the same species of animal and type of equipment);
- a written declaration they have not committed any welfare offences in the preceding three years;
- written details confirming they have not been convicted of any welfare offences under EU or national legislation at any point in time or previously been refused a licence.

53. **For persons not currently required to work under a WASK licence** the following conditions will apply and applicants must:

- be practically assessed by a veterinarian (authorised by the Secretary of State for that purpose) who confirms the person is competent to undertake the operations and has sufficient knowledge of all relevant legislation and guidance relating to that operation;
- submit written confirmation from the authorised veterinarian confirming a successful assessment in relation to the operations, species of animal and type of equipment for which a CoC is sought;
- provide a passport size photograph and photo ID;
- provide a written declaration that they have at least three years' professional experience in the relevant operation;
- provide a written declaration that they have not committed any welfare offences in the preceding three years;

- provide written details confirming they have not been convicted of any welfare offences under EU or national legislation at any point in time or previously been refused a licence.

54. It is proposed that all provisional WASK licences issued in the last three months of 2012 will cease to have effect on 1 January 2013. From that date persons will be expected to apply for a TCoC and undertake an assessment under the CoC arrangements.

Fees

55. It is proposed that the following fees should apply in respect of CoC applications:

| Activity | Proposed Fee |
|--|--|
| Issuing a Temporary Certificate of Competence | £45 |
| Converting a Temporary Certificate of Competence to a full Certificate of Competence | £15 |
| Issuing a Certificate of Competence where there is no Temporary Certificate of Competence | £45 |
| Issuing a Transitional Certificate of Competence | £45 |
| Converting a Transitional Certificate of Competence to a full Certificate of Competence | £15 |
| Modifying a Certificate of Competence | £15 |
| Practical Assessment by an authorised veterinarian in an approved slaughterhouse under the simplified approach | £55 |
| Practical Assessment by an authorised veterinarian outside an approved slaughterhouse under the simplified approach | |
| Veterinary fees <ul style="list-style-type: none"> • Up to 1 hour • For every additional hour or part of an hour | £100 (£100) |
| Travel costs <ul style="list-style-type: none"> • Up to 1 hour • For every additional hour or part of an hour | £100 (£100) |
| | So as a minimum total cost will be £200. |

56. Charges will also apply in relation to training and assessment for Certificate of Competence purposes. These charges will be set by the Awarding Organisations and Approved Training Centres involved. It is anticipated a slaughterman will require training and assessment in relation to 3 qualification units, and that most lairage / poultry hangers on will require 2 units. Each unit will require an average of 6 training hours at an indicative cost of some £26 per hour where training is undertaken in a slaughterhouse approved for this purpose by an Awarding Organisation or £52 per hour where training is undertaken elsewhere. It is estimated that assessment by the Awarding Organisation / Training Provider will cost some £250 per day in a slaughterhouse approved by an Awarding Organisation as an approved centre and £400 per day elsewhere. On average 4 units can be assessed per day. Further information on costs is contained in the Impact Assessment accompanying this consultation.

National rules under Article 26(1)

57. Article 26(1) of Regulation 1099/2009 allows Member States to maintain existing national rules that were already in force on 8 December 2009, where these provide more extensive protection of animals at the time of killing than the minimum standards prescribed by Regulation 1099/2009.

58. The Government is committed to keeping regulatory burdens to a minimum and would not normally consider the use of national rules to supplement provisions in an EU Regulation. However the Government is also committed to securing improved standards of animal welfare (see Coalition Agreement¹ and Defra Business Plan²). The Government will therefore consider the case for the use of national rules to maintain existing welfare protection as a legal requirement where the measure cannot be maintained in another way e.g. through industry Guides to Good Practice (GGP) and business Standard Operating Procedures (SOP) and where there is a compelling welfare case for retention of the WASK provision concerned. Where measures are dealt with through GGP/SOPs, a separate prescriptive legal requirement set out in the domestic legislation is not proportionate, nor is it justified.

59. The WASK provisions considered to provide more extensive protection than Regulation 1099/2009 are listed at Annex 4. It is not considered necessary or appropriate to maintain every measure in WASK which might provide more extensive welfare protection and it is proposed that only the provisions described below should be retained through national rules in legislation. The matrix of rules at Annex 5 shows how the EU obligations introduced by Regulation 1099/2009 and the national rules proposed will apply to different businesses / individuals involved in killing animals for human consumption. The matrix of rules at Annex 6 shows how the EU obligations introduced by Regulation 1099/2009 and the national rules proposed will apply to different business / individuals involved in killing animals **other than** for human consumption.

¹ See Section 11 http://www.cabinetoffice.gov.uk/sites/default/files/resources/coalition_programme_for_government.pdf

² See Section B <http://www.number10.gov.uk/wp-content/uploads/DEFRA-Business-Plan1.pdf>

60. The Government does not consider that the national rules proposed for retention will limit the flexibility Regulation 1099/2009 gives businesses to adapt operating procedures to suit individual circumstances through Standard Operating Procedures. However it is interested to hear the views of consultees on this point.

Killing in slaughterhouses

61. Slaughterhouses are defined in Regulation 1099/2009 as “any establishment used for slaughtering terrestrial animals which falls within the scope of Regulation 853/2004.” These will include:

- red meat slaughterhouses
- white meat slaughterhouses
- on-farm slaughter facilities where animals are killed at the place of origin for human consumption and do not come within any of the categories identified in paragraph 68 below. Includes on-farm killing of farmed game, e.g. deer, wild boar, ratites, buffalo and bison

62. Where an animal is killed in a slaughterhouse for human consumption the EU obligations in Chapters II and Chapters III of Regulation 1099/2009 including Annexes I, II and III will apply relating to, amongst other things:

- stunning methods and requirements (Article 4(1))
- checks on stunning (Article 5)
- standard operating procedures (Article 6)
- level and certificate of competence (Article 7)
- restraining and stunning equipment (Article 9)
- layout, construction and equipment (Article 14(1) and Annex II)
- handling and restraining operations (Article 15 and Annex III)
- monitoring procedures (Article 16)
- Animal Welfare Officers (Article 17)

63. In addition to the measures in paragraph 62 above, the following national rules will apply:

- **Stunning methods** - In addition to Article 4(1) and Annex I of Regulation 1099/2009, the national rules in paragraphs 76 - 82 will continue to apply.
- **Use of restraining equipment** - In addition to Article 9 of Regulation 1099/2009, the national rules in paragraph 83 will continue to apply
- **Construction, layout and equipment** - In addition to Article 14(1) and Annex II of Regulation 1099/2009, the national rules in paragraph 84 will continue to apply.
- **Handling operations** - In addition to Article 15(1), 15(3) and Annex III of Regulation 1099/2009, the national rules in paragraphs 85 - 87 will apply.

Killing in other killing establishments

64. Other killing establishments include knackers' yards and collection centres where animals are killed for commercial purposes other than for human consumption. Where an animal is killed in such killing establishments, Regulation 1099/2009 provides a basic level of protection under Chapters II and Annex I of Regulation 1099/2009 which relate to:

- stunning methods and requirements (Article 4(1))
- checks on stunning (Article 5)
- standard operating procedures (Article 6)
- level and certificate of competence (Article 7)
- restraining and stunning equipment (Article 9)

65. The Government considers that the same EU and national rules should apply to these establishments as apply to slaughterhouses to ensure there is no reduction in welfare standards and to ensure a consistency in the application of the rules to all commercial premises killing animals (whether for human consumption or otherwise). This reflects the current position under WASK. As such, it is proposed the EU rules below should also apply to killing operations in these other commercial killing establishments.

- layout, construction and equipment (Article 14(1) and Annex II)
- handling and restraining operations (Article 15 and Annex III)
- monitoring procedures (Article 16)
- Animal Welfare Officer (Article 17)

66. To ensure consistency of EU and national requirements between slaughterhouses and other commercial killing establishments and a streamlined regulatory regime, it is proposed the requirements of Article 14(1) and Annex II regarding layout, construction and equipment should not apply to existing killing establishments until 9 December 2019 (as is the case for existing slaughterhouses). During this period, existing killing establishments will be required to comply with the same transitional provisions in WASK on construction, layout and equipment that slaughterhouses must comply with as provided for under Article 28 of Regulation 1099/2009.

67. In addition to the measures in paragraph 66 above, the following national rules will apply:

- **Stunning methods** - In addition to Article 4(1) and Annex I of Regulation 1099/2009, the national rules in paragraphs 76 - 82 will continue to apply.
- **Use of restraining equipment** - In addition to Article 9 of Regulation 1099/2009, the national rules in paragraph 83 will continue to apply
- **Construction, layout and equipment** - In addition to Article 14(1) and Annex II of Regulation 1099/2009, the national rules in paragraph 84 will continue to apply.

- **Handling operations** - In addition to Article 15(1), 15(3) and Annex III of Regulation 1099/2009, the national rules in paragraphs 85 - 87 will apply.

Killing elsewhere than in slaughterhouses or killing establishments for the purpose of human consumption

68. This category includes:

- On-farm slaughter of poultry and lagomorphs that constitute less than 10,000 animals 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

69. Where animals are killed under this category, the same EU obligations that apply to slaughterhouses set out in paragraph 62 above apply. However, this may change if the Commission comes forward with a *de minimis* threshold as provided for in Article 11 of Regulation 1099/2009 to exempt small-scale operations in this category from having to comply with certain EU requirements in Chapters II and III. See paragraph 16 for further details.

Killing elsewhere than in slaughterhouses or killing establishments for purposes other than human consumption

70. This category includes:

- On-farm killing of animals for commercial purposes other than for human consumption e.g. killing animals that do not meet commercial requirements
- Killing surplus chicks in hatchery waste

71. As with the killing of animals in other killing establishments, Regulation 1099/2009 provides a basic level of protection for animals killed in this category under Chapters II and Annex I of Regulation 1099/2009 relating to:

- stunning methods and requirements (Article 4(1))
- checks on stunning (Article 5)
- standard operating procedures (Article 6)
- level and certificate of competence (Article 7)
- restraining and stunning equipment (Article 9)

72. In addition to the measures in paragraph 71 above, the following national rules will apply:

- **Stunning methods** - In addition to Article 4(1) and Annex I of Regulation 1099/2009, the national rules in paragraphs 76 - 82 should continue to apply.
- For the **killing of surplus chicks** by cervical dislocation, the requirement in paragraph 88 also applies.
- **Use of restraining equipment** - In addition to Article 9 of Regulation 1099/2009, the national rules in paragraph 83 will continue to apply

Killing for private domestic consumption

73. Where animals (except poultry, rabbits or hares) are killed by their owner for private domestic consumption, the following EU obligations in Chapter II of Regulation 1099/2009 apply:

- Article 3(1)
- Article 4(1)
- Article 7(1)

74. Contrary to the current position in WASK, Regulation 1099/2009 does not afford any welfare protection to the killing of poultry, rabbits or hare by owners for private domestic consumption. To ensure no reduction in welfare standards from 1 January 2013, it is proposed the level of protection provided for in WASK is maintained in accordance with Article 26(1) so that any owner killing their own poultry, rabbits or hares must ensure they comply with the general welfare requirement to carry out killing without avoidable pain, suffering and distress and with the appropriate level of competence (Articles 3(1) and 7(1) of Regulation 1099/2009 respectively). In addition, any poultry, rabbits or hares killed by bleeding will also have to be stunned prior to bleeding as is currently the requirement in WASK. To ensure a consistency in the application of stunning requirements under national rules to those in Regulation 1099/2009 that apply to other species of animals killed for private domestic consumption, it is proposed the stunning requirements in Article 4(1) and Annex I of Regulation 1099/2009 should apply equally to poultry, rabbits and hares.

75. In addition, certain restraining/handling obligations in Articles 15(3) and Annex III, paragraphs 1.8 to 1.11, 3.1 and 3.2 (as regards simple stunning) will also apply to the killing of solipeds and ruminants (except pigs, goat and sheep) killed for private domestic consumption under this category (as provided for in Article 10 of Regulation 1099/2009). For the same reasons above, it is proposed that national rules be retained to ensure these restraining/handling obligations should continue to apply to the killing of pigs, goats and sheep for private domestic consumption where they are killed by bleeding as is currently the requirement in WASK.

Stricter national rules – stunning methods

Captive bolt instruments

76. The following requirements will continue to apply to the use of penetrative captive bolt instruments:

- No person may use, or cause or permit to be used, a penetrative captive bolt instrument to stun any animal unless:
 - the instrument is positioned and applied so as to ensure that the projectile enters the cerebral cortex; and
 - the correct strength of cartridge or other propellant is used, in accordance with the manufacturer's instructions to produce an effective stun.
- No person may shoot, or cause or permit to be shot, any bovine animal in the back of the head.
- No person may shoot, or cause or permit to be shot, any sheep or goat in the back of its head, unless the presence of horns prevents use of the top of the front of its head, in which case it may be shot in the back of the head provided that:
 - the shot is placed immediately behind the base of the horns and aimed towards the mouth; and
 - the sheep or goat is killed within 15 seconds of shooting
- Any person who uses a penetrative or non-penetrative captive bolt instrument shall check that the bolt is retracted to its full extent after each shot and if it is not so retracted shall ensure that the instrument is not used again until it has been repaired.

77. We are aware that research has been undertaken for the Scottish Government in relation to poll stunning of water buffalo. This indicates that it might be possible to effectively stun water buffalo in the poll position where this is undertaken in a slaughterhouse and where the interval between stunning and sticking is very short.

78. We are not proposing any changes to permit poll stunning of water buffalo. However we are aware that research on poll stunning has been undertaken in Scotland and will review our proposed approach following consultation responses if appropriate. If the current prohibition on poll stunning of bovines is removed we would welcome comments on whether the Regulation 1099/2009, Annex 1, Chapter 1 key parameter requirements specified in Standard Operating Procedures offer sufficient welfare protection in this context in the absence of specific legislative provisions or, whether more 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 would be more suitable.

Water bath stunning

79. The following requirements will continue to apply to the use of water bath stunning:

- No person may use, or cause or permit to be used, a water bath stunner to stun a bird except in accordance with the EU Regulation and provided:
 - it is adequate in size and depth for the type of bird being slaughtered; and
 - the level of the water in the water bath has been adjusted in order to ensure that there is good contact with the bird's head.

Gas stunning of pigs

80. The following requirements will continue to apply to the use of gas stunning (for pigs):

- No person may stun, or cause or permit to be stunned, a pig by exposure to gas except in accordance with the EU Regulation and provided:
 - the stunning takes place in a chamber provided for that purpose;
 - the chamber is designed, constructed and maintained so as to enable the pig to remain upright until it loses consciousness and enable each pig to see other pigs as it is conveyed into the chamber;
 - adequate lighting is provided in the conveying mechanism and the chamber to allow pigs to see other pigs or their surroundings; and
 - the chamber is equipped to maintain the required concentration of gas in the chamber at the point of maximum exposure
 - there is a means of flushing the chamber with atmospheric air with minimum delay;
 - there is a means of access to a pig with minimum delay.

81. In the case of stunning by exposure to gas mixture 1 in Table 3 of Annex 1 to Regulation 1099/2009 ("carbon dioxide at high concentrations"), once the pig enters the chamber it must be conveyed to the point in the chamber of maximum concentration of the carbon dioxide within a maximum period of 30 seconds.

Gas stunning of birds

82. The following requirements will continue to apply to the use of gas stunning (for birds):

- No person may stun, or cause or permit to be stunned, a bird by exposure to a gas mixture except in accordance with Regulation 1099/2009 and provided:
 - the stunning takes place in a chamber provided for that purpose;
 - the chamber is equipped to maintain the required gas concentration in the chamber at the point of maximum exposure;
 - the chamber is fitted with a means of visually monitoring the bird;

- there is a means of flushing the chamber with atmospheric air with the minimum of delay; and
- there is a means of access to the bird with minimum delay.

Stricter national rules – use of restraining equipment

83. The following requirements will continue to apply to restraining animals before stunning or killing:

- No person may stun or kill, or cause or permit a person to stun or kill, a soliped, ruminant, pig, rabbit or bird in a slaughterhouse or other killing establishment unless that animal is restrained in such a way as to spare the animal any avoidable pain, suffering or distress.
- In addition no person may:
 - in a slaughterhouse, stun, or cause or permit to be stunned, any adult bovine animal unless at the time it is stunned it is confined in a stunning pen which is in good working order;
 - in a killing establishment (e.g. knackers yards'), stun or cause to permit to be stunned, any adult bovine animal, unless at the time it is stunned it is confined in a stunning pen which is in good working order or its head is securely fastened in such a position as to enable it to be stunned without infliction of avoidable excitement, pain or suffering.

Stricter national rules – construction, layout and equipment

84. The following requirements will continue to apply to the construction and layout of, and equipment in, slaughterhouses and killing establishments (where applicable).

- All lairages (including field lairages) must:
 - where necessary, have suitable equipment for tethering animals; and
 - racks, mangers or other equipment adequate in number and size for the feeding of all animals confined in the lairage, fixed where practicable and constructed and placed so that they are easily accessible to all the animal, can readily be filled and cannot readily be fouled.
- In addition, all field lairages must:
 - be maintained in such condition as to ensure that no animal is subjected to any physical, chemical or other health hazard;
 - have adequate lighting (whether fixed or portable) available to enable the animals to be thorough inspected at any time;
- Where a slaughterhouse or killing establishment is one in which horses are killed, business operators must:

- provide a separate room or bay for the killing of horses and no person may kill or cause or permit to be killed a horse except in that separate room or bay provided for the killing of horses; and
- any lairage in which a horse is confined must contain at least one loose box which is constructed so as to minimise the danger of any horses injuring itself or any other animal confined in that lairage.

Stricter national rules – handling operations

Requirements for animals awaiting killing

85. The following requirements will continue to apply to animals awaiting killing:

- every animal must be unloaded as soon as possible after its arrival and, if delay in unloading is unavoidable, it must be protected from adverse weather conditions and be provided with adequate ventilation;
- when unloaded, every animal must be protected from adverse weather conditions and be provided with adequate ventilation;
- if any animal has been subjected to high temperatures in humid weather, it must be cooled by appropriate means;
- any animals which might injure each other on account of their species, sex, age or origin or for any other reason must be kept and lairaged apart from each other;
- pending the killing of any sick or disabled animal in the slaughterhouse, knacker's yard or seasonal slaughter premises the animal must be kept apart from any animal which is not sick or disabled; and
- no person may drag any animal which has been stunned or killed over any other animal which has not been stunned or killed.

Lairaging of animals

86. The following requirements will continue to apply to lairaging animals:

- a sufficient quantity of wholesome food must be provided for an animal on its arrival at the lairage and twice daily thereafter, except that no animal need be fed within 12 hours of the time at which it is killed;
- food must be provided in a way which will permit the animals to feed without unnecessary disturbance.

Bleeding

87. The following requirements will continue to apply to the bleeding of animals:

- If an animal is bled after stunning, no person may cause or permit any further dressing procedure or any electrical stimulation to be performed on the animal before the bleeding has ended and in any event not before the expiry of—

- in the case of a turkey or goose, a period of not less than 2 minutes;
- in the case of any other bird, a period of not less than 90 seconds;
- in the case of bovine animals, a period of not less than 30 seconds; and
- in the case of sheep, goats, pigs and deer, a period of not less than 20 seconds.

Stricter national rules – killing of surplus chicks

88. No person may kill, or cause or permit to be killed, any surplus chick less than 72 hours old by cervical dislocation unless the dislocation is accompanied by severance of the spinal cord and blood vessels in the chick's neck.

National rules under Article 26(2) welfare at slaughter

89. Article 26(2) of Regulation 1099/2009 allows Member States to adopt new stricter national rules in relation to:

- Killing animals and related operations outside a slaughterhouse
- Slaughtering farmed game
- Slaughter in accordance with religious rites

90. Over the last few years, considerable concern has been expressed by welfare organisations and members of the public about the welfare of animals slaughtered without stunning in accordance with religious rites. The Government has confirmed that it would prefer to see all animals stunned before slaughter but recognises the right of members of religious communities to eat meat prepared in accordance with their religious beliefs. The Government has therefore confirmed that it does not intend to ban religious slaughter without stunning. However, the Government has confirmed it wishes to protect the welfare of animals slaughtered in this way. In preparing its proposals in relation to religious slaughter the Government has considered and noted the recommendations made by the EU Dialrel project³ in relation to improving animal welfare during religious slaughter. It intends to continue discussions on possible further improvements in animal welfare with members of the Jewish and Muslim communities post-implementation of Regulation 1099/2009.

91. To maintain welfare protection for animals slaughtered in accordance with religious rites it is proposed that the following existing WASK provisions should continue to apply through national rules (see paragraphs 93 - 99 below for further information on these proposals):

³ See <http://www.dialrel.eu/images/recom-light.pdf>

| Existing WASK Measure to be retained | WASK References |
|---|--|
| Definition of animal, bovine animal and bird should remain unchanged. | Schedule 12 (1) (a – c) |
| Slaughter in accordance with religious rites must only be undertaken by a Jew licensed by the Rabbinical Commission or a Muslim (both must also hold a CoC) using the Jewish or Muslim method for the food of a Muslim or Jew. | Schedule 12 (2) (a) and (b) |
| Bovines must remain upright at all times until unconsciousness has been verified | Schedule 12 (3) (1) |
| Bovine restraining pens must be designed and operated to protect the animal from avoidable pain, suffering agitation, injuries or contusions while entering or confined in it and provide effective restraint, a means of head restraint and support | Schedule 12 (3) (2) (a) & (b) |
| Current provisions for handling animals should be retained with the exception of provisions relating to restraint of sheep, goats and calves on a cradle or table (on the basis that Regulation 1099/2009 requires all animals killed in accordance with religious rites to be restrained by mechanical means). | Schedule 12 (5) (a, b and d) retained Schedule 12 (5)(c) deleted |
| The cut should be rapid and uninterrupted | Schedule 12 (6)(b) and (9)(a) |
| Animals must not be moved post-cut until unconsciousness has been verified and in any event not before the period specified | Schedule 12 (7) &(10) |
| Religious slaughter of all animals and birds outside a slaughterhouse (as defined under Regulation 1099/2009) should be prohibited. This includes poultry, rabbits and hares slaughtered for private consumption | Schedule 12 (8) |
| Licences issued by the Rabbinical Commission should be recognised as an equivalent qualification under Regulation 1099/2009 Article 21 (7) and be given the same status as a Qualification Certificate for Certificate of Competence purposes. | Schedule 1 (4)(c) |
| The Rabbinical Commission should be defined for CoC purposes | Schedule 12 (11 – 15) |

92. It is also proposed that the following amended / new measures should be introduced through national rules:

| New / modified Measure | WASK References |
|---|---|
| Mechanical restraining equipment must be designed and operated to protect the animal from avoidable pain, suffering and distress. Mechanical restraining equipment used for slaughter in accordance with religious rites (and associated operating procedures) must be inspected / approved for that purpose in the context of the official controls process in slaughterhouses under EU Regulation 854/2004 (the cost will be included in the cost of official controls charged to business operators) | This replaces the current Ministerial approval process for bovine restraining pens at Schedule 12 (3) (1) and elements of (2) |
| Where restraining equipment used for slaughter in accordance with religious rites is modified the modifications must be inspected / approved before it can be used again. | Schedule 12 (4) (c) modified as necessary to fit new approval procedures |
| Before each animal's neck is cut the slaughterman must ensure the knife is surgically sharp, the blade is undamaged and the blade is at least twice the width of the neck | Schedule 12 (6)(a) as modified |
| 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 | Schedule 12 (9)(b) as modified |
| Knife will be defined to preclude the use of mechanical blades for slaughter of poultry in accordance with religious rites. | New provision |
| Where any animal or bird is stunned where slaughter takes place in accordance with religious rites the requirements of Article 4(1) and Annex I of Regulation 1099/2009 and any relevant national rules should apply (see paragraphs 76 - 82). | New provision / Schedule 12 (3)(3) |
| Where an immediate post-cut stun is applied the standstill periods will cease to apply. | Schedule 12 (7) &(10) as revised |

Inversion

93. It is proposed that the current ban on the inversion of bovines slaughtered in accordance with religious rights should be maintained. The Competent Authority has sought advice from the Farm Animal Welfare Committee (the body established to provide independent scientific advice under Article 20 of Regulation 1099/2009). Their advice⁴ indicates that there is consistent scientific evidence of the significant welfare

⁴ See <http://www.defra.gov.uk/fawc/files/Cattle-inversion-for-religious-slaughter.pdf>

disadvantages of inverting cattle for slaughter. They concluded that cattle inversion is a direct cause of avoidable pain, distress and suffering during the animal's killing and related operations. In their opinion reinstatement of inversion would represent a major step backwards in legislation to protect cattle and other animals during slaughter. The position on inversion will be reviewed further in 2013 following publication of the report on restraining bovines by inversion which Regulation 1099/2009 requires the Commission to submit by 8 December 2012.

“20 Second” Rule

94. Proposals have been made by industry representatives for changes to the “20 second” rule in relation to religious slaughter of sheep. Under Schedule 12 of WASK any person engaged in the slaughter of an animal in accordance with religious rites must ensure that where the animal has not been stunned, or stunned and pithed, before bleeding it is not moved until it is unconscious and in any event not before the expiry of:

- in the case of any sheep or any goat, a period of not less than 20 seconds;
- in the case of any bovine animal, a period of not less than 30 seconds;
- in the case of a turkey or goose, a period of not less than 2 minutes; and
- in the case of any other bird, a period of not less than 90 seconds, after it has been slaughtered.

It has been proposed that the 20 second period for sheep should be reduced to 14 seconds on the grounds that research⁵ has indicated that it takes an average of 14 seconds to induce loss of brain responsiveness in sheep where both carotid arteries and jugular veins are severed.

95. We have reviewed the research published and have also considered the report on veterinary concerns⁶ published by Dialrel. We have concluded that there can be significant variation in time to unconsciousness (Dialrel reports between 10 – 48 seconds). In view of this we consider that there is a significant risk that if the time is reduced to 14 seconds some animals could still be conscious when they are moved. In view of this no change to the 20 second rule has been proposed.

Post- stun recovery

96. Industry representatives have proposed including national rules to permit post-stun recovery to be demonstrated where slaughter is undertaken for Halal purposes. Demonstrating recovery is considered to be experimentation on live animals. This is regulated by the Animals (Scientific Procedures) Act 1986⁷ and such experiments can only be undertaken if a licence has been issued by the Home Office for that purpose. Further, any attempt to demonstrate recovery is likely to lead to avoidable pain, distress and/or suffering to the animal involved. This is contrary to the provisions at Article 3(1)

⁵ “Sheep Slaughtering Procedures – Time to loss of responsiveness after exsanguinations or cardiac arrest” by Neville Gregory and Steve Wotton was published in the British Veterinary Journal in 1984.

⁶ See <http://www.dialrel.eu/images/veterinary-concerns.pdf>

⁷ <http://www.legislation.gov.uk/ukpga/1986/14/contents>

and Article 4 of Regulation 1099/2009 which requires loss of consciousness/sensibility to be maintained until the death of the animal. In view of this we do not propose introducing national rules to permit demonstration of recovery.

Stunning undertaken in the context of slaughter in accordance with religious rites

97. Article 4(4) of Regulation 1099/2009 provides a derogation from the use of the detailed stunning methods and specifications in Chapters I and II of Annex I to Regulation 1099/2009 where slaughter is undertaken in accordance with religious rites. While many religious authorities are of the view that no stunning is permitted when slaughter of animals is carried out in accordance with religious rites, some do permit the use of stunning in accordance with the Halal method of slaughter where the animal would regain consciousness post stun if no further intervention is made to cause the death of the animal. The Government supports this approach from a welfare perspective and does not intend to restrict this approach when implementing Regulation 1099/2009.

98. If stunning is carried out during slaughter in accordance with religious rites, the Government is of the view that all stunning methods must comply with the Regulation 1099/2009 definition of stunning and lead to unconsciousness lasting until the animal's death without causing unnecessary pain, distress or suffering. However, as a consequence of Article 4(4) and, in the absence of national rules, any stunning carried out during slaughter in accordance with religious rites would effectively be unregulated. In view of this it is proposed that a national rule be adopted under Article 26(2) of Regulation 1099/2009 to ensure that the methods specified in Chapter I of Annex I and the specific requirements at Chapter II to Annex I and the stricter national rules set out in paragraphs 76 - 82 should be applied to any stunning undertaken in conjunction with slaughter in accordance with religious rites.

99. The Government does not consider that the national rules proposed in relation to religious slaughter will materially limit the flexibility Regulation 1099/2009 gives businesses to adapt operating procedures to suit individual circumstances through Standard Operating Procedures. However it is interested to hear the views of consultees on this point.

Depopulation operations - derogations

100. Article 18(3) of Regulation 1099/2009 enables the Competent Authority to grant derogations from specific requirements in Regulation 1099/2009 where the Competent Authority is satisfied that compliance is likely to affect human health or significantly slow down the process of eradication of a disease. The reasoning behind this provision is that in exceptional circumstances, compliance with animal welfare rules could put human health at risk or hinder the eradication of a disease which could in turn expose more animals to sickness and death. As such, the legislation allows the Competent Authority to derogate from certain provisions in Regulation 1099/2009 on a case-by-case basis

where the animal or public health situation requires the emergency killing of animals and/or when no suitable alternatives are available to provide optimum welfare for them. Accordingly, this process could be used to authorise stunning/killing methods not included at Annex 1 to Chapter 1 of Regulation 1099/2009 including the use of ventilation shutdown or to remove the Regulation 1099/2009 limitations on neck dislocation of poultry.

101. To ensure the proper exercise of this power by the Competent Authority in exceptional circumstances, it is proposed that a requirement be placed on the Competent Authority in the domestic regulations to require the Competent Authority, when relying on this derogation, to serve a notice to that effect which:

- must be in writing;
- may be general or specific;
- may be subject to conditions;
- must be published in such manner as the Secretary of State thinks fit; and
- may at any time be amended, suspended or revoked in writing.

Offences, penalties and enforcement

102. Article 23 of Regulation 1099/2009 requires Member States to introduce penalties and sanctions that are effective, proportionate and dissuasive.

Offences and penalties

103. New domestic regulations will be passed in Parliament to enforce the directly applicable obligations in Regulation 1099/2009 from 1 January 2013 and also any stricter national rules that may be maintained or adopted to extend the protection of animals during killing in line with Article 26 of Regulation 1099/2009. Whilst these consultation proposals apply to England only, parallel legislation will be introduced in Scotland, Wales and Northern Ireland; as such a consistent enforcement approach will be sought where possible with the devolved administrations to include criminal offences similar to the existing slaughter regime under WASK.

104. We are also proposing that all directly applicable obligations in Regulation 1099/2009 and any stricter national rules maintained or adopted in the domestic legislation continue to be underpinned by criminal sanctions with appropriate penalties – see table below in paragraph 106 for further details. This is to ensure we meet our legal obligations as a Member State to implement effective, proportionate and dissuasive sanctions to enforce our EU obligations under Regulation 1099/2009, whilst ensuring the enforcement regime for the new regime is no less effective than the current regime. Our approach to enforcement will reflect the seriousness and immediacy of the welfare threat and it is anticipated criminal sanctions will be used as a last resort and only in the most serious and wilful cases where the breach causes, or is likely to cause, pain, suffering or distress to an animal.

105. We are proposing that the majority of criminal offences for serious or persistent breaches of Regulation 1099/2009 should be punishable on summary conviction to a fine not exceeding the statutory maximum (£5000) (the maximum fine in some cases will be £3,000 for CoC and certain obstruction offences in line with the current approach under WASK) or to imprisonment not exceeding three months or both in line with the European Communities Act 1972. This is intended to address the deliberate, reckless or negligent infliction of pain, suffering and distress to animals during killing operations which is significantly serious to warrant prosecution of an individual or business. This reflects the enforcement approach and offence provisions under existing legislation (WASK). We have no indictable offences in our current law on the protection of animals at the time of killing and are not intending to introduce indictable offences under the new legislation. The use of custodial sentences has been reviewed to remove onerous sentences where it is considered a financial penalty alone will provide sufficient deterrent to protect the welfare of animals.

106. The following criminal offences and penalties are proposed:

| Relevant provision | Details of proposed offence | Mode of trial and Maximum penalty |
|-----------------------------|---|--|
| REGULATION 1099/2009 | | |
| Article 3 | Causing an animal avoidable pain, distress or suffering during killing or related operations; failing to take action to ensure an animal is not caused avoidable pain, distress or suffering during killing or related operations. | Summary conviction – fine not exceeding level 5 on the standard scale or imprisonment for a term not exceeding 3 months or both. |
| Article 4 | Failure to: <ul style="list-style-type: none"> • stun animals before killing in accordance with methods and requirements in Annex 1; • maintain loss of consciousness/sensibility until death of animals; • follow simple stunning methods (i.e. those which do not result in instantaneous death), as quickly as possible by a procedure ensuring death such as bleeding, pithing, electrocution or prolonged exposure to anoxia. | Summary conviction – fine not exceeding level 5 on the standard scale or imprisonment for a term not exceeding 3 months or both. |
| Article 5 | Failure by business operator/person to: <ul style="list-style-type: none"> • ensure persons responsible for stunning carry out regular checks to ensure animals do not present signs of consciousness/ sensibility between the end of the stunning process and death; | Summary conviction – fine not exceeding level 5 on the standard scale |

| Relevant provision | Details of proposed offence | Mode of trial and Maximum penalty |
|--------------------|---|---|
| | <ul style="list-style-type: none"> • carry out checks on a sufficiently representative sample of animals; • to take account of previous checks and any factors which may affect efficiency of the stunning process when determining the frequency of checks; • immediately take the appropriate measures as set out in the SOPs when checks show an animal is not properly stunned; • carry out systematic checks to ensure animals do not present signs of consciousness/sensibility before being released from restraint and do not present any signs of life before undergoing dressing or scalding. | |
| Article 6 | <p>Failure by business operator/person to:</p> <ul style="list-style-type: none"> • plan the killing of animals and related operations in advance; • carry out killing or related operations in accordance with SOPs; • draw up and implement SOPs to ensure killing and related operations meet Article 3(1) requirements; • take account of the points listed in Article 6(2)(a)-(c) when drawing up SOPs; • make SOPs available to the competent authority upon request; • amend SOPs (as required under Article 22(a)). | Summary conviction – fine not exceeding level 5 on the standard scale |
| Article 7 | <ul style="list-style-type: none"> • Killing or carrying out related operations by a person who doesn't have the appropriate level of competence. • Carrying out slaughter operations listed in Article 7(2) without a valid Certificate of Competence (or while a certificate of competence is suspended or after it has been withdrawn) • Failing to comply with conditions attached to a certificate of competence <p>Failure by business operator to:</p> <ul style="list-style-type: none"> • ensure the slaughter operations listed in Article 7(2) are carried out by persons holding a certificate of competence for such operations; • ensure the killing of fur animals is carried out in the presence and under the supervision of a person holding a certificate of competence. • notify the CA in advance when fur animals are to be killed. | Summary conviction – fine not exceeding level 3 on the standard scale |

| Relevant provision | Details of proposed offence | Mode of trial and Maximum penalty |
|--------------------|---|--|
| Article 8 | Selling restraining or stunning equipment without appropriate manufacturing instructions concerning use. | Summary conviction – fine not exceeding level 5 on the standard scale |
| Article 9 | Failure by business operator to:- <ul style="list-style-type: none"> • ensure all equipment used for restraining and stunning animals is maintained and checked in accordance with the manufacturers' instructions by persons specifically trained for that purpose; • draw up a record of maintenance and to keep those records for at least one year; • make the maintenance records available to CA on request; • ensure that during stunning operations, appropriate back-up equipment is immediately available on the spot and is used in the case of failure of the stunning equipment initially used; • ensure that animals are not placed in restraining equipment, including head restraints, until the person in charge of stunning or bleeding is ready to stun or bleed them as quickly as possible. | Summary conviction – fine not exceeding level 5 on the standard scale |
| Article 14 | Failure by business operator to:- <ul style="list-style-type: none"> • ensure the layout and construction of slaughterhouses and equipment used therein comply with Annex II; • submit to the CA referred to in Article 4 of Regulation 853/2004 when requested, the certain information for each slaughterhouse listed in that provision. | Summary conviction – fine not exceeding level 5 on the standard scale |
| Article 15 | Failure by business operator to:- <ul style="list-style-type: none"> • comply with operational rules for slaughterhouses in Annex III; • ensure that all animals killed in accordance with Article 4(4) without prior stunning are individually restrained and if a ruminant, mechanically restrained; • comply with the prohibition on restraining methods in Article 15(3) | Summary conviction – fine not exceeding level 5 on the standard scale or imprisonment for a term not exceeding 3 months or both. |
| Article 16 | Failure by business operator to:- <ul style="list-style-type: none"> • put in place and implement appropriate monitoring procedures in slaughterhouses; • include in their monitoring procedures the way checks have to be carried out and to include the information listed in Article 16(2) • put in place a specific monitoring procedure for | Summary conviction – fine not exceeding level 5 on the standard scale |

| Relevant provision | Details of proposed offence | Mode of trial and Maximum penalty |
|---|---|--|
| | <p>each slaughter line</p> <ul style="list-style-type: none"> take into account when considering frequency of checks the main risk factors such as changes regarding the types or the size of animals slaughtered or personnel working patterns so as to ensure results with a high level of confidence. | |
| Article 17 | <p>Failure by business operator to:-</p> <ul style="list-style-type: none"> designate an AWO for each slaughterhouse to assist them in ensuring compliance with the Regulation ensure the AWO holds a certificate of competence for all the operations taking place in the slaughterhouses for which he or she is responsible. ensure the AWO keeps a record of any action taken to improve animal welfare; keep such records for a year and to make that information available to the CA on request. <p>Failure by the AWO to:- keep a record of any action taken to improve animal welfare</p> | Summary conviction – fine not exceeding level 5 on the standard scale |
| Article 19 | In the case of emergency killing, failure by the keeper of the animal concerned to take all necessary measures to kill the animal as soon as possible. | Summary conviction – fine not exceeding level 5 on the standard scale or imprisonment for a term not exceeding 3 months or both. |
| WASK (Transitional provisions that must be preserved until 8 December 2019) | | |
| Sched 2, paras: <ul style="list-style-type: none"> 1(b) 2(a) to (d) 3(a) and (b) 4(a) and (b) 13(a) | Failure to meet obligations as regards layout, construction and equipment of slaughterhouses | Summary conviction – fine not exceeding level 5 on the standard scale |
| Sched 5, paras: <ul style="list-style-type: none"> 9(a) to (c) 10(a) and (c) 11 | Failure to meet obligations as regards the stunning of animals by electronarcosis (electrodes) or the stunning of birds by electronarcosis (waterbath stunning) | Summary conviction – fine not exceeding level 5 on the standard scale or imprisonment for a term not exceeding 3 months or both. |
| Sched 7, paras: <ul style="list-style-type: none"> 4(a)(i) to (iv) 4(c) | Failure to meet obligations as regards the killing of pigs by exposure to gas mixtures | Summary conviction – fine not exceeding level 5 on the |

| Relevant provision | Details of proposed offence | Mode of trial and Maximum penalty |
|--|--|--|
| <ul style="list-style-type: none"> 4(e)(i) and (iii) | | standard scale or imprisonment for a term not exceeding 3 months or both. |
| WASK (Stricter national rules) - Subject to formal consultation. However, the approach adopted should reflect the general enforcement approach outlined in this form. | | |
| New domestic legislation (WATOK) | | |
| | Stricter national rules as regards Certificates of Competence | Summary conviction – fine not exceeding level 5 on the standard scale. |
| | Stricter national rules as regards religious slaughter | Summary conviction – fine not exceeding level 5 on the standard scale or imprisonment for a term not exceeding 3 months or both. |
| | Failure to comply with an enforcement notice | Summary conviction – fine not exceeding level 5 on the standard scale or imprisonment for a term not exceeding 3 months or both. |
| | Making a false declaration to obtain a certificate of competence | Summary conviction – fine not exceeding level 5 on the standard scale or imprisonment for a term not exceeding 3 months or both. |
| | Obstructing or providing false or misleading information to a person authorised to enforce these regulations | Summary conviction – fine not exceeding level 5 on the standard scale or imprisonment for a term not exceeding 3 months or both. |

Enforcement

107. From 1 January 2013, we will have a greater range of enforcement options available to penalise infringements which may compromise the welfare of animals at the

time of killing. Regulation 1099/2009 gives the Competent Authority powers to address non-compliances using enforcement measures set out in Article 54 of Regulation 882/2004 on official controls performed to ensure the verification of compliance with feed and food law, animal health and animal welfare rules. In particular, Article 22 of Regulation 1099/2009 empowers the Competent Authority to:

- require business operators to amend their Standard Operating Procedures and, in particular, slow down or stop production;
- require business operators to increase the frequency of the checks referred to in Article 5 [*Checks on Stunning*] and amend the monitoring procedures referred to in Article 16;
- suspend or withdraw Certificates of Competence issued under this Regulation from a person who no longer shows sufficient competence, knowledge or awareness of his/her tasks to carry out the operations for which the certificate was issued;
- suspend or withdraw the delegation of power in relation to final examination and issue of Certificates of Competence;
- require the amendment of the instructions referred to in Article 8 [*Instructions for use of stunning and restraining equipment*] with due regard to the scientific opinions provided by the designated independent scientific support body.

108. We intend to apply the administrative sanctions provided for in Regulation 1099/2009 and Regulation 882/2004 as widely as possible. Enforcement will be undertaken by persons authorised by the Secretary of State (this is expected to involve persons from the Food Standards Agency and Animal Health Veterinary Laboratories Agency). It is also proposed that Local Authorities should be given powers to prosecute without placing any obligation on them to undertake such prosecutions. This will make it easier for those Local Authorities, choosing to take enforcement action in this area, to undertake such activities. Authorised persons will be given powers to issue enforcement notices to either require steps to be taken by the business operator or an individual in order to remedy a contravention or to slow down or prohibit an activity until any contravention is remedied (as per the examples provided below but not limited to those examples). Failure to comply with the instructions in an enforcement notice will be a separate criminal offence to the original contravention. Enforcement notices will be underpinned by an appropriate appeals mechanism as explained further in paragraphs 117 - 121. Decisions to suspend or revoke Certificates of Competence will also be subject to an appropriate appeals mechanism.

109. The following examples will help clarify our proposed approach to enforcement:

Example 1

- **Where there is no immediate or serious threat to welfare, enforcement action should commence at Stage 1**
- **Where there is an immediate and serious threat to welfare causing, or likely to cause, actual harm or suffering, enforcement action should commence at Stage 2**

Stage 1 – Issue enforcement notice in line with Article 22 of Reg 1099/2009. This will require the business operator to take any necessary action to ensure compliance with the Regulation and domestic regulations. It will set a time limit within which action must be taken. An enforcement notice may in particular require business operators to

- amend their standard operating procedures and implement these changes immediately;
- increase the frequency of checks and amend monitoring procedures;
- slow down production;
- halt activities until an appropriate CoC holder is present.

Failure to comply with an enforcement notice will be a criminal offence.

Stage 2 – Issue an enforcement notice prohibiting the business operator from carrying out certain activities with immediate effect. The enforcement notice will not allow the business operator to re-start those activities until all infringements have been remedied and required action taken.

Failure to comply with an enforcement notice will be a criminal offence.

Penalty on summary conviction – fine not exceeding level 5 on the standard scale or imprisonment for a term not exceeding 3 months or both.

Note: The original offence might also be prosecuted where this involves deliberate, reckless or negligent infliction of pain, suffering and distress to animals

Example 2

Non compliance by holder of a Certificate of Competence

Stage 1 – Suspend Certificate of Competence pending completion of specified activities e.g. retraining. Once required action has been completed and knowledge has been assessed as satisfactory, re-instate Certificate of Competence.

Stage 2 – If the person continues to demonstrate insufficient competence, knowledge or awareness of his / her tasks to carry out the operations for which the Certificate of Competence was issued the Certificate should be withdrawn.

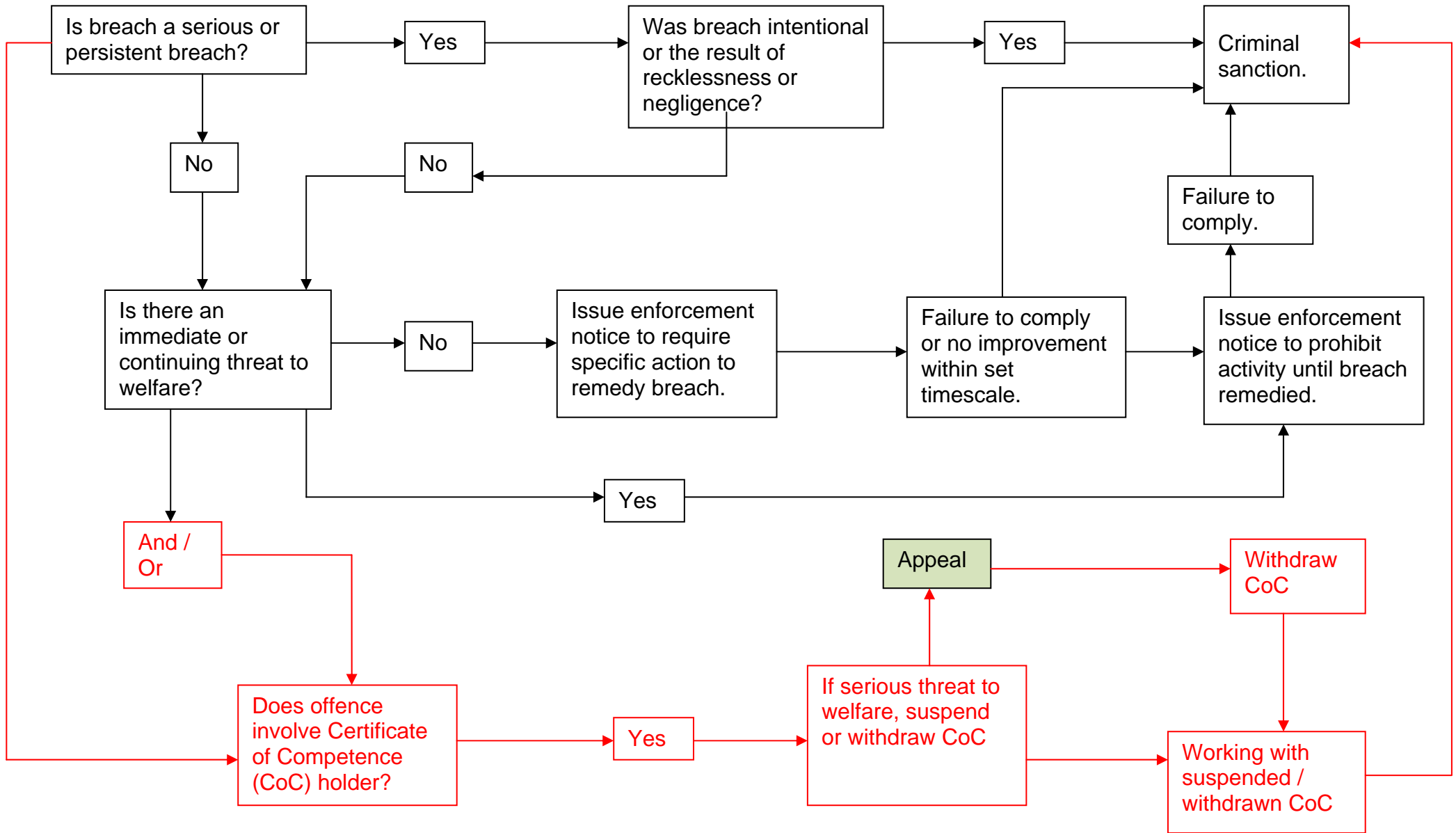
Note: This amounts to a lifetime ban in relation to the specific activities identified on the Certificate of Competence, subject to any appeals mechanism, as the prohibition in Regulation 1099/2009 on issuing repeat temporary certificates for the same activity means there is no route back unless the person applies for a temporary Certificate of Competence for a completely different activity.

Working while a Certificate of Competence is suspended or after a Certificate of Competence has been withdrawn or has ceased to be valid would be a criminal offence. Penalty on summary conviction – fine not exceeding level 3 on the standard scale (reflects current penalty in WASK).

Note: The original offence might also be prosecuted where this involves deliberate, reckless or negligent infliction of pain, suffering and distress to animals

110. The Flow Chart on the next page illustrates the approach set out in the examples above.

Enforcement Flow Chart



Powers of entry

111. The Government is committed to limiting the creation of new powers of entry and reducing the powers of entry that currently exist. In addition, following the passing of the Protection of Freedoms Act 2012 earlier this year, Departments must examine powers of entry to ensure they are proportionate and contain adequate safeguards.

112. As part of the new legislative proposals for enforcing Regulation 1099/2009 and any stricter national rules maintained and adopted under Article 26 of the Regulation, the following Acts of Parliament (or parts thereof) are likely to be repealed to remove redundant provisions on the killing of animals that have now been superseded by the EU legislation. This will include any associated powers of entry.

- Slaughter of Poultry Act 1967
- Slaughterhouses Act 1974 (Part II in particular)
- Welfare of Animals at Slaughter Act 1991
- Animal Health and Welfare Act 1981
- Deregulation and Contracting Out Act 1994

New powers of entry will be incorporated in the domestic regulations that are replacing WASK, insofar as they apply to England, albeit with additional safeguards included.

113. It is proposed that an authorised officer/inspector (i.e. any person authorised by the Secretary of State for the purpose of enforcement) may, on giving reasonable notice, and on producing a duly authenticated authorisation if required, enter any premises at any reasonable hour for enforcement purposes. An authorised officer/inspector may be accompanied by such other persons as the authorised officer/inspector considers necessary, including any representative of the European Commission.

114. The requirement to give notice will not apply—

- where entry is pursuant to any provision of the EU Regulation which requires inspection without notice;
- where the requirement has been waived;
- where reasonable efforts to agree an appointment have failed; or
- where an authorised officer/inspector has reasonable suspicion of a failure to comply with the European Regulation, the 1995 Regulation or these Regulations.

115. Admission to premises used wholly or mainly as a private dwelling house may not be demanded as of right unless the entry is in accordance with a warrant obtained from a Magistrate's Court. A warrant will only be issued if:

- there are reasonable grounds to enter those premises for the purpose of enforcing Regulation 1099/2009 and the stricter national rules being retained
- entry to the premises has been, or is likely to be, refused, and notice of the intention to apply for a warrant has been given to the occupier,

- asking for admission to the premises, or giving such a notice, would defeat the object of the entry,
- entry is required urgently, or
- the premises are unoccupied or the occupier is temporarily absent.

116. An authorised officer/inspector who has entered premises for enforcement purposes may:

- carry out any examination, investigation or test;
- inspect and search the premises,
- take samples (and if necessary, send the samples for laboratory testing) from any animal, carcase or part of a carcase,
- take any carcase or part of a carcase (and, if necessary send it for laboratory testing);
- take any equipment or instrument for further examining, investigating or testing;
- require the production of any document or record and inspect and take a copy of or extract from such document or record; and
- require any person to provide such assistance, information, facilities or equipment as is reasonable.

Appeals

117. An appeal procedure will be provided in relation to:

- Decisions to refuse to issue, suspend or revoke Certificates of Competence, Temporary Certificates of Competence or Transitional Certificates of Competence.
- Enforcement Notices issued in the event of a contravention of the legislation (either to require steps to be taken or prohibit operations until the contravention is remedied).

As part of its commitment to delivering the Government's Red Tape Challenge, Defra is committed to reviewing its approach to certain regulatory activities, including appeals. We are trying to standardise appeal processes wherever possible and it is proposed that in future most Defra appeals will be handled by the First-tier Tribunal, including appeals under the new domestic legislation, WATOK. The First-tier Tribunal is a specialist judicial body which handles a wide range of subject-matters, mainly involving appeals from Government departments or other public bodies. Appeals under WATOK are likely to fall within the First-tier Tribunal's environmental jurisdiction in the General Regulatory Chamber. Further detail on these new arrangements is set out below, and we ask a specific question on the appeals arrangements (Consultation question 18). We will pass the responses to this question to HM Courts and Tribunals Service to help them to finalise appropriate appeal arrangements.

118. The Tribunal is empowered to deal with a wide range of issues which might form the substance of appeals, and to ensure the cases are dealt with in the interest of justice and minimising parties' costs. The composition of a Tribunal is a matter for the Senior

President of Tribunals to decide and may include non-legal members with suitable expertise or experience in an appeal in addition to the Tribunal judiciary.

119. The General Regulatory Chamber operates under the Tribunal Procedure (First-tier Tribunal) (General Regulatory Chamber) Rules 2009 which provide flexibility for dealing with individual cases. They may be found at:

<http://www.justice.gov.uk/guidance/courts-and-tribunals/tribunals/rules.htm> and <http://www.justice.gov.uk/downloads/guidance/courts-and-tribunals/tribunals/tribunals-rules-2009-at010411.pdf> .

Rule 2 of the General Regulatory Chamber Rules states its overriding objective as being to deal with a case fairly and justly. This includes dealing with a case in ways which are proportionate to the importance of the case, the complexity of the issues and the anticipated costs and resources of the parties. The Rules give the Tribunal judge wide case management powers in order to achieve these objectives.

120. Any party to a case has a right to appeal to the Upper Tribunal on points of law arising from a decision of the First-tier Tribunal. The right may only be exercised with the permission of the First-tier Tribunal or the Upper Tribunal. Where permission is given, the further appeal would be made to the Upper Tribunal. Currently no charge will be made for appeals.

121. If necessary provision will be made for appeals to a named person appointed by the Secretary of State as an interim measure pending the First-tier Tribunal assuming responsibility for appeals.

Transitional measures

122. Regulation 1099/2009 repeals Directive 93/119/EEC, save for certain transitional provisions. Until 8 December 2019 the provisions in Regulation 1099/2009 in relation to layout, construction and equipment in slaughterhouses only apply to new slaughterhouses or new layouts/equipment in existing slaughterhouses. For existing slaughterhouses the following provisions of Directive 93/119/EEC will continue to apply until 8 December 2019:

- Annex A: paragraph 1 of Section I; paragraph 1 and the second sentence of paragraph 3 and paragraphs 6, 7, 8 and the first sentence of paragraph 9 of Section II;
- Annex C, paragraphs 3.A.2, the first subparagraph of 3.B.1, 3.B.2, 3.B.4 and paragraphs 4.2 and 4.3 of Section II.

123. The provisions in national legislation transposing the above requirements are set out in the table below and will remain in force until 8 December 2019. Those highlighted in bold are being retained as stricter national rules and will continue to apply to all slaughterhouses or other killing establishments (such as knackers' yards) after 8 December 2019.

WASK Provisions maintained until 8 December 2019

Schedule 2 Part 1 General requirements for all slaughterhouses and knackers' yards

1. The occupier of a slaughterhouse or knacker's yard shall ensure that--

(b) it has suitable equipment and facilities available for the purpose of unloading animals from means of transport, save that any occupier of a slaughterhouse or knacker's yard which was in operation before 1st July 1994 need not comply with this requirement until 1st January 1996;

Schedule 2 Part II Additional requirements for slaughterhouses or knackers' yards to which animals are delivered other than in containers

2. In addition to requirements of paragraph 1 above, the occupier of a slaughterhouse or knacker's yard to which animals are delivered other than in containers shall ensure that--

(a) any equipment for unloading such animals is of a suitable height and design for that purpose, has non-slip flooring and, if necessary, is provided with lateral protection;

(b) any bridge, ramp and gangway is fitted with sides, railings or some other means of protection to prevent animals falling off them;

(c) any exit and entry ramp has the minimum possible incline;

(d) all passageways are so constructed as to minimise the risk of injury to any animal and so arranged as to take account of the gregarious tendencies of the animals which use them; and

Schedule 2 Part II Additional requirements relating to lairages other than field lairages

3. The occupier of a slaughterhouse or knacker's yard to which animals are delivered other than in containers shall ensure that--

(a) the slaughterhouse or knacker's yard is equipped with a sufficient number of pens for adequate lairaging of the animals with protection from the effects of adverse weather conditions;

(b) any lairage has--

(i) a floor which minimises the risk of slipping and which does not cause injury to any animal which is in contact with it;

(ii) adequate ventilation to ensure that temperature, air relative humidity and ammonia levels are kept within limits that are not harmful to any animal, taking into account the extremes of temperature and humidity which may be expected;

(iii) where such ventilation is provided other than naturally, a replacement means of maintaining adequate ventilation available for use if the original source of ventilation fails;

(iv) adequate lighting (whether fixed or portable) to enable the animals to be thoroughly inspected at any time;

(v) where necessary, suitable equipment for tethering animals; and

[To continue in force as stricter national rule post 8th December 2019]

(vi) drinking facilities and racks, mangers or other equipment adequate in number and size for the watering and feeding of all animals confined in the lairage, fixed where practicable, and so constructed and placed that they are easily accessible to all the animals, can readily be filled and cannot readily be fouled;

[The requirement to have appropriate feeding equipment in place will continue in force as a stricter national rule post 8th December 2019]

Schedule 2 Part II Additional requirements relating to field lairages

4. The occupier of a slaughterhouse or knacker's yard shall ensure that any field lairage--

(a) if it is without natural shelter or shade and is used during adverse weather conditions, has appropriate protection against such conditions for any animal using it;

(b) is maintained in such condition as to ensure that no animal is subjected to any physical, chemical or other health hazard; [To continue in force as stricter national rule post 8th December 2019]

(e) is provided with drinking facilities and, if necessary, with **racks, mangers or other equipment adequate in number and size** for the watering and **feeding of all animals confined in the field lairage,**

fixed where practicable, and so constructed and placed that they are easily accessible to all the animals, can readily be filled and cannot readily be fouled. [The requirement to have appropriate feeding equipment in place will continue in force as a stricter national rule post 8th December 2019]

Schedule 3 Part III Lairaging of animals

13. The occupier of a slaughterhouse or knacker's yard and any person engaged in the lairaging of any animal shall ensure that--

- (a) an adequate supply of suitable bedding material is provided for all animals kept in the lairage overnight, unless the lairage has a slatted or mesh floor;
- (b) any animal which is kept in a lairage has drinking water available to it from appropriate facilities at all times;

Schedule 5 Part II Stunning Specific requirements for stunning by electronarcosis--electrodes

9. No person shall use, or cause or permit to be used, electrodes to stun any animal individually unless the apparatus--

- (a) incorporates a device which--
 - (i) measures the impedance of the load; and
 - (ii) prevents operation of the apparatus unless a current can be passed which is sufficient to render an animal of the species being stunned unconscious until it is dead;
- (b) incorporates an audible or visible device indicating the length of time of its application to an animal; and
- (c) is connected to a device indicating the voltage and the current under load, positioned so as to be clearly visible to the operator.

Schedule 5 Part II Stunning Specific requirements for stunning by electronarcosis — waterbath stunners

10. No person shall use, or cause or permit to be used, a water bath stunner to stun any bird unless--

- (a) the level of the water in the waterbath has been adjusted in order to ensure that there is good contact with the bird's head; [To continue in force as stricter national rule post 8th December 2019]**
- (b) the strength and duration of the current used is such that the bird is immediately rendered unconscious and remains so until it is dead;
- (c) where poultry are stunned in groups in a waterbath, a voltage sufficient to produce a current strong enough to ensure that every bird is stunned is maintained;
- (d) appropriate measures are taken to ensure that the current passes efficiently, in particular that there are good electrical contacts and the shackle-to-leg contact is kept wet.

Schedule 5 Part II Stunning Specific requirements for stunning by electronarcosis—waterbath stunners

11. No person shall use, or cause or permit to be used, any waterbath stunner unless--

- (a) it is adequate in size and depth for the type of bird being slaughtered; [To continue in force as stricter national rule post 8th December 2019]**
- (b) it does not overflow at the entrance, or, if an overflow is unavoidable, measures are taken to ensure that no bird receives an electrical shock before it is stunned; and
- (c) the electrode which is immersed in the water extends the length of the waterbath.

Schedule 7 Part II Construction of the chamber

4. The occupier of a slaughterhouse at which a chamber is used shall ensure that--

- (a) the chamber and the equipment used for conveying any pig through the gas mixture are designed, constructed and maintained--
 - (i) so as to avoid injury to any pig;
 - (ii) so as to avoid compression of the chest of any pig;
- (iii) so as to enable each pig to remain upright until it loses consciousness; [To continue in force as stricter national rule post 8th December 2019]**
- (iv) so as to enable the pigs to see each other as they are conveyed in the chamber; [To continue**

in force as stricter national rule post 8th December 2019] and

(c) **adequate lighting is provided in the conveying mechanism and the chamber to allow pigs to see other pigs or their surroundings; [To continue in force as stricter national rule post 8th December 2019]**

(e) the chamber is fitted with devices which -

(i) measure the concentration by volume of carbon dioxide in the gas mixture at the point of maximum exposure;

(ii) when the chamber is in operation, continuously display the concentration by volume of carbon dioxide as a percentage of the gas mixture at the point of maximum concentration in the chamber; and

(iii) give clearly visible and audible warning signals if the concentration by volume of carbon dioxide falls below 70%;

8. The occupier of a slaughterhouse at which a chamber is used shall ensure that--

(a) the chamber and the equipment used for conveying any bird through the gas mixture are designed, constructed and maintained--

(i) so as to avoid injury to any bird; and

(ii) so that once a bird enters into the chamber it is conveyed to the point in the chamber of maximum concentration of the gas mixture within a maximum period of 10 seconds;

(b) the installation has an apparatus which maintains the required concentration by volume of oxygen or carbon dioxide, as appropriate, in the chamber;

(c) the chamber is fitted with devices which--

(i) measure the concentration by volume of oxygen or carbon dioxide in the gas mixture, as appropriate, at the point of maximum concentration;

(ii) when the chamber is in operation, display continuously the concentration by volume of oxygen or carbon dioxide, as appropriate, as a percentage of the total gas mixture at the point of maximum concentration in the chamber; and

(iii) give clearly visible and audible warning signals if the volume of carbon dioxide or oxygen falls below or rises above the required level.

Guides to Good Practice

124. Regulation 1099/2009 (Article 13) requires Member States to encourage the development and dissemination of Guides to Good Practice by “organisations of business operators”. If business operators fail to develop and submit Guides to Good Practice, the Competent Authority may develop and publish its own guidance in accordance with Article 13(4). We have no plans to develop Guides to Good Practice where organisations of business operators fail to do so. Where Guides to Good Practice are prepared, Regulation 1099/2009 requires them to be developed in consultation with NGOs, the Competent Authority and other interested parties. The Competent Authority is required to assess Guides to Good Practice to ensure they are consistent with Community guidelines. Once validated by the Competent Authority, guidance must be forwarded to the European Commission.

125. The British Meat Processors Association and British Poultry Council are drafting Guides to Good Practice for red and white meat slaughter activities respectively in liaison with DEFRA. These documents have been drafted under informal consultation with a stakeholder group including religious authority representatives, NGOs and industry

representatives. They are not covered by this consultation. Further information on Guide to Good Practice in relation to red meat slaughter can be obtained from BMPA (contact Fiona Steiger – fs@bmpa.uk.com). Further information on the Guide to Good Practice in relation to white meat slaughter can be obtained from BPC (contact Richard Griffiths – RGriffiths@Britishpoultry.org.uk).

Monitoring procedures and CCTV

126. Regulation 1099/2009 requires business operators to implement monitoring procedures in slaughterhouses to ensure animals do not present any signs of consciousness or sensibility in the period between the end of the stunning process and death. No further guidance has been provided by the European Commission on how these monitoring checks should be undertaken.

127. We have reviewed the case for compulsory CCTV to help meet the Regulation 1099/2009 monitoring requirements. It is important to note that CCTV is one of several methods which may be used to provide inconspicuous monitoring. The 2011 FSA welfare survey data indicates that:

- for red meat slaughterhouses, 96 out of 253 establishments (38%) voluntarily use CCTV, with 59 of these using CCTV to monitor the stunning area, 49 the bleeding area and 85 the lairage and unloading areas;
- for poultry slaughterhouses, 42 out of 75 establishments (56%) voluntarily use CCTV, with 21 of these using CCTV to monitor the stunning area, 18 the bleeding area and 39 the lairage and unloading areas.

128. Results show there was no significant variation in WASK compliance levels in premises with or without CCTV. So far as other forms of monitoring are concerned the survey identified that in 134 (53%) of red meat slaughterhouses and 33 (44%) of poultry slaughterhouses it was not possible to observe the practice of slaughterers without the slaughterer being aware they were under observation. In such situations, CCTV could have a role to play in facilitating inconspicuous monitoring.

129. However CCTV, as with other monitoring methods, does have limitations and relies on business operators to monitor operations appropriately. CCTV monitoring failed to pick up welfare abuses in at least one recent, well-publicised, case brought to our attention by a welfare organisation. Many slaughterhouses have, or are in the process of, installing CCTV on a voluntary basis and we do therefore need to look at the case for additional regulation in that context. We also need to consider the burdens a regulatory approach would place on small and medium-size businesses and the overall impact CCTV might have in reducing welfare abuses in slaughterhouses.

130. Under Article 54 of Regulation (EC) No 882/2004 *on official controls performed to ensure the verification of compliance with feed and food law, animal health and animal welfare rules* , where a non-compliance is detected it is possible for the Competent

Authority to require that a slaughterhouse installs CCTV to assist with monitoring. Articles 54(2) (c) and (h) provide that action taken by the Competent Authority to ensure an operator remedies a non-compliance can include “monitoring” or “any measure the Competent Authority deems appropriate”. In deciding what action is appropriate the Competent Authority would need to take account of the nature of the non-compliance and the operator’s past record. The costs of taking that action must be borne by the business operator.

131. Taking account of these considerations and in view of these limitations and the existence of alternative methods of inconspicuous monitoring available to business operators, the increased level of voluntary uptake over a relatively short period, the potential stimulus the new monitoring requirements in Regulation 1099/2009 will have in relation to voluntary uptake post-January 2013 and the alternative options for introducing other methods for inconspicuous monitoring of welfare at slaughter available to business operators, we do not plan to pursue proposals for compulsory CCTV further.

Annex 1 - Summary of Regulation 1099/2009 provisions.

| Regulation 1099/2009 Article | Scope of Article |
|------------------------------|---|
| Article 1 | Establishes subject matter and scope (see paragraph 12 above) |
| Article 2 | Sets out the definitions that apply under Regulation 1099/2009 |
| Article 3 | <p>Prescribes the general requirements for killing and related operations. Business operators must ensure animals are spared any avoidable pain, distress or suffering when killed and must take measures to ensure animals:</p> <ul style="list-style-type: none"> • are provided with physical comfort and protection, in particular by being kept clean in adequate thermal conditions and prevented from falling or slipping; • are protected from injury; • are handled and housed taking into consideration their normal behaviour; • do not show signs of avoidable pain or fear or exhibit abnormal behaviour; • do not suffer from prolonged withdrawal of feed or water; • are prevented from avoidable interaction with other animals that could harm their welfare. |
| Article 4 | Requires animals to be stunned using methods set out at Annex 1 to the regulation. It establishes the principle of simple stunning i.e. killing methods that do not result in instantaneous death. It also removes the need to use prescribed stunning methods and procedures where slaughter is undertaken in accordance with religious rites. |
| Article 5 | Requires business operators to undertake checks on stunning and to take action specified in Standard Operating Procedures where checks indicate stunning is not effective. |
| Article 6 | Requires business operators to plan all killing operations in advance and to carry them out in accordance with Standard Operating Procedures. |
| Article 7 | Requires all persons undertaking killing operations to be competent. Persons undertaking slaughter operations must hold a Certificate of Competence for all operations involving live animals. |
| Article 8 | Restraining and stunning equipment must not be sold unless it is accompanied by instructions for use including key parameters and maintenance instructions. Instructions must be posted on the internet. |
| Article 9 | Sets out requirements in relation to the maintenance and use of restraining and stunning equipment. |
| Article 10 | This confirms the (limited) provisions that apply to slaughter of animals other than rabbits and poultry for private domestic consumption. |
| Article 11 | This makes provision for more limited provisions to apply to small scale slaughter of poultry and rabbits for direct supply. This requires the Commission to establish a threshold to trigger this provision. No threshold has been set and as a result all aspects of the regulation will |

| | |
|------------|---|
| | continue to apply to these activities. |
| Article 12 | Applies Chapters II and III of the Regulation to imports from third countries. |
| Article 13 | Establishes the procedures for developing guides to good practice by industry organisations, competent authority validation and submission to the Commission. |
| Article 14 | This article introduces measures in relation to the layout, construction and equipment in slaughterhouses. It also specifies information that must be submitted to the competent authority when approving a slaughterhouse. |
| Article 15 | This article introduces measures in relation to handling and restraining operations in slaughterhouses. |
| Article 16 | Slaughterhouse operators are required to put monitoring procedures in place to ensure effective stunning and to ensure animals slaughtered without a pre cut stun are unconscious before being released from restraint and dead before any further dressing. |
| Article 17 | Requires all slaughterhouses above a minimum size to appoint an Animal Welfare Officer. |
| Article 18 | Applies Regulation 1099/2009 requirements to depopulation activities undertaken by the competent authority unless a derogation applies. Establishes annual reporting requirements. |
| Article 19 | Requires the keeper to kill animals as soon as possible in an emergency. |
| Article 20 | Requires the Member State to establish a mechanism for obtaining independent scientific support. |
| Article 21 | Establishes detailed rules for the introduction of Certificates of Competence, including provisions to ensure final assessment is independent and free from any conflict of interest. |
| Article 22 | Establishes action the competent authority can take to address non compliance. |
| Article 23 | Requires Member States to introduce penalties which are effective, proportionate and dissuasive. |
| Article 24 | Allows the Commission to make implementing rules |
| Article 25 | Established comitology procedures |
| Article 26 | Allows Member States to introduce national rules |
| Article 27 | Establishes a timetable for reports to be made by the Commission in relation to fish slaughter, restraining bovine animals by inversion and stunning methods for poultry. |
| Article 28 | Deals with repeals |
| Article 29 | Establishes transitional provisions. For existing slaughterhouses layout construction and equipment requirements apply from 8 December 2019. Until 8 December 2015 Member States can issue certificates of competence by a simplified procedure to people with more than three years professional experience. |
| Annex 1 | Lists permitted stunning methods at Chapter I and describes specific requirements for certain methods at Chapter II. Minimum currents and frequencies specified for head only electrical stunning and waterbath |

| | |
|---------|---|
| | stunning. Cervical dislocation not permitted as a routine slaughter method and limited to birds of up to 5kg lw and a maximum of 70 birds per person per day. |
| Annex 2 | Establishes detailed provisions for layout, construction and equipment in slaughterhouses. Electrical stunning equipment must display and record electrical parameters. Automatic stunning equipment must deliver a constant current. Birds must not be hung conscious for more than 1 minute, ducks, geese and turkeys 2 minutes. Breast comforters must be incorporated in shackle lines. Gas stunners must record gas concentration used and time of exposure. All records must be kept for at least one year. |
| Annex 3 | Establishes detailed operational rules for slaughterhouses. This requires both carotid arteries to be severed. It also allows electrical stimulation of once unconsciousness has been verified. Automatic neck cutters can only be used where it is possible to verify both carotids have been cut. |
| Annex 4 | This shows how Regulation 1099 requirements correspond to Certificate of Competence examination requirements. |

Annex 2 – Certificates of Competence

Terminology

Killing operations – include any of the following activities:

- the restraint of animals for the purpose of stunning or killing;
- the stunning (including methods resulting in instantaneous death) of animals;
- the assessment of effective stunning or pithing;
- the shackling or hoisting of stunned animals;
- the bleeding of live animals;
- the slaughtering in accordance with religious rites
- pithing an unconscious animal following simple stunning

Handling operations – include any of the following activities:

- the handling and care of animals before they are restrained
- shackling or hoisting of live animals

Qualification Certificate (QC) – Certificate obtained on successful completion of the assessment process or by obtaining a licence from the Rabbinical Commission

Transitional Certificate of Competence (Transitional CoC) – A transitional certificate that will be issued to persons who do not currently require a WASK licence for handling operations but who will be required to obtain a CoC for such operations under Regulation 1099/2009 after 1 January 2013 (only applies to persons in employment before 1 January 2013).

Temporary Certificate of Competence (TCoC) – Similar to existing provisional licences issued under WASK. A temporary certificate of competence lasts a maximum of three months and permits work under supervision of a Certificate of Competence holder. Only one temporary Certificate of Competence may be issued to an applicant for the same species, equipment and operations (unless exceptional circumstances apply).

Certificate of Competence (CoC) – Similar to existing slaughter licences under WASK. Forms licence to operate (LtO) and will be issued when Qualification Certificate has been registered by the competent authority (currently FSA) (can be revoked or suspended).

Practical Assessment Certificate (PAC) – Certificate provided by authorised veterinarian in line with simplified procedure following practical assessment of persons undertaking handling operations meeting three years' relevant professional experience criterion.

Who needs a CoC?

- Persons undertaking the following operations for human consumption or otherwise :
 - (a) the handling and care of live animals before they are restrained;
 - (b) the restraint of animals for the purpose of stunning or killing;
 - (c) the stunning (including methods resulting in instantaneous death) of animals;
 - (d) the assessment of effective stunning;
 - (e) the shackling or hoisting of live animals;
 - (f) the bleeding of live animals;
 - (g) the slaughtering in accordance with religious rites
 - (h) the pithing of an unconscious animal following simple stunning
- Persons designated as an Animal Welfare Officer (the AWO will need to have a CoC that covers all activities requiring a CoC he/she is responsible for)
- Persons killing animals on behalf of the owner outside a slaughterhouse for private domestic consumption (subject to inclusion in national rules)
- in the absence of a *de minimis* threshold set by the EU under Article 11 of Regulation 1099/2009, persons killing poultry, rabbits and hares on the farm for the purpose of directly supplying small quantities of meat by the producer to the final consumer or to local retail establishments supplying such meat directly to the final consumer as fresh meat
- Persons killing animals in the field using a free bullet (only applicable where animal is killed for human consumption).

Who does not need a CoC?

A CoC **will not** be required by a person who:

- carries out emergency killing of animals (i.e. where animals are injured or have a disease associated with severe pain or suffering and there is no other practical possibility of alleviating the pain or suffering);
- kills any animal elsewhere than in a slaughterhouse or killing establishment/knacker's yard, provided that he is the owner of the animal and the killing is for his private domestic consumption;
- for purposes other than human consumption, kills a bird by means of dislocation of the neck or decapitation on premises forming part of an agricultural holding on which the bird was reared;
- for purposes other than human consumption, kills an animal in the field using a free bullet;
- kills any animal for the purpose of a depopulation operation ;
- kills surplus chicks or embryos in hatchery waste;
- is a veterinary surgeon acting in the exercise of his profession or a person acting under the direction of a veterinary surgeon so acting.

Timescales for obtaining a CoC under the simplified procedure (See paragraphs 48 – 53)

Licensed slaughtermen.

Licence issued before 1st Jan 2010 – Must obtain a CoC by **8th December 2015**

Licence issued after 1st January 2010 – Must obtain a CoC by **1st July 2013**.
However if the applicant can demonstrate 3 years' experience in a relevant killing operation, notwithstanding date of WASK licence the deadline is extended to **8th December 2015**

Lairage / live animal workers (i.e. those currently working in handling operations)

| Persons carrying out handling operations before 1st Jan 2013 | |
|--|---|
| Can demonstrate 3 years' experience | If applicant obtains transitional CoC by 30 th Jan 2013: Must obtain CoC by 8th December 2015 |
| | If applicant fails to obtain transitional CoC by 30 th Jan 2013: Must obtain TCoC immediately to continue working beyond 30 th Jan 2013 |
| Cannot demonstrate 3 years' experience | If applicant obtains transitional CoC by 30 th Jan 2013: Must obtain CoC by 1st July 2013 |
| | If applicant fails to obtain transitional CoC by 30 th Jan 2013: Must obtain TCoC immediately to continue working beyond 30 th Jan 2013 |

Applying for a Certificate of Competence – Stage 1

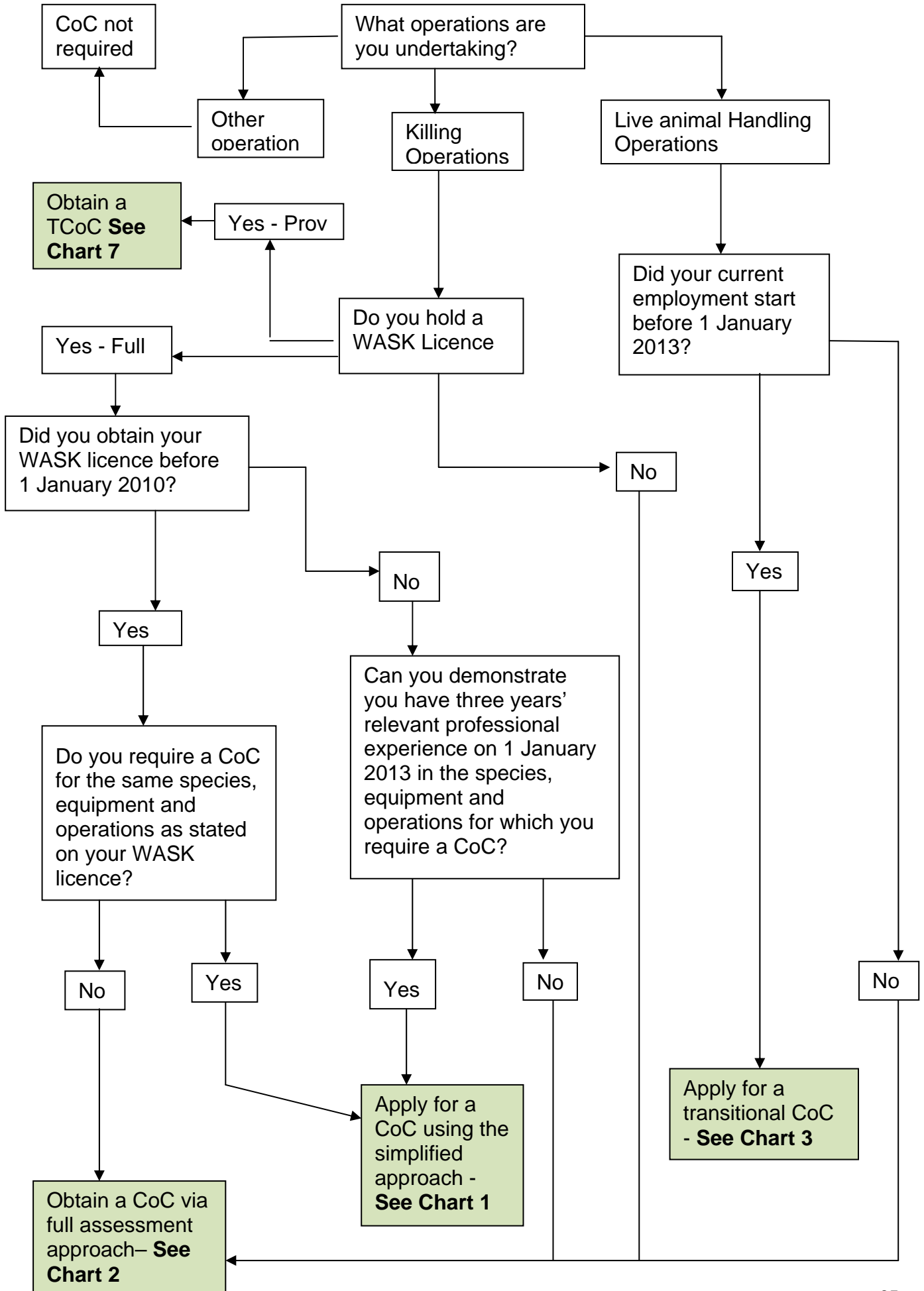
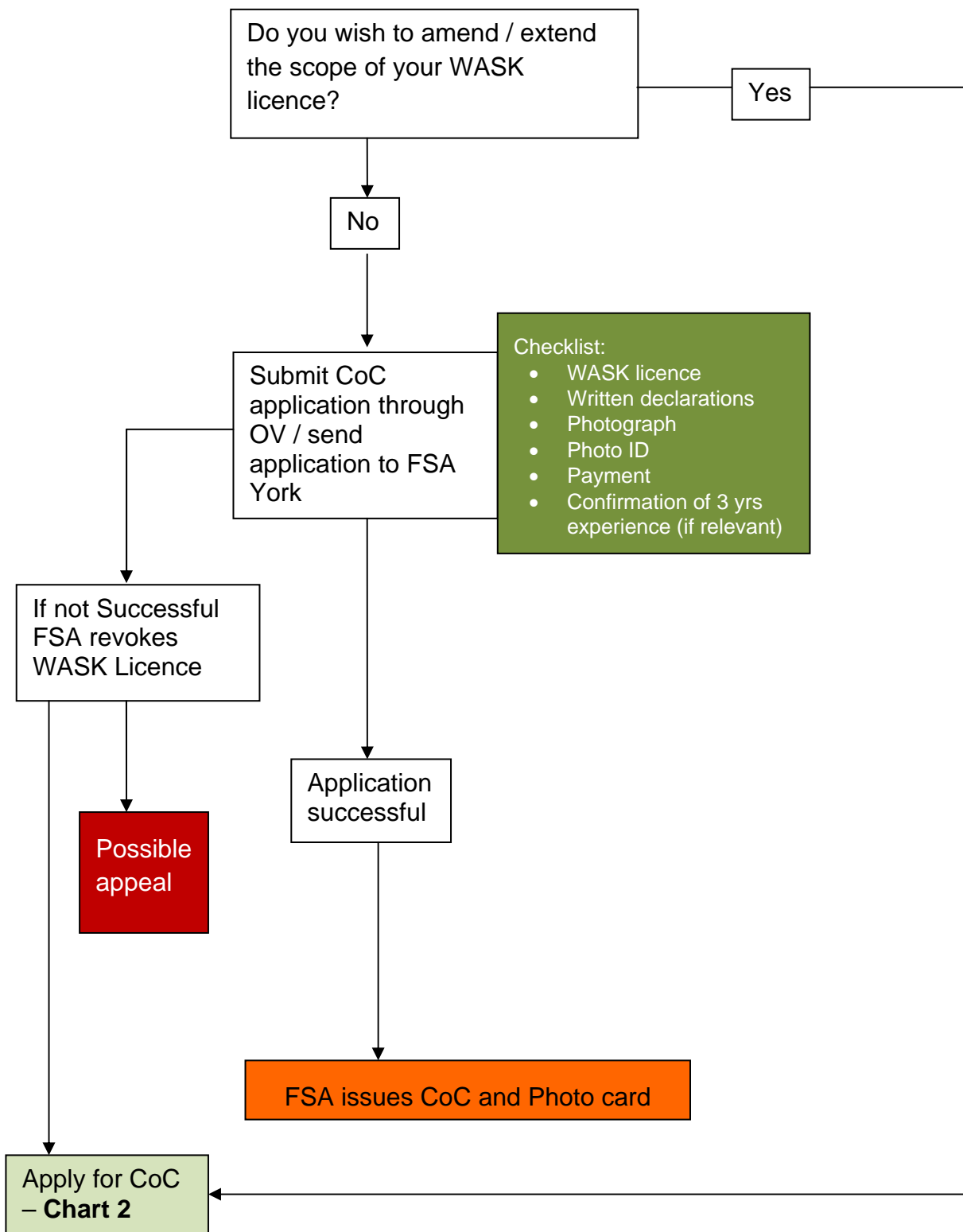


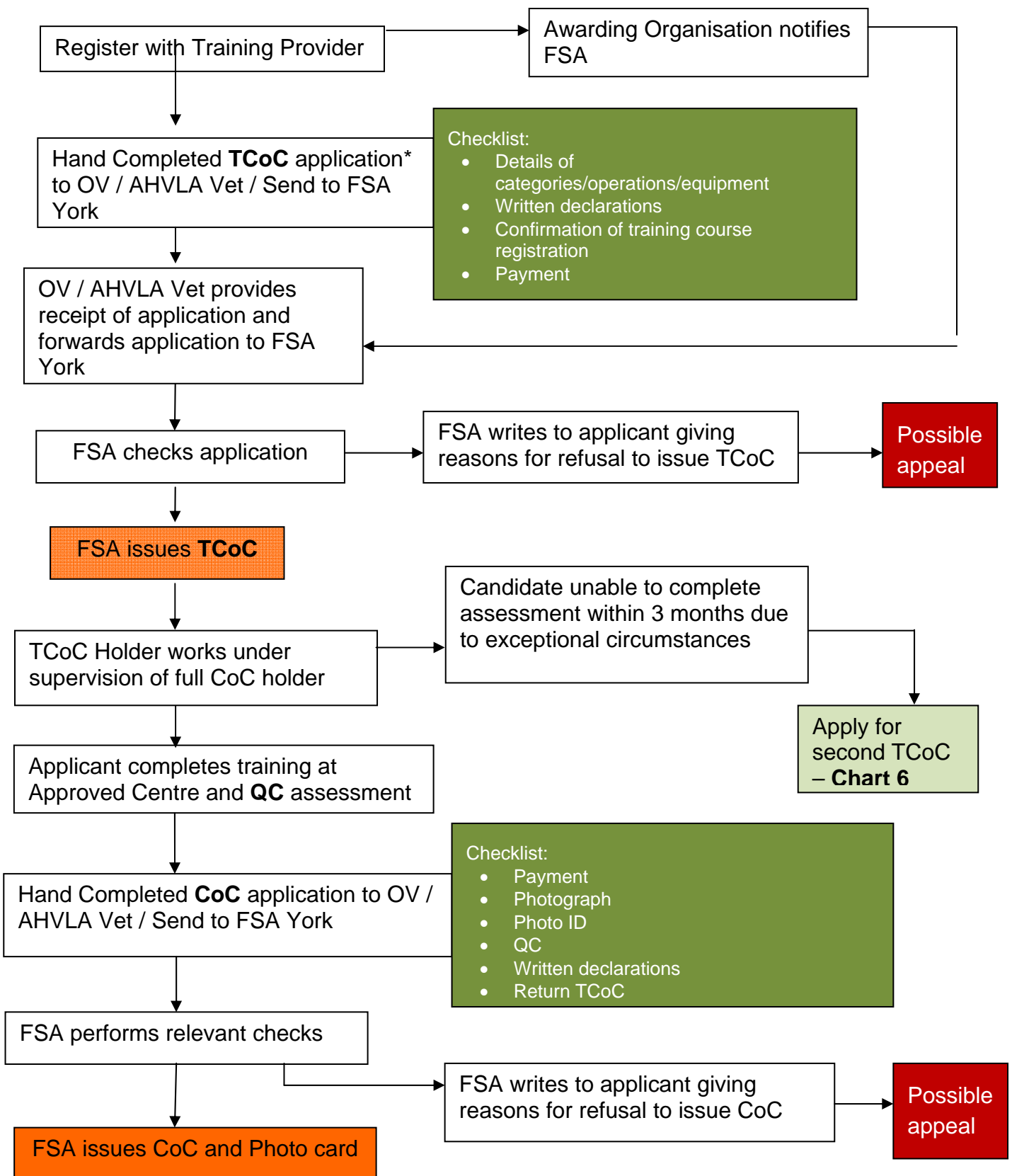
Chart 1 – Simplified CoC procedure – Existing WASK Licence holder

CoC MUST BE OBTAINED BEFORE 8 DECEMBER 2015



NOTE: IF PROCESS NOT COMPLETED BEFORE DEADLINE WASK LICENCE IS AUTOMATICALLY REVOKED

Chart 2 – Full CoC Application Procedure



*** Only one TCoC can be issued to an applicant for the same species, equipment and operations combination in their lifetime, unless exceptional circumstances apply – See Chart 6**

Chart 3 – Transitional CoC Application Procedure

TRANSITIONAL CoC MUST BE OBTAINED BEFORE 30 JANUARY 2013

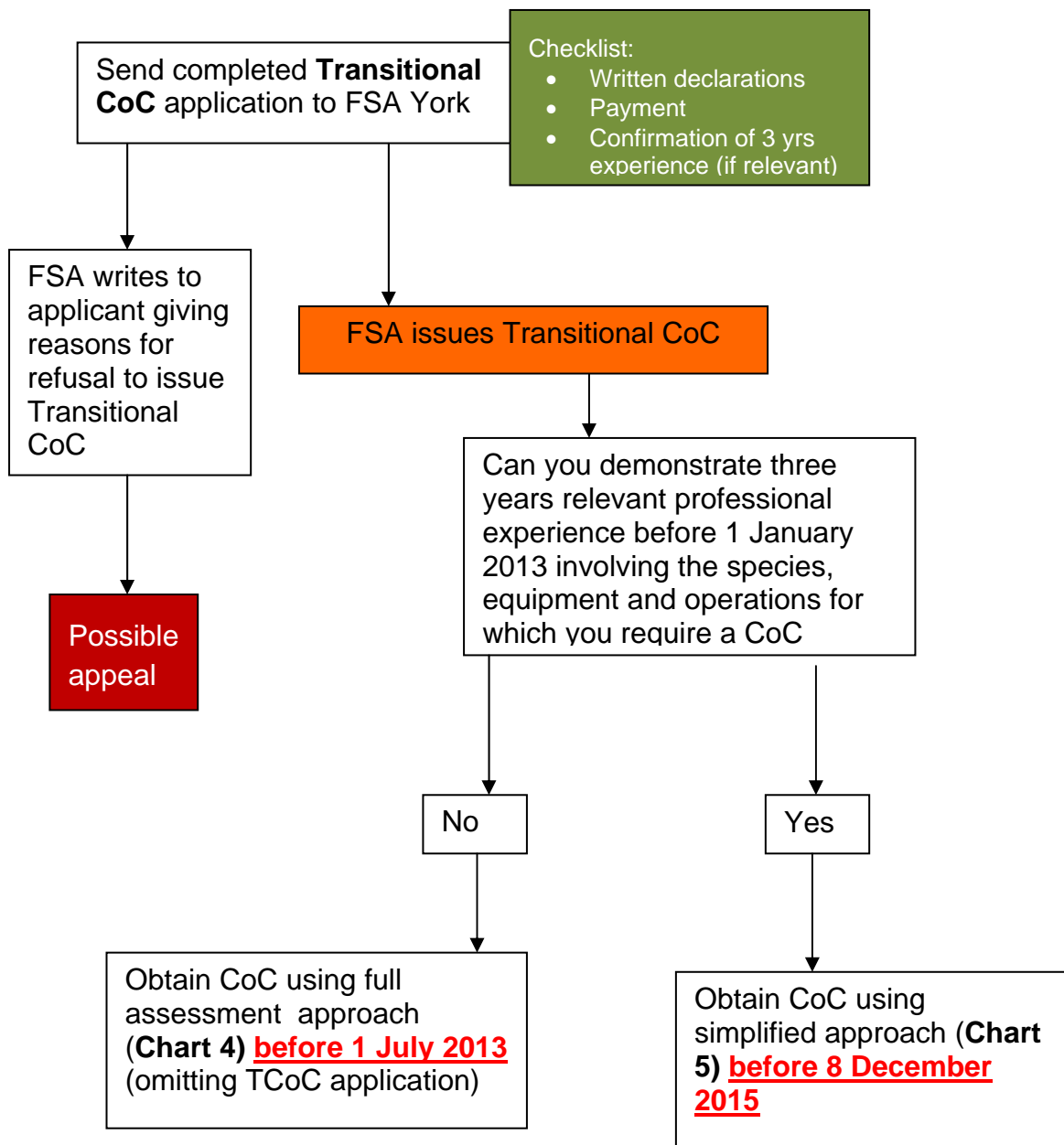


Chart 4 – CoC Application for transitional CoC holder with less than 3 years' previous experience

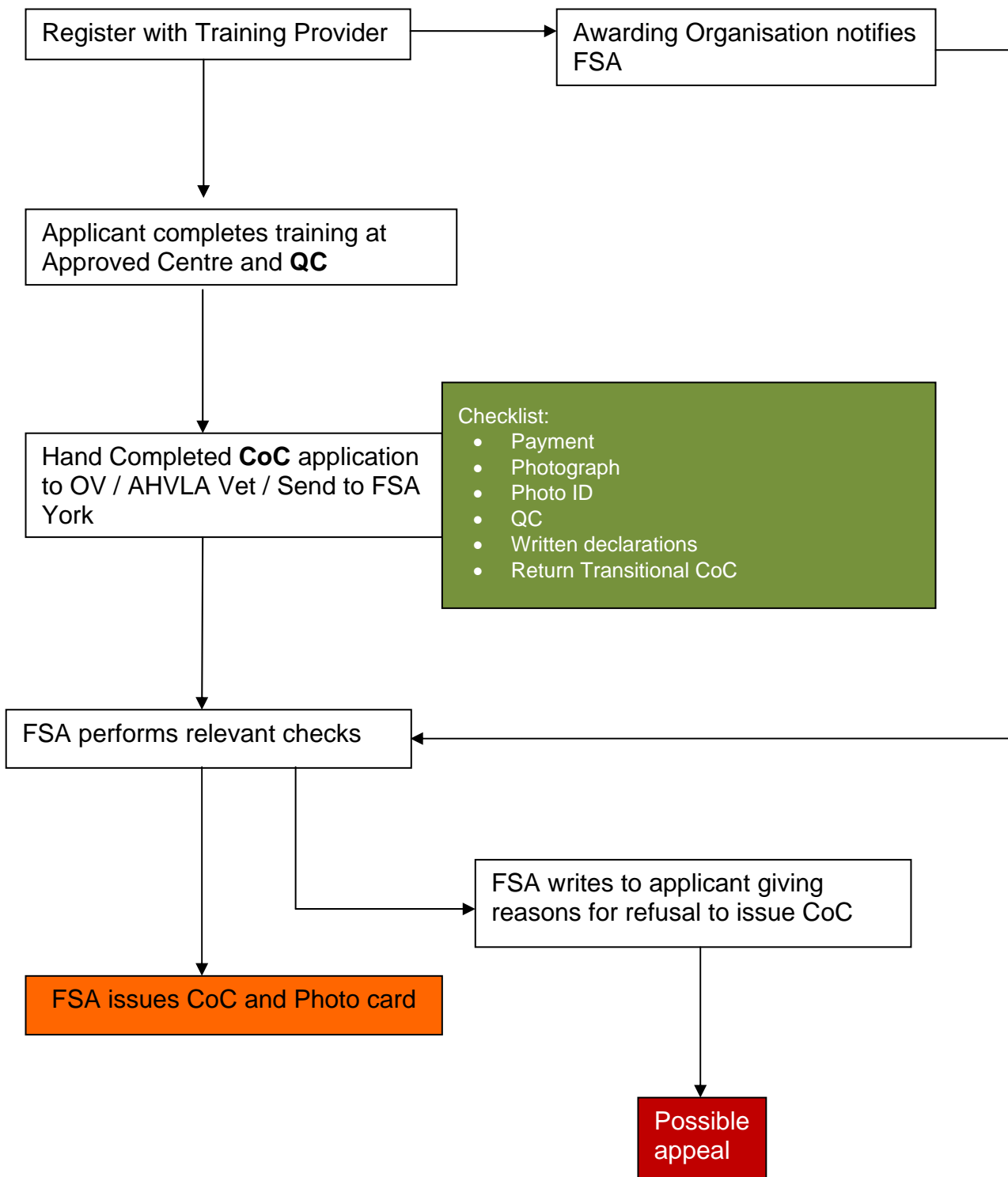


Chart 5 - CoC application procedure for Transitional CoC holder with more than 3 year's previous experience

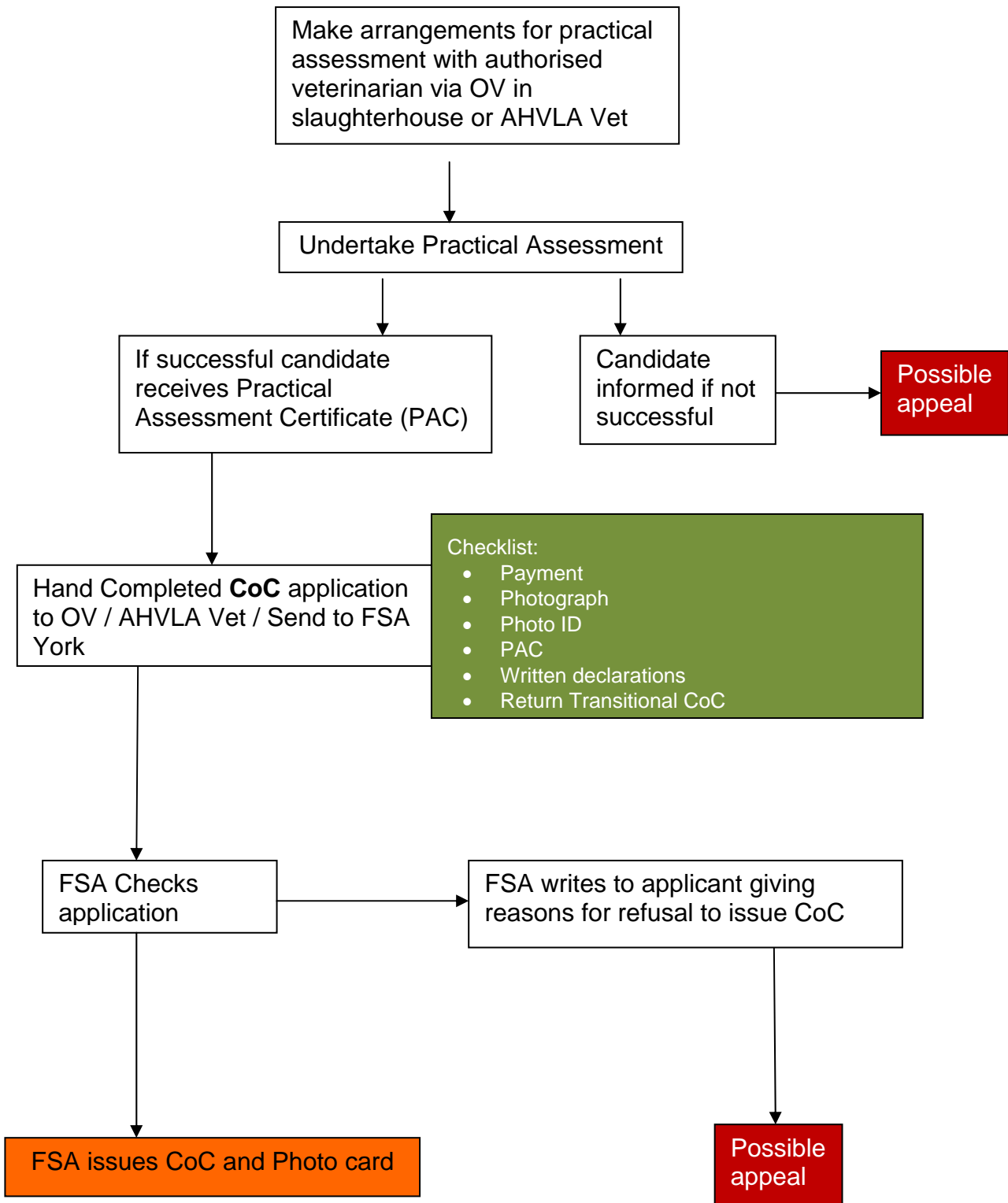
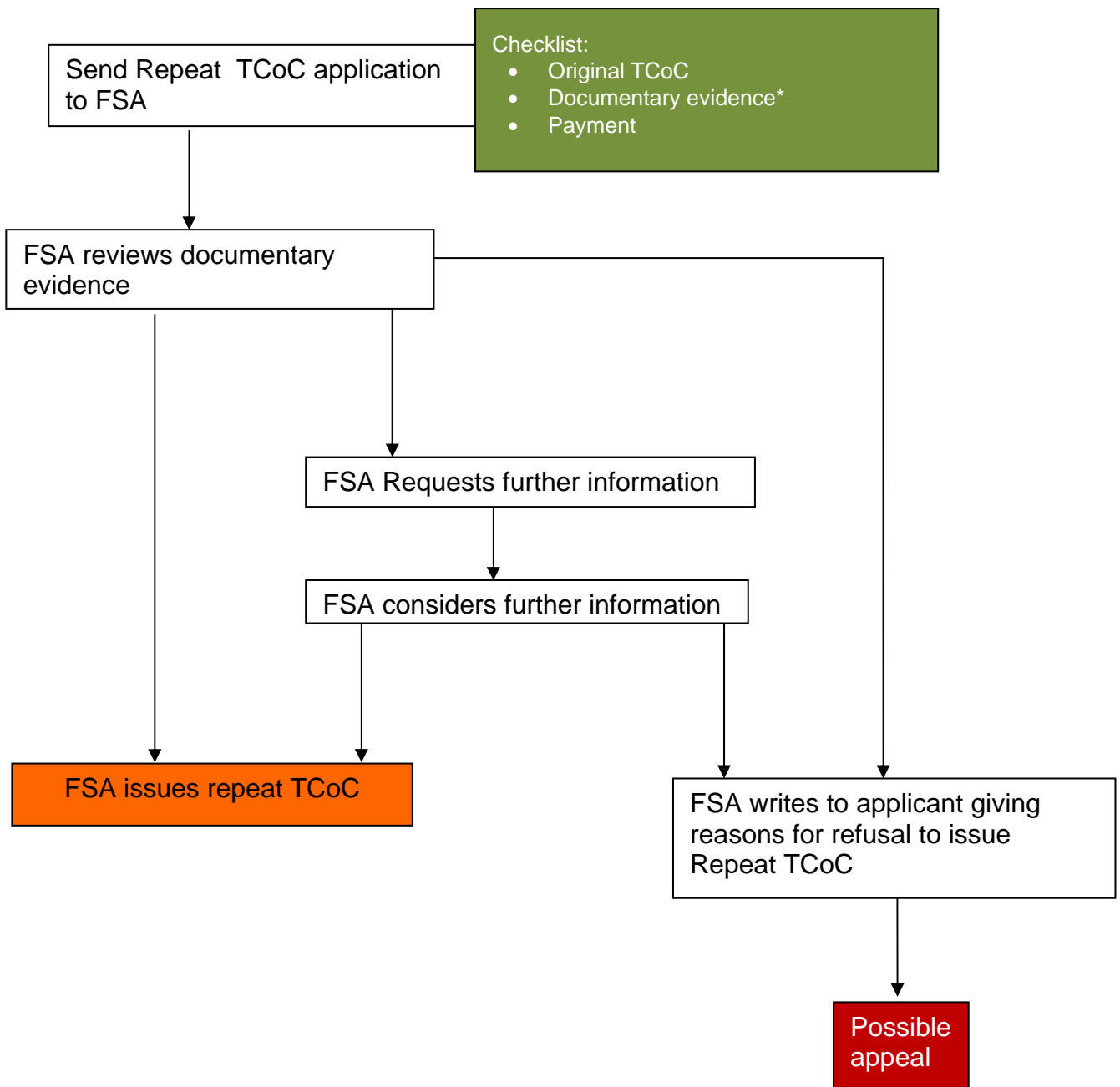


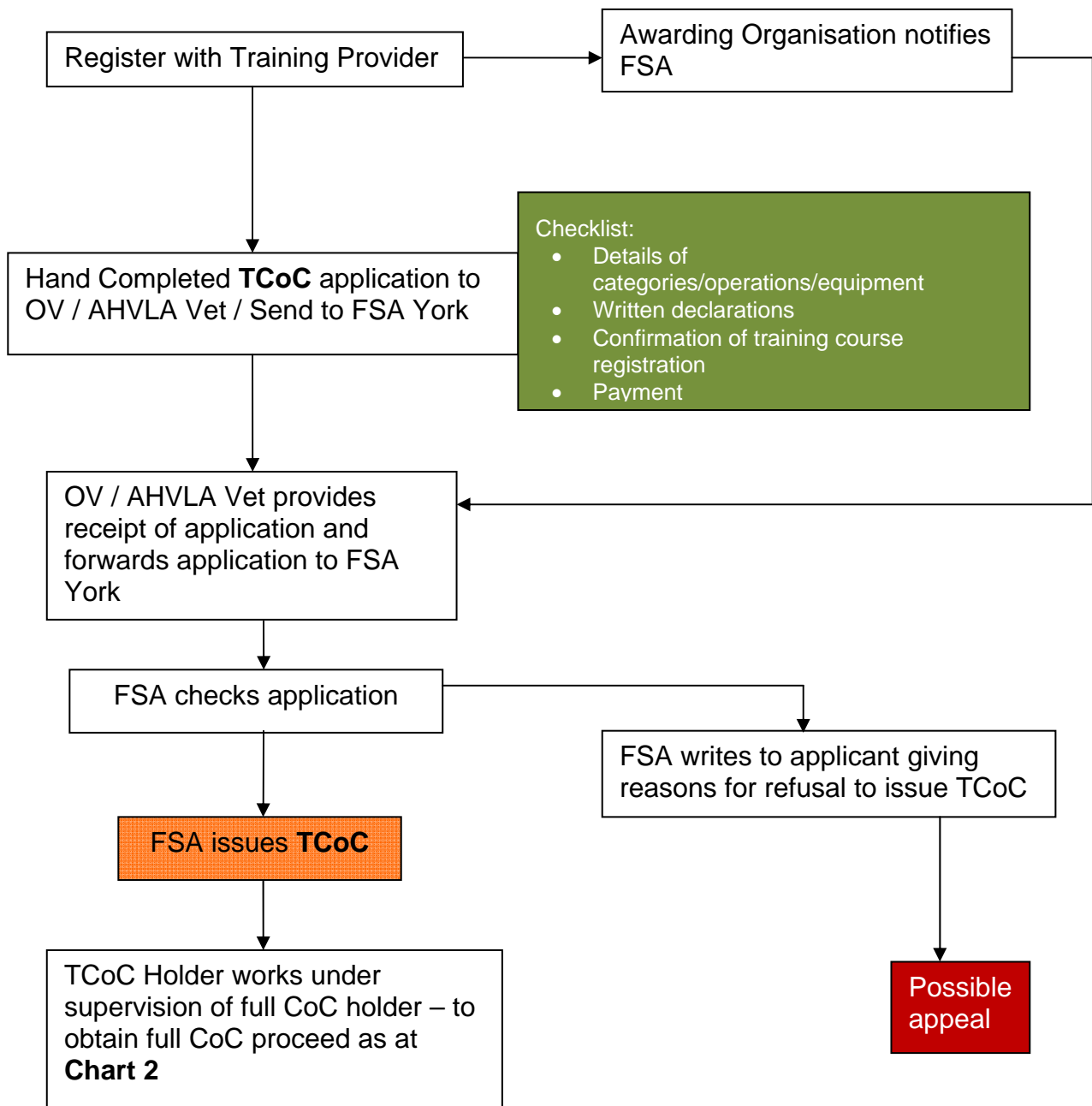
Chart 6 – Repeat Temporary CoC application



***Documentary evidence must explain (with appropriate supporting documentation) what exceptional circumstances prevented the applicant from undertaking an assessment during the period covered by the previous TCoC.**

Chart 7 – Temporary CoC application for a person holding a provisional WASK licence at 1 January 2013

TCoC MUST BE OBTAINED BEFORE 30 January 2013



Annex 3 – Certificate of Competence qualification unit structure

Bird unit groups

| RITS | Unit Ref | Unit Title | GLH |
|----------------------|------------|---|-----|
| Chicken Units | | | |
| R/503/6293 | SD.511.2S | Protect chicken welfare in lairage operations | 14 |
| D/503/6295 | SD.521.10S | Protect chicken welfare in manual handling and restraint operations | 10 |
| T/503/6285 | MP.103.10S | Protect chicken welfare in manual electrical stun/kill operations | 13 |
| A/503/6286 | MP.104.20S | Protect chicken welfare in captive bolt stunning operations | 14 |
| M/503/6284 | MP.103.3S | Protect chicken welfare in manual killing operations | 11 |
| L/503/6289 | MP.110.2S | Protect stunned chicken welfare in manual cutting operations | 11 |
| F/503/6290 | MP.110.20S | Protect conscious chicken welfare in manual cutting operations | 13 |
| J/503/6291 | MP.110.30S | Protect chicken welfare in manual bleeding operations | 13 |
| Y/503/6294 | SD.521.2S | Protect chicken welfare in shackled restraint systems | 13 |
| F/503/6287 | MP.108.4S | Protect chicken welfare in automated electrical stun/kill systems | 13 |
| J/503/6288 | MP.108.10S | Protect chicken welfare in gas stun/kill systems | 13 |
| L/503/6292 | MP.112.2S | Protect chicken welfare in automated cutting and bleeding systems | 12 |
| Turkey Units | | | |
| A/503/6398 | SD.511.3S | Protect turkey welfare in lairage operations | 14 |
| K/503/6400 | SD.521.11S | Protect turkey welfare in manual handling and restraint operations | 10 |
| L/503/6390 | MP.103.11S | Protect turkey welfare in manual electrical stun/kill operations | 13 |
| R/503/6391 | MP.104.21S | Protect turkey welfare in captive bolt stunning operations | 14 |
| Y/503/6389 | MP.103.4S | Protect turkey welfare in manual killing operations | 11 |
| H/503/6394 | MP.110.3S | Protect stunned turkey welfare in manual cutting operations | 11 |
| K/503/6395 | MP.110.21S | Protect conscious turkey welfare in manual cutting operations | 13 |
| M/503/6396 | MP.110.31S | Protect turkey welfare in manual bleeding operations | 13 |
| F/503/6399 | SD.521.3S | Protect turkey welfare in shackled restraint systems | 13 |
| Y/503/6392 | MP.108.5S | Protect turkey welfare in automated electrical stun/kill systems | 13 |
| D/503/6393 | MP.108.11S | Protect turkey welfare in gas stun/kill systems | 13 |
| T/503/6397 | MP.112.3S | Protect turkey welfare in automated cutting and bleeding systems | 12 |
| Duck Units | | | |
| F/503/6306 | SD.511.4S | Protect duck welfare in lairage operations | 14 |
| L/503/6308 | SD.521.12S | Protect duck welfare in manual handling and restraint operations | 10 |
| K/503/6297 | MP.103.12S | Protect duck welfare in manual electrical stun/kill operations | 13 |
| M/503/6298 | MP.104.22S | Protect duck welfare in captive bolt stunning operations | 14 |
| H/503/6296 | MP.103.5S | Protect duck welfare in manual killing operations | 11 |
| K/503/6302 | MP.110.4S | Protect stunned duck welfare in manual cutting operations | 11 |
| M/503/6303 | MP.110.22S | Protect conscious duck welfare in manual cutting operations | 13 |
| T/503/6304 | MP.110.32S | Protect duck welfare in manual bleeding operations | 13 |
| J/503/6307 | SD.521.4S | Protect duck welfare in shackled restraint systems | 13 |
| D/503/6300 | MP.108.6S | Protect duck welfare in automated electrical stun/kill systems | 13 |
| H/503/6301 | MP.108.12S | Protect duck welfare in gas stun/kill systems | 13 |
| A/503/6305 | MP.112.4S | Protect duck welfare in automated cutting and bleeding systems | 12 |
| Geese Units | | | |
| J/503/6341 | SD.511.5S | Protect geese welfare in lairage operations | 14 |
| R/503/6343 | SD.521.13S | Protect geese welfare in manual handling and restraint operations | 10 |
| K/503/6333 | MP.103.13S | Protect geese welfare in manual electrical stun/kill operations | 13 |
| M/503/6334 | MP.104.23S | Protect geese welfare in captive bolt stunning operations | 14 |
| H/503/6332 | MP.103.6S | Protect geese welfare in manual killing operations | 11 |
| F/503/6337 | MP.110.5S | Protect stunned geese welfare in manual cutting operations | 11 |
| J/503/6338 | MP.110.23S | Protect conscious geese welfare in manual cutting operations | 13 |

| RITS | Unit Ref | Unit Title | GLH |
|-------------------------------|------------|--|-----|
| L/503/6339 | MP.110.33S | Protect geese welfare in manual bleeding operations | 13 |
| L/503/6342 | SD.521.5S | Protect geese welfare in shackled restraint systems | 13 |
| T/503/6335 | MP.108.7S | Protect geese welfare in automated electrical stun/kill systems | 13 |
| A/503/6336 | MP.108.13S | Protect geese welfare in gas stun/kill systems | 13 |
| F/503/6340 | MP.112.5S | Protect geese welfare in automated cutting and bleeding systems | 12 |
| Farmed Game Bird Units | | | |
| H/503/6329 | SD.511.6S | Protect farmed game bird welfare in lairage operations | 14 |
| D/503/6331 | SD.521.14S | Protect farmed game bird welfare in manual handling and restraint operations | 10 |
| M/503/6320 | MP.103.14S | Protect farmed game bird welfare in manual electrical stun/kill operations | 13 |
| T/503/6321 | MP.104.24S | Protect farmed game bird welfare in captive bolt stunning operations | 14 |
| A/503/6319 | MP.103.7S | Protect farmed game bird welfare in manual killing operations | 11 |
| L/503/6325 | MP.110.6S | Protect stunned farmed game bird welfare in manual cutting operations | 11 |
| R/503/6326 | MP.110.24S | Protect conscious farmed game bird welfare in manual cutting operations | 13 |
| Y/503/6327 | MP.110.34S | Protect farmed game bird welfare in manual bleeding operations | 13 |
| Y/503/6330 | SD.521.6S | Protect farmed game bird welfare in shackled restraint systems | 13 |
| A/503/6322 | MP.108.8S | Protect farmed game bird welfare in automated electrical stun/kill systems | 13 |
| J/503/6324 | MP.108.14S | Protect farmed game bird welfare in gas stun/kill systems | 13 |
| D/503/6328 | MP.112.6S | Protect farmed game bird welfare in automated cutting and bleeding systems | 12 |
| Ratite Units | | | |
| L/503/6387 | SD.511.7S | Protect ratite welfare in lairage operations | 13 |
| F/503/6385 | SD.521.15S | Protect ratite welfare in movement to slaughter | 10 |
| R/503/6388 | SD.519.15S | Protect ratite welfare in restraint operations | 6 |
| M/503/6379 | MP.103.35S | Protect ratite welfare in electrical head-only stunning operations | 11 |
| H/503/6380 | MP.104.25S | Protect ratite welfare in captive bolt stunning operations | 9 |
| A/503/6384 | MP.120.7S | Protect ratite welfare in shackling and hoisting operations | 6 |
| K/503/6381 | MP.110.7S | Protect stunned ratite welfare in manual cutting operations | 12 |
| M/503/6382 | MP.110.25S | Protect conscious ratite welfare in manual cutting operations | 9 |
| T/503/6383 | MP.110.35S | Protect ratite welfare in manual bleeding operations | 8 |

Mammal unit groups

| RITS | Unit Ref | Unit Title | GLH |
|----------------------------|------------|--|-----|
| Bovine Units | | | |
| H/503/6279 | SD.509.2S | Protect bovine welfare in lairage operations | 13 |
| K/503/6283 | SD.519.20S | Protect bovine welfare in pre-slaughter clipping /shearing operations | 8 |
| D/503/6281 | SD.519.2S | Protect bovine welfare in movement to slaughter | 10 |
| H/503/6282 | SD.519.10S | Protect bovine welfare in restraint operations | 6 |
| A/503/6272 | MP.103.20S | Protect bovine welfare in captive bolt stunning operations | 9 |
| J/503/6274 | MP.103.30S | Protect bovine welfare in electrical head-to-body stun/kill operations | 11 |
| L/503/6275 | MP.103.40S | Protect bovine welfare in free-bullet killing operations | 9 |
| R/503/6276 | MP.110.40S | Protect stunned bovine welfare in manual cutting operations | 12 |
| Y/503/6277 | MP.110.50S | Protect conscious bovine welfare in manual cutting operations | 9 |
| D/503/6278 | MP.120.2S | Protect bovine welfare in shackling and hoisting operations | 6 |
| Y/503/6280 | MP.110.60S | Protect bovine welfare in manual bleeding operations | 8 |
| Ovine/caprine Units | | | |
| R/503/6374 | SD.509.3S | Protect ovine/caprine welfare in lairage operations | 13 |
| K/503/6378 | SD.519.21S | Protect ovine/caprine welfare in pre-slaughter clipping /shearing operations | 8 |
| D/503/6376 | SD.519.3S | Protect ovine/caprine welfare in movement to slaughter | 10 |
| H/503/6377 | SD.519.11S | Protect ovine/caprine welfare in restraint operations | 6 |

| RITS | Unit Ref | Unit Title | GLH |
|-------------------------|------------|---|-----|
| T/503/6366 | MP.103.21S | Protect ovine/caprine welfare in captive bolt stunning operations | 9 |
| A/503/6367 | MP.103.31S | Protect ovine/caprine welfare in electrical head-only stunning operations | 11 |
| F/503/6368 | MP.103.32S | Protect ovine/caprine welfare in electrical head-to-back stun/kill operations | 11 |
| J/503/6369 | MP.103.41S | Protect ovine/caprine welfare in free-bullet killing operations | 9 |
| A/503/6370 | MP.110.41S | Protect stunned ovine/caprine welfare in manual cutting operations | 12 |
| F/503/6371 | MP.110.51S | Protect conscious ovine/caprine welfare in manual cutting operations | 9 |
| L/503/6373 | MP.120.3S | Protect ovine/caprine welfare in shackling and hoisting operations | 6 |
| J/503/6372 | MP.110.61S | Protect ovine/caprine welfare in manual bleeding operations | 8 |
| Porcine Units | | | |
| J/503/6467 | SD.509.4S | Protect porcine welfare in lairage operations | 13 |
| L/503/6468 | SD.519.4S | Protect porcine welfare in movement to slaughter | 10 |
| R/503/6469 | SD.519.12S | Protect porcine welfare in restraint operations | 6 |
| M/503/6401 | MP.103.22S | Protect porcine welfare in captive bolt stunning operations | 9 |
| T/503/6402 | MP.103.33S | Protect porcine welfare in electrical head-only stunning operations | 11 |
| A/503/6403 | MP.103.34S | Protect porcine welfare in electrical head-to-body stun/kill operations | 11 |
| M/503/6463 | MP.108.20S | Protect porcine welfare in gas stun/kill operations | 13 |
| K/503/6462 | MP.103.42S | Protect porcine welfare in free-bullet killing operations | 9 |
| T/503/6464 | MP.110.41S | Protect stunned porcine welfare in manual cutting operations | 12 |
| F/503/6466 | MP.120.4S | Protect porcine welfare in shackling and hoisting operations | 6 |
| A/503/6465 | MP.110.62S | Protect porcine welfare in manual bleeding operations | 8 |
| Equine Units | | | |
| H/503/6315 | SD.509.5S | Protect equine welfare in lairage operations | 13 |
| M/503/6317 | SD.519.13S | Protect equine welfare in restraint operations | 6 |
| K/503/6316 | SD.519.5S | Protect equine welfare in movement to slaughter | 10 |
| R/503/6309 | MP.103.23S | Protect equine welfare in captive bolt stunning operations | 9 |
| J/503/6310 | MP.103.43S | Protect equine welfare in free-bullet killing operations | 9 |
| L/503/6311 | MP.110.43S | Protect stunned equine welfare in manual cutting operations | 12 |
| R/503/6312 | MP.110.52S | Protect conscious equine welfare in manual cutting operations | 9 |
| D/503/6314 | MP.120.5S | Protect equine welfare in shackling and hoisting operations | 6 |
| Y/503/6313 | MP.110.63S | Protect equine welfare in manual bleeding operations | 8 |
| Large Game Units | | | |
| H/503/6363 | SD.509.6S | Protect large game welfare in lairage operations | 13 |
| M/503/6365 | SD.519.14S | Protect large game welfare in restraint operations | 6 |
| K/503/6364 | SD.519.6S | Protect large game welfare in movement to slaughter | 10 |
| R/503/6357 | MP.103.24S | Protect large game welfare in captive bolt stunning operations | 9 |
| Y/503/6358 | MP.103.44S | Protect large game welfare in free-bullet killing operations | 9 |
| D/503/6359 | MP.110.44S | Protect stunned large game welfare in manual cutting operations | 12 |
| R/503/6360 | MP.110.53S | Protect conscious large game welfare in manual cutting operations | 9 |
| D/503/6362 | MP.120.6S | Protect large game welfare in shackling and hoisting operations | 6 |
| Y/503/6361 | MP.110.64S | Protect large game welfare in manual bleeding operations | 8 |
| Lagomorph Units | | | |
| A/503/6353 | SD.509.7S | Protect lagomorph welfare in lairage operations | 14 |
| F/503/6354 | SD.521.15S | Protect lagomorph welfare in manual handling and restraint operations | 10 |
| K/503/6347 | MP.103.25S | Protect lagomorph welfare in captive bolt stunning operations | 14 |
| H/503/6346 | MP.103.15S | Protect lagomorph welfare in manual electrical stun/kill operations | 13 |
| K/503/6350 | MP.108.21S | Protect lagomorph welfare in gas stun/kill operations | 13 |
| T/503/6349 | MP.103.45S | Protect lagomorph welfare in free-bullet killing operations | 9 |
| D/503/6345 | MP.103.8S | Protect lagomorph welfare in manual killing operations | 11 |
| M/503/6351 | MP.110.45S | Protect stunned lagomorph welfare in manual cutting operations | 11 |
| T/503/6352 | MP.110.54S | Protect conscious lagomorph welfare in manual cutting operations | 13 |
| L/503/6356 | MP.110.65 | Protect lagomorph welfare in manual bleeding operations | 13 |

Annex 4 - WASK provisions considered to provide more extensive welfare protection than Regulation 1099/2009

General provisions

| PART II REQUIREMENTS APPLICABLE TO SLAUGHTERHOUSES AND KNACKERS YARDS |
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| 10 Where any soliped, ruminant, pig, rabbit or bird is brought into a slaughterhouse or knacker's yard for killing, that animal shall be — (b) restrained in accordance with Schedule 4 |
| PART III SLAUGHTER OR KILLING ELSEWHERE THAN IN SLAUGHTERHOUSES OR KNACKERS YARDS |
| 14 Subject to regulations 16 and 17, where any soliped, ruminant, pig, rabbit or bird is slaughtered elsewhere than in a slaughterhouse or knacker's yard, that animal shall be — (a) restrained in accordance with Schedule 4; |
| 20 The occupier or person in charge of any premises at which birds are offered or exposed for sale prior to being slaughtered there shall ensure that, on arrival at the premises, the birds are forthwith — (a) placed in accommodation in which they are able, without difficulty, to stand upright, turn around and stretch their wings; and (b) provided with a sufficient supply of wholesome food and clean drinking water. |

Licensing of Slaughtermen

| WASK SCHEDULE 1 |
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| Regulation 1099/2009 requires a Certificate of Competence for “slaughter operations” i.e. killing for human consumption. Slaughter for the direct supply of small quantities of poultry rabbits and hares does not require a CoC. Further a CoC is not required where a third party slaughter an animal for domestic consumption by the owner. WASK does not limit the scope of the licensing scheme in this way and the current WASK scope should be maintained. Where Regulation 1099/2009 applies the provisions of Article 7(2) determines the operations for which a CoC is required. Where the scope the CoC is extended by national rules the WASK Schedule 1 para (1) exclusions should apply. |
| 1. The requirements of this Schedule shall not apply to any person who— (a) for emergency reasons relating to the welfare of any animal has to slaughter or kill that animal immediately; (b) slaughters or kills any animal elsewhere than in a slaughterhouse or knacker's yard, provided that he is the owner of the animal and the slaughter or killing is for his private consumption; (c) slaughters or kills any animal other than for a commercial purpose; (d) kills by means of a free bullet any animal in the field; (e) kills a bird by means of dislocation of the neck or decapitation on premises forming part of an agricultural holding on which the bird was reared; (f) kills any animal for the purpose of disease control in accordance with Schedule 9; (g) kills any fox or mink in accordance with Schedule 10; (h) kills surplus chicks or embryos in hatchery waste in accordance with Schedule 11; (i) operates any automatic equipment used to stun, slaughter or kill any animal without performing any of the operations specified in paragraph 3 below; (j) shackles birds before stunning or killing; or (k) is a veterinary surgeon acting in the exercise of his profession or a person acting under the direction of a veterinary surgeon so acting. |
| 2. No person shall carry out any of the operations specified in paragraph 3 below except— (a) under and in accordance with the terms of a licence granted and registered under paragraph 5 below; (b) under and in accordance with the terms of a licence issued by a local authority under the Slaughter of Poultry Act 1967 ("the 1967 Act"), the Slaughterhouses Act 1974 ("the 1974 Act") the Slaughter of Animals (Scotland) Act 1980 ("the 1980 Act") or any regulations made under any of those Acts; or (c) under and in accordance with the terms of a provisional licence granted under paragraph 7 below. |
| 3. The operations mentioned in paragraph 2 above for which a licence is required are any of the following— (a) the restraint of any animal for the purpose of stunning, slaughtering or killing that animal; (b) the stunning of any animal; |

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| (c) the slaughter of any animal; |
| (d) the killing of any animal; |
| (e) the pithing of any stunned animal; |
| (f) (part) the assessment of effective stunning, of any animal by any person whose duty it is to make such an assessment; |
| (f) (part) the assessment of effective pithing or killing of any animal by any person whose duty it is to make such an assessment; |
| (g) the shackling or hoisting of any stunned animal; and |
| (h) the bleeding of any animal which is not dead. |
| 4 (1). In this Schedule "certificate of competence" means— (a) a certificate issued under sub-paragraph (2) below by a veterinary surgeon authorised for the purpose by the Minister ("an authorised veterinary surgeon"); (b) a certificate issued by a veterinary surgeon which accompanied an application for a licence under the Slaughter of Poultry (Licences and Specified Qualifications) Regulations 1991 ("the 1991 Regulations") in accordance with Regulation 5(1)(a)(i) and Schedule 1 thereto; or (c) a licence granted to the applicant for the purpose of slaughtering animals by the Jewish method by the Rabbinical Commission (referred to in Part IV of Schedule 12) in England and Wales or by the Chief Rabbi in Scotland. |
| 4 (2). An authorised veterinary surgeon shall issue a certificate of competence if— (a) having assessed the applicant, the authorised veterinary surgeon is of the opinion that the applicant— (i) is competent to carry out all the operations mentioned in paragraph 3 above in respect of which he is applying for a certificate without causing avoidable pain, excitement or suffering to any animal; and (ii) has sufficient knowledge of the provisions of all the relevant legislation and of any relevant current code issued under regulation 7 relating to the operations in respect of which he is applying for a certificate; (b) the applicant is, in the opinion of the authorised veterinary surgeon, a fit and proper person to hold a certificate; and (c) the applicant is not below the age of 18. |
| 5 (1). Where the Minister receives a certificate of competence for registration, together with the appropriate fees, he shall grant and register a licence (hereinafter referred to as "a registered licence") if— (a) in his opinion the applicant is a fit and proper person to hold a licence; and (b) the applicant provides any information required in sub-paragraph (2) below. |
| 6 (2). A certificate of competence in respect of any modifications shall be obtained in accordance with paragraph 4 above and sent to the Minister in accordance with paragraph 5 above before a registered licence to cover those modifications can be granted. |
| 7 (1). An authorised veterinary surgeon shall grant a provisional licence to any applicant who— (a) is, in the opinion of the authorised veterinary surgeon, a fit and proper person to hold a provisional licence; (b) is not below the age of 18; and (c) provides any information required by sub-paragraph (2) below. |
| 8. An authorised veterinary surgeon may refuse to issue a certificate of competence or refuse to grant a provisional licence and the Minister may refuse to grant a registered licence if the applicant— (a) has failed to comply with— (i) any condition of any licence previously granted to him under these Regulations; or (ii) any condition of any licence to slaughter animals previously granted to him by a local authority under the 1967 Act, the 1974 Act, the 1980 Act or any regulations made under any of those Acts; or (b) has been convicted of an offence under— (i) these Regulations; (ii) the 1967 Act or any regulations made under it; (iii) the 1974 Act or any regulations made under it; (iv) the 1980 Act or any regulations made under it; (v) the Protection of Animals Acts 1911 to 1964; (vi) the Protection of Animals (Scotland) Acts 1912 to 1964; (vii) any order made under the Animal Health Act 1981 regulating the transport of animals; (viii) Part I of the Agriculture (Miscellaneous Provisions) Act 1968 or any regulations or order made under it; or (ix) any other provision concerning the welfare of animals. |
| 9 (2). An authorised veterinary surgeon may grant a provisional licence under paragraph 7(1) above to any person whose registered licence has been suspended or revoked. |
| 9 (3). Any person whose licence has been suspended or revoked under sub-paragraph (1) above shall, whether or not that suspension or revocation is the subject of an appeal pursuant to paragraph 11 below, surrender it to the Agency within 14 days of receipt of a notice informing him of the suspension or revocation. |
| 10. The Minister may charge an applicant for, or a holder of, a certificate of competence or a licence (as the case may be) such reasonable fees as he may determine in respect of— |

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| <p>(a) the assessment of the competence of any person who applies for a certificate of competence;</p> <p>(b) any assessment of the competence of any person who applies for a modification of his licence; and</p> <p>(c) the issue and the registration of the licence.</p> |
| <p>11 (1). Where the Minister or the authorised veterinary surgeon (as the case may be)—</p> <p>(a) refuses to issue a certificate of competence;</p> <p>(b) refuses to grant a registered licence;</p> <p>(c) refuses to modify a registered licence;</p> <p>(d) refuses to grant a provisional licence;</p> <p>(e) suspends a registered licence;</p> <p>(f) revokes a provisional licence; or</p> <p>(g) revokes a registered licence,</p> <p>he shall, as soon as reasonably practicable, give to the applicant or holder of the licence (as the case may be) a notice in writing of the reasons for the refusal, suspension or revocation (hereinafter referred to as "a notice").</p> |
| <p>11 (2). Any person to whom a notice is given shall have a right to make written representations to the Minister or to the authorised veterinary surgeon and to be heard by an independent person appointed by the Minister.</p> |
| <p>11 (3). The notice shall inform the person to whom it is given—</p> <p>(a) of his right to make representations in writing;</p> <p>(b) of the manner in which and the time (not being less than 21 days from the giving of the notice) within which such representations may be made;</p> <p>(c) of his right to be heard; and</p> <p>(d) of the manner in which and the time (not being less than 21 days from the giving of the notice) within which he may apply for an opportunity to be heard.</p> |
| <p>11 (4). In the event of any person to whom the notice is given making any representations (whether orally or in writing) to the Minister or to the authorised veterinary surgeon (as the case may be), the Minister or the authorised veterinary surgeon shall reconsider his decision to refuse, suspend or revoke in the light of those representations.</p> |
| <p>11 (5). In the event of any person to whom the notice is given being heard by the independent person, the Minister or the authorised veterinary surgeon shall reconsider his decision to refuse, suspend or revoke in the light of the findings of the independent person.</p> |

Construction, equipment and maintenance of slaughterhouses and knackers yards

| WASK SCHEDULE 2 |
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| <p>1. The occupier of a slaughterhouse or knacker's yard shall ensure that—</p> <p>(e) (part) any instrument, restraining equipment, other equipment or installation which is used for stunning, slaughter or killing is designed and constructed, so as to facilitate rapid and effective stunning, slaughter or killing in accordance with these Regulations; and</p> <p>(f) for emergency use, suitable spare equipment and instruments for stunning, slaughter or killing are kept at the site within the slaughterhouse or knacker's yard where stunning, slaughter or killing takes place and</p> <p>(ii) any defect found at any time in such equipment or instruments is rectified forthwith.</p> |
| <p>2. In addition to requirements of paragraph 1 above, the occupier of a slaughterhouse or knacker's yard to which animals are delivered other than in containers shall ensure that—</p> <p>(e) where the slaughterhouse or knacker's yard is one in which horses are slaughtered or killed, a separate room or bay is provided there for use for the slaughter or killing of horses.</p> |
| <p>3. The occupier of a slaughterhouse or knacker's yard to which animals are delivered other than in containers shall ensure that—</p> <p>(b) any lairage has</p> <p>(vi) (part) racks, mangers or other equipment adequate in number and size for the feeding of all animals confined in the lairage, fixed where practicable, and so constructed and placed that they are easily accessible to all the animals, can readily be filled and cannot readily be fouled; and</p> <p>(c) where the lairage is one in which any horses are confined, the lairage contains at least one loose box which is so constructed as to minimise the danger of any horse injuring itself or any other animal confined in that lairage.</p> |
| <p>4. The occupier of a slaughterhouse or knacker's yard shall ensure that any field lairage—</p> <p>(b) is maintained in such condition as to ensure that no animal is subjected to any physical, chemical or other health hazard;</p> <p>(c) where necessary, has suitable equipment for tethering animals;</p> <p>(e) (part) is provided if necessary, with racks, mangers or other equipment adequate in number and size for the feeding of all animals confined in the field lairage, fixed where practicable, and so constructed and placed that they are easily accessible to all the animals, can readily be filled and cannot readily be fouled.</p> |

Animals awaiting slaughter

| WASK SCHEDULE 3 |
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| 2 The occupier of a slaughterhouse or knacker's yard and any person engaged in the movement of lairaging of animals shall ensure that— (b) when unloaded, every animal is protected from adverse weather conditions and is provided with adequate ventilation; |
| (c) if any animal has been subjected to high temperatures in humid weather, it is cooled by appropriate means; |
| (f) No person drags any animal which has been stunned or killed over any other animal which has not been stunned or killed. |
| 5. The occupier of a slaughterhouse or knacker's yard and any person engaged in the movement of lairaging of any animal shall ensure that any animal which is unable to walk is not dragged to its place of slaughter or killing but-- (a) is slaughtered or killed where it lies; or (b) if it is possible and to do so would not cause any unnecessary pain or suffering, is transported on a trolley or movable platform to a place of emergency slaughter or killing where it is then immediately |
| 6 In addition to the requirements of Part II above, the occupier of a slaughterhouse or knacker's yard and any person engaged in the movement of animals which are delivered other than in a container shall ensure that— (a) care is taken not to frighten, excite or mistreat any animal; (b) No animal is overturned; (c) if any animal is not slaughtered or killed immediately on arrival at the slaughterhouse or knacker's yard, it is lairaged; and |
| 8 No person shall, in any slaughterhouse, knacker's yard or lairage, lead or drive, or cause or permit to be led or driven, any animal over any ground or floor the nature or condition of which is likely to cause the animal to slip or fall |
| 9 The occupier of a slaughterhouse or knacker's yard and any person engaged in the movement of any animals shall ensure that every animal is moved with care and, when necessary, that animals are led individually. |
| 13 The occupier of a slaughterhouse or knacker's yard and any person engaged in the lairaging of any animal shall ensure that— (d) food is provided in a way which will permit the animals to feed without unnecessary disturbance; |
| 14 In addition to the requirements in Part II above, the occupier of a slaughterhouse and any person engaged in the movement of any animal delivered in any container shall ensure that— (c) any animal delivered in a container with a perforated or flexible bottom is unloaded with particular care in order to avoid injury; and |
| 16 The occupier or person in charge of any premises at which birds are offered or exposed for sale prior to being slaughtered or killed there shall ensure that, on arrival at the premises, the birds are forthwith— (a) placed in accommodation in which they are able, without difficulty, to stand upright, turn around and stretch their wings; and (b) provided with a sufficient supply of wholesome food and clean drinking water. |

Restraint before slaughter

| WASK SCHEDULE 4 |
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| 2 No person shall stun, slaughter or kill, or cause or permit to be stunned, slaughtered or killed, any animal without restraining it in an appropriate manner in such a way as to spare it any avoidable pain, suffering, agitation, injury or contusions. |
| 3 Without prejudice to the generality of paragraph 2 above, no person shall— (a) in any slaughterhouse, stun, or cause or permit to be stunned, any adult bovine animal, unless at the time it is stunned it is confined in a stunning pen or in a restraining pen which (in either case) is in good working order; |
| 3 Without prejudice to the generality of paragraph 2 above, no person shall— (c) slaughter, or cause or permit to be slaughtered, by a religious method any bovine animal, as defined in paragraph 1(b)(ii) of Schedule 12, which is not stunned, or stunned and pithed, before slaughter unless that animal is restrained in accordance with paragraph 3 of Schedule 12. |
| 7 The occupier of a slaughterhouse or knacker's yard and any person engaged in the stunning or killing of any animal shall ensure that any animal which is to be stunned or killed by mechanical or electrical means applied to the head is presented in such a position that the equipment can be applied and operated easily, |

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| accurately and for the appropriate time. |
| 9(1) No person shall operate, or cause or permit to be operated, any shackle line unless— (a) each bird suspended from it is kept clear of any object which may cause it avoidable excitement, pain or suffering, including when its wings are outstretched, until it is stunned; (b) it is possible to relieve any avoidable excitement, pain or suffering which a bird suspended from a shackle appears to be suffering or to remove such a bird from the shackle; and (c) the speed at which the shackle line is operated is such that any act or operation intended to be performed in relation to, or on, any bird suspended from it can be performed without undue haste and with proper regard for the welfare of the bird. |

Stunning or killing

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| WASK SCHEDULE 5 |
| 3 No person shall stun, or cause or permit to be stunned, any animal unless it is possible to— (a) bleed or pith it without delay and in accordance with Schedule 6; or (b) kill it without delay and in accordance with Part III of this Schedule. |
| 6 Any person who uses a captive bolt instrument shall check that the bolt is retracted to its full extent after each shot and if it is not so retracted shall ensure that the instrument is not used again until it has been repaired. |
| 10, a No person shall use, or cause or permit to be used, a water bath stunner to stun any bird unless— (a) the level of the water in the waterbath has been adjusted in order to ensure that there is good contact with the bird's head; |
| 11, a No person shall use, or cause or permit to be used, any waterbath stunner unless— (a) it is adequate in size and depth for the type of bird being slaughtered; |
| 12 No person shall use, or cause or permit to be used, any waterbath stunner 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. |

Bleeding or pithing

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| WASK SCHEDULE 6 |
| 2(1) The occupier of a slaughterhouse or knacker's yard shall ensure that any animal that has been stunned before bleeding or pithing is bled or pithed without delay after it has been stunned. |
| 2(2) Any person engaged in the bleeding or pithing of any animal which has been stunned shall ensure that the animal is bled or pithed without delay after it has been stunned. |
| 3(2) Subject to sub-paragraph (3) below, after severance of at least one of the carotid arteries or the vessels from which they arise of any animal that has been stunned before bleeding, no person shall cause or permit any further dressing procedure or any electrical stimulation to be performed on the animal before the bleeding has ended and in any event not before the expiry of— (a) in the case of a turkey or goose, a period of not less than 2 minutes; (b) in the case of any other bird, a period of not less than 90 seconds; (c) in the case of bovine animals, a period of not less than 30 seconds; and (d) in the case of sheep, goats, pigs and deer, a period of not less than 20 seconds. |
| 3(3) Sub-paragraphs (1) and (2) above shall not apply to any animal which has been pithed. |

Killing pigs and birds by gas

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| WASK SCHEDULE 7 |
| 3(1) Subject to paragraphs 4 to 6 below, pigs may be killed at a slaughterhouse by exposure to carbon dioxide gas mixture in a chamber provided for the purpose (hereinafter referred to as "a chamber"). |
| 4, The occupier of a slaughterhouse at which a chamber is used shall ensure that— (a) the chamber and the equipment used for conveying any pig through the gas mixture are designed, constructed and maintained— (iii) so as to enable each pig to remain upright until it loses consciousness; (iv) so as to enable the pigs to see each other as they are conveyed in the chamber; and (v) so that once a pig enters the chamber, it is conveyed to the point in the chamber of maximum concentration of the gas mixture within a maximum period of 30 seconds; |

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| <p>(c) adequate lighting is provided in the conveying mechanism and the chamber to allow pigs to see other pigs or their surroundings;</p> <p>(d) the installation has an apparatus which maintains the required concentration by volume of carbon dioxide in the gas mixture in the chamber;</p> <p>(f) there is a means of flushing the chamber with atmospheric air with the minimum of delay; and</p> <p>(g) there is a means of access to any pig with the minimum of delay.</p> |
| <p>6 The occupier of a slaughterhouse at which a chamber is used and any person engaged in the killing of pigs by exposure to carbon dioxide shall ensure that—</p> <p>(a) No pig enters the chamber if the displayed concentration by volume of carbon dioxide in the gas mixture falls below 70%; and</p> <p>(b) No pig is passed through or allowed to remain in the chamber at any time when the visible and audible warning signals provided for in paragraph 4(e)(iii) above have been activated or when there is any defect in the operation of the chamber.</p> |
| <p>8, a The occupier of a slaughterhouse at which a chamber is used shall ensure that—</p> <p>(a) the chamber and the equipment used for conveying any bird through the gas mixture are designed, constructed and maintained—</p> <p>(ii) so that once a bird enters into the chamber it is conveyed to the point in the chamber of maximum concentration of the gas mixture within a maximum period of 10 seconds;</p> <p>(b) the installation has an apparatus which maintains the required concentration by volume of oxygen or carbon dioxide, as appropriate, in the chamber;</p> <p>(e) there is a means of flushing the chamber with atmospheric air with the minimum delay; and</p> <p>(f) there is a means of access to any bird in any part of the chamber with the minimum of delay.9, The occupier of a slaughterhouse at which a chamber is used shall ensure that—</p> <p>(a) the birds are exposed to the gas mixture for long enough to ensure that they are killed;</p> |
| <p>10, (b) No bird enters the chamber if, as appropriate—</p> <p>(i) the displayed concentration of oxygen is above 2% by volume, except that the concentration of oxygen may occasionally rise to a concentration of not more than 5% by volume for not more than 30 seconds; or</p> <p>(ii) the displayed concentration of carbon dioxide is above 30% by volume;</p> <p>(c) No bird is passed through or allowed to remain in the chamber at any time when the visible and audible warning signals provided for in paragraph 8(c)(iii) above have been activated or when there is any defect in the operation of the chamber; and</p> <p>(d) No bird is shackled before it is dead</p> |

Killing birds by gas outside a slaughterhouse

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| WASK SCHEDULE 7A |
| <p>4(1) No person may operate a chamber unless he has been assessed competent to do so under Schedule 1 to these Regulations.</p> |
| <p>5 The operator of a chamber used to kill end of lay hens, end of life breeder hens or birds must ensure that the chamber is—</p> <p>(a) designed, adapted, constructed, and maintained so as to avoid injury to the hen or bird;</p> <p>(b) fitted with an apparatus that can deliver gas mixtures to the chamber in accordance with the combinations listed in the table in Part V of this Schedule;</p> <p>(c) fitted with devices which—</p> <p>(i) measure and display the maximum concentration by volume of oxygen in the gas mixture mentioned in combination 3 in that table or the minimum concentration by volume of carbon dioxide mentioned in combination 1 or 2 of that table as a percentage at the point of minimum concentration in the chamber</p> <p>(ii) where combination 3 in that table is used, give clearly visible or audible warning signals where the final concentration by volume of oxygen rises above 5% for more than 30 seconds; and</p> <p>(iii) where combination 1 or 2 in that table is used, give clearly visible or audible warning signals where the final concentration by volume of carbon dioxide falls below 45% for more than 30 seconds; and</p> <p>(d) fitted with a means of visually monitoring birds or hens in the chamber</p> |
| <p>6 The operator of the chamber must ensure that— (a) every person engaged in the killing is instructed as to the method of operation of the chamber;</p> <p>(b) end of lay hens, end of life breeder hens and birds are—</p> <p>(i) rapidly rendered insensible to pain or distress; and</p> <p>(ii) exposed to the gas mixtures mentioned in the second column of the table in Part V long enough to ensure they are killed and in any event for a period of—</p> <p>(aa) where combination 1 in that table is used, not less than 5 minutes</p> <p>(bb) where combination 2 in that table is used, not less than 2 minutes;</p> <p>(cc) where combination 3 in that table is used, not less than 90 seconds;</p> |

(c) should the visible or audible warning signals provided for in paragraph 5(c)(ii) be activated, more of the gas mixture is immediately supplied to the chamber until the required concentrations are achieved; and
6 (d) after exposure to a gas mixture nothing more is done to an end of lay hen, an end of life breeder hen or bird until it is ascertained that it is dead.

Killing horses

WASK SCHEDULE 8

1 Subject to paragraph 3 below, no person shall slaughter or kill, or cause or permit to be slaughtered or killed, any horse in a slaughterhouse or knacker's yard except in a room or a bay which has been provided for the slaughter or killing of horses by the occupier of the slaughterhouse or knacker's yard in accordance with paragraph 2(e) of Schedule 2 (which relates to additional provisions for horses).

Disease control

WASK SCHEDULE 9

5 Any person who uses a captive bolt instrument shall check that the bolt is retracted to its full extent after each shot and if it is not so retracted shall ensure that the instrument is not used again until it has been repaired.

Killing surplus chicks and embryos

WASK SCHEDULE 11

4 No person shall kill, or cause or permit to be killed, any surplus chick by dislocation of the neck unless the dislocation is accompanied by the severance of the spinal cord and blood vessels in the chick's neck.

Annex 5 – Matrix 1 - EU obligations and stricter national rules: Killing for Human Consumption

KEY

Green rules – EU law

- ✓ EU requirement directly applicable under Reg 1099/2009
- ✓* EU requirement directly applicable under Reg 1099/2009 (in the absence of a *de minimis* threshold applied by the Commission under Article 11)

Red rules – national rules maintained under Article 26(1) of Regulation 1099/2009

- ✓ EU requirement applied in new domestic regulations (to maintain current welfare standards in WASK)
- ✓NR National requirement applied in new domestic regulations (to maintain current welfare standards in WASK)

Blue rules – national rules adopted under Article 26(2)(a) of Regulation 1099/2009

- ✓ EU requirement applied in new domestic regulations (to ensure consistency of requirements between killing and slaughter operations)
- ✓NR National requirement applied in new domestic regulations (to ensure consistency of requirements between killing/slaughter operations)

n/a EU or national requirement does not apply

DEFINITIONS

SLAUGHTERHOUSE

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.

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

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

| WELFARE REQUIREMENT | Approved slaughterhouses (existing) | Approved slaughterhouses (new) and any new layout, construction or equipment in existing slaughterhouses | Killing elsewhere than in slaughterhouses or killing establishment (e.g. place of origin) | Killing by the owner for private domestic consumption (all animals except pigs, sheep, goats, rabbits, hares, poultry) | Killing by third party on behalf of the owner for private domestic consumption (all animals except pigs, sheep, goats, rabbits, hares, poultry) | Killing by the owner for private domestic consumption (pigs, sheep, goats) | Killing by third party on behalf of the owner for private domestic consumption (pigs, sheep, goats) | Killing by the owner for private domestic consumption (rabbits, hares, and poultry). <i>*Out of scope of Regulation 1099/2009</i> | Killing by third party on behalf of owner for private domestic consumption (rabbits, hares, and poultry). |
|--|-------------------------------------|--|---|--|---|--|---|--|---|
| CHAPTER II (GENERAL REQUIREMENTS) | | | | | | | | | |
| Article 3(1) - general prohibition – avoidable pain etc | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ |
| Article 3(2) - necessary measures to prevent suffering | ✓ | ✓ | ✓* | n/a | n/a | n/a | n/a | n/a | n/a |
| Article 3(3) - design, construction, operation of facilities | ✓ | ✓ | ✓* | n/a | n/a | n/a | n/a | n/a | n/a |
| Article 4(1) – stunning methods | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ only applies to animals killed | ✓ |
| Article 4(4) – religious slaughter | ✓ | ✓ | Prohibited | Prohibited | Prohibited | Prohibited | Prohibited | Prohibited | Prohibited |
| Article 5(1) – checks on stunning | ✓ | ✓ | ✓* | n/a | n/a | n/a | n/a | n/a | n/a |
| Article 5(2) – checks during religious slaughter | ✓ | ✓ | Prohibited | Prohibited | Prohibited | Prohibited | Prohibited | Prohibited | Prohibited |
| Article 6(1), (2) and (4) - SOPs | ✓ | ✓ | ✓* | n/a | n/a | n/a | n/a | n/a | n/a |
| Article 7(1) – level of competence | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ |
| Article 7(2) – certificates of competence | ✓ | ✓ | ✓* | n/a | ✓ | n/a | ✓ | n/a | ✓ |

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|---|-------------------------------------|--|---|--|---|--|---|--|---|
| <p>Stricter national rule</p> <p>Certificates of competence required for following operations where animal killed for purpose other than human consumption:</p> <p>a) handling and care of animals</p> <p>b) restraint of animals</p> <p>c) stunning of animals</p> <p>d) assessment of effective stunning</p> <p>e) shackling or hoisting of live animals</p> <p>f) bleeding of live animals</p> | n/a | n/a | n/a | n/a | n/a | n/a | n/a | n/a | n/a |
| <p>Stricter national rule - certificates of competence for pithing a stunned animal</p> | ✓ NR | ✓ NR | ✓ NR | n/a | ✓ NR | n/a | ✓ NR | n/a | ✓ NR |
| <p>Article 8 – Manufacturers’ instructions for equipment</p> | n/a | n/a | n/a | n/a | n/a | n/a | n/a | n/a | n/a |
| <p>Article 9(1) – maintaining restraining/stunning equipment</p> | ✓ | ✓ | ✓ | n/a | n/a | n/a | n/a | n/a | n/a |
| <p>Article 9(2) – back-up stunning equipment</p> | ✓ | ✓ | ✓ | n/a | n/a | n/a | n/a | n/a | n/a |
| <p>Article 9(3) – restraining only when ready</p> | ✓ | ✓ | ✓ | n/a | n/a | n/a | n/a | n/a | n/a |

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|--|-------------------------------------|--|---|--|---|--|---|--|---|
| Stricter national rule - All solipeds, ruminants, pigs, rabbits and birds must be restrained before killing in such a way to spare the animal avoidable pain, suffering or distress | ✓ NR | ✓ NR | ✓ NR | ✓ NR | ✓ NR | n/a | ✓ NR Pigs, sheep, goats | n/a | ✓ NR Rabbits, hares and birds |
| Stricter national rule - Prohibition on stunning adult bovines in slaughterhouses (or slaughter establishments) unless restrained in stunning pen | ✓ NR | ✓ NR | ✓ NR | ✓ NR | ✓ NR | n/a | n/a | n/a | n/a |
| Stricter national rule - Prohibition on stunning adult bovines in accordance with religious rites unless restrained in restraining pen | ✓ NR | ✓ NR | Prohibited | Prohibited | Prohibited | Prohibited | Prohibited | Prohibited | Prohibited |
| CHAPTER III (ADDITIONAL REQUIREMENTS APPLICABLE TO SLAUGHTERHOUSES) | | | | | | | | | |
| Article 14(1) - compliance with Annex II | ✓ from 8/12/19 | ✓ | ✓* from 8/12/19 | n/a | n/a | n/a | n/a | n/a | n/a |
| Article 14(2) – provision of certain information | ✓ | ✓ | n/a | n/a | n/a | n/a | n/a | n/a | n/a |
| Article 15(1) – compliance with Annex III | ✓ | ✓ | ✓* | n/a | n/a | n/a | n/a | n/a | n/a |
| Article 15(2) – restraint during religious slaughter | ✓ | ✓ | Prohibited | Prohibited | Prohibited | Prohibited | Prohibited | Prohibited | Prohibited |

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|---|-------------------------------------|--|---|--|---|--|---|--|---|
| Article 15(3) – prohibition on restraining methods | ✓ | ✓ | ✓* | ✓ | ✓ | n/a | n/a | n/a | n/a |
| Article 16(1) and (2) – monitoring procedures | ✓ | ✓ | ✓* | n/a | n/a | n/a | n/a | n/a | n/a |
| Article 16(3) – monitoring slaughter lines | ✓ | ✓ | ✓* | n/a | n/a | n/a | n/a | n/a | n/a |
| Article 16(4) – frequency of checks | ✓ | ✓ | ✓* | n/a | n/a | n/a | n/a | n/a | n/a |
| Article 17 – designation of AWO and requirement for AWO to have CoC | ✓ | ✓ | ✓* | n/a | n/a | n/a | n/a | n/a | n/a |
| CHAPTER IV (EMERGENCY KILLING) | | | | | | | | | |
| Article 19 – emergency killing | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ |
| CHAPTER V (COMPETENT AUTHORITY REQUIREMENTS) | | | | | | | | | |
| Article 21 (5) – Requirement for temporary certificates of competence | ✓ | ✓ | ✓* | n/a | ✓ | n/a | ✓ | n/a | ✓ |
| Article 21(6) – Written declaration of EU or national welfare offences committed in last 3 years on application for CoC | ✓ | ✓ | ✓* | n/a | ✓ | n/a | ✓ | n/a | ✓ |

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|---|-------------------------------------|--|---|--|---|--|---|--|---|
| Stricter national rule Applicants to declare all EU or national welfare offences convicted of on application for CoC (not just those committed in last 3 years) | ✓ NR | ✓ NR | ✓ NR | n/a | ✓ NR | n/a | ✓ NR | n/a | ✓ NR |
| Stricter national rule Applicants must be fit and proper person to hold a CoC | ✓ NR | ✓ NR | ✓ NR | n/a | ✓ NR | n/a | ✓ NR | n/a | ✓ NR |
| ANNEX I CHAP II (STUNNING METHODS) | | | | | | | | | |
| Table 1 (Mechanical methods) | | | | | | | | | |
| 1. Penetrative captive bolt (all species) | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ only applies to animals killed by bleeding | ✓ |
| 2. Non-penetrative captive bolt (ruminants, poultry, rabbits, hares) | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ only applies to animals killed | ✓ |
| 3. Firearm with free projectile (all species) | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ only applies to animals killed | ✓ |
| 4. Maceration (chicks up to 72 hours and egg) | Prohibited | Prohibited | Prohibited | Prohibited | Prohibited | Prohibited | Prohibited | Prohibited | Prohibited |

| WELFARE REQUIREMENT | Approved slaughterhouses (existing) | Approved slaughterhouses (new) and any new layout, construction or equipment in existing slaughterhouses | Killing elsewhere than in slaughterhouses or killing establishment (e.g. place of origin) | Killing by the owner for private domestic consumption (all animals except pigs, sheep, goats, rabbits, hares, poultry) | Killing by third party on behalf of the owner for private domestic consumption (all animals except pigs, sheep, goats, rabbits, hares, poultry) | Killing by the owner for private domestic consumption (pigs, sheep, goats) | Killing by third party on behalf of the owner for private domestic consumption (pigs, sheep, goats) | Killing by the owner for private domestic consumption (rabbits, hares, and poultry). <i>*Out of scope of Regulation 1099/2009</i> | Killing by third party on behalf of owner for private domestic consumption (rabbits, hares, and poultry). |
|---|-------------------------------------|--|---|--|---|--|---|--|---|
| 5. Cervical dislocation (poultry up to 5kg) | ✓ Back up | ✓ Back up only | ✓ Back up only | ✓ Back up only | ✓ Back up only | ✓ Back up only | ✓ Back up only | ✓ only applies to | ✓ |
| 6. Percussive blow to the head (piglets, lambs, kids, rabbits, hares, fur animals, poultry up to 5kg live weight) | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ only applies to animals killed | ✓ |
| Table 2 (Electrical methods) | | | | | | | | | |
| 1. Head-only electrical stunning (all species) | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ only applies to | ✓ |
| 2. Head-to-body electrical stunning (all species) | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ only applies to animals killed | ✓ |
| 3. Electrical waterbath (poultry only) | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ only applies to animals killed | ✓ |
| Table 3 (Gas methods) | | | | | | | | | |
| 1. Carbon dioxide at high concentration (pigs, mustelids, chinchillas, poultry (except duck and geese)) | ✓ Pigs only | ✓ Pigs only | ✓ Pigs only | ✓ | ✓ | ✓ | ✓ | n/a | ✓ |

| WELFARE REQUIREMENT | Approved slaughterhouses (existing) | Approved slaughterhouses (new) and any new layout, construction or equipment in existing slaughterhouses | Killing elsewhere than in slaughterhouses or killing establishment (e.g. place of origin) | Killing by the owner for private domestic consumption (all animals except pigs, sheep, goats, rabbits, hares, poultry) | Killing by third party on behalf of the owner for private domestic consumption (all animals except pigs, sheep, goats, rabbits, hares, poultry) | Killing by the owner for private domestic consumption (pigs, sheep, goats) | Killing by third party on behalf of the owner for private domestic consumption (pigs, sheep, goats) | Killing by the owner for private domestic consumption (rabbits, hares, and poultry). <i>*Out of scope of Regulation 1099/2009</i> | Killing by third party on behalf of owner for private domestic consumption (rabbits, hares, and poultry). |
|--|-------------------------------------|--|---|--|---|--|---|--|---|
| 2. Carbon dioxide in two phases (pigs and poultry only) | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | n/a | ✓ |
| 3. Carbon dioxide with inert gases (pigs and poultry only) | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | n/a | ✓ |
| 4. Inert gases (pigs and poultry only) | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | n/a | ✓ |
| 5. Carbon monoxide (pure) (fur animals, poultry and piglets) | Prohibited | Prohibited | Prohibited | Prohibited | Prohibited | Prohibited | Prohibited | Prohibited | Prohibited |
| 6. Carbon monoxide with other gases (fur animals, poultry and piglets) | Prohibited | Prohibited | Prohibited | Prohibited | Prohibited | Prohibited | Prohibited | Prohibited | Prohibited |
| Table 2 (Other methods) | | | | | | | | | |
| 1. Lethal injection Only prohibited for slaughter – can be used in a slaughterhouse to kill injured animals in an emergency if animal does not enter food chain | Prohibited | Prohibited | Prohibited | Prohibited | Prohibited | Prohibited | Prohibited | Prohibited | Prohibited |
| ANNEX I, CHAP II (STUNNING METHODS – SPECIFIC REQUIREMENTS) | | | | | | | | | |

| WELFARE REQUIREMENT | Approved slaughterhouses (existing) | Approved slaughterhouses (new) and any new layout, construction or equipment in existing slaughterhouses | Killing elsewhere than in slaughterhouses or killing establishment (e.g. place of origin) | Killing by the owner for private domestic consumption (all animals except pigs, sheep, goats, rabbits, hares, poultry) | Killing by third party on behalf of the owner for private domestic consumption (all animals except pigs, sheep, goats, rabbits, hares, poultry) | Killing by the owner for private domestic consumption (pigs, sheep, goats) | Killing by third party on behalf of the owner for private domestic consumption (pigs, sheep, goats) | Killing by the owner for private domestic consumption (rabbits, hares, and poultry). <i>*Out of scope of Regulation 1099/2009</i> | Killing by third party on behalf of owner for private domestic consumption (rabbits, hares, and poultry). |
|---|-------------------------------------|--|---|--|---|--|---|--|---|
| s.1 non-penetrative captive bolt (all species) | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ only applies to animals killed | ✓ |
| s.2 maceration (chicks up to 72 hours and egg embryos) | Prohibited | Prohibited | Prohibited | Prohibited | Prohibited | Prohibited | Prohibited | Prohibited | Prohibited |
| s.3 cervical dislocation (poultry up to 5kg live weight) | ✓ Back up only | ✓ Back up only | ✓ Back up only | ✓ Back up only | ✓ Back up only | ✓ Back up only | ✓ Back up only | n/a | ✓ Back up only |
| Stricter national rule (cervical dislocation of chicks in hatchery waste) Chicks less than 72 hours should not be killed by cervical dislocation unless the dislocation is accompanied by severance of the spinal cord and blood vessels in the chicks' neck. | n/a | n/a | n/a | n/a | n/a | n/a | n/a | n/a | n/a |
| s.4 head-only electrical stunning (all species) | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ only applies to | ✓ |
| s.5 head to body stunning (all species) | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ only applies to animals killed | ✓ |

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|---|-------------------------------------|--|---|--|---|--|---|--|---|
| s.6 water bath stunning (poultry only) | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ only applies to animals killed | ✓ |
| Stricter national rule (poultry only) No person may use a water bath stunner unless the level of the water in the water bath has been adjusted in order to ensure there is good contact with the bird's head; and the water bath is adequate in size and depth for type of bird being slaughtered | ✓ NR | ✓ NR | ✓ NR | ✓ NR | ✓ NR | ✓ NR only applies to animals killed by bleeding | ✓ NR only applies to animals killed by bleeding | ✓ NR only applies to animals killed by bleeding | ✓ NR only applies to animals killed by bleeding |
| s.7 CO2 at high concentration (pigs, mustelids, chinchillas, poultry (except duck and geese)) | ✓ Pigs only | ✓ Pigs only | ✓ Pigs only | n/a | n/a | ✓ Pigs only | ✓ Pigs only | n/a | n/a |
| s.8 CO2, inert gases or combination (pigs and poultry only) | ✓ | ✓ | ✓ | n/a | n/a | ✓ | ✓ | ✓ only applies to animals killed by bleeding | ✓ only applies to animals killed by bleeding |
| s.9 carbon monoxide (fur animals, poultry and piglets) | Prohibited | Prohibited | Prohibited | Prohibited | Prohibited | Prohibited | Prohibited | Prohibited | Prohibited |

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|---|-------------------------------------|--|---|--|---|--|---|--|---|
| Stricter national rule (penetrative captive bolt) Prohibition on using captive bolt instrument to stun except where (a) instrument positioned to ensure projectile enters cerebral cortex and (b) correct strength of cartridge or other propellant is used in accordance with manufacturers' instructions | ✓ NR | ✓ NR | ✓ NR | ✓ NR | ✓ NR | ✓ NR only applies to animals killed by bleeding | ✓ NR only applies to animals killed by bleeding | ✓ NR only applies to animals killed by bleeding | ✓ NR only applies to animals killed by bleeding |
| Stricter national rule (penetrative captive bolt) - Prohibition on shooting bovine animal in back of the head | ✓ NR | ✓ NR | ✓ NR | ✓ NR | ✓ NR | ✓ NR only applies to animals killed by bleeding | ✓ NR only applies to animals killed by bleeding | ✓ NR only applies to animals killed by bleeding | ✓ NR only applies to animals killed by |
| Stricter national rule (penetrative captive bolt) - Prohibition on shooting goat or sheep in back of head unless horns prevents front of head being used and (a) shot is placed immediately behind base of horns and aimed towards mouth and sheep/goat killed within 15 seconds of shooting. | ✓ NR | ✓ NR | ✓ NR | ✓ NR | ✓ NR | ✓ NR only applies to animals killed by bleeding | ✓ NR only applies to animals killed by bleeding | ✓ NR only applies to animals killed by bleeding | ✓ NR only applies to animals killed by bleeding |
| Stricter national rule (penetrative and non-penetrative captive bolt) Bolt on captive bolt instrument must be retracted to its full extent after each shot and if it is not so retracted, must not be used again until it has been repaired. | ✓ NR | ✓ NR | ✓ NR | ✓ NR | ✓ NR | ✓ NR only applies to animals killed by bleeding | ✓ NR only applies to animals killed by bleeding | ✓ NR only applies to animals killed by bleeding | ✓ NR only applies to animals killed by bleeding |
| ANNEX II (LAYOUT, CONSTRUCTION AND EQUIPMENT OF SLAUGHTERHOUSES) | | | | | | | | | |

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|--|-------------------------------------|--|---|--|---|--|---|--|---|
| All lairage facilities | | | | | | | | | |
| s1.1 – appropriate ventilation systems taking into account expected weather conditions | ✓ from 8/12/19 | ✓ | ✓* from 8/12/19 | n/a | n/a | n/a | n/a | n/a | n/a |
| s1.2 – alarm and emergency back-up facilities in event of breakdown of mechanical ventilation | ✓ from 8/12/19 | ✓ | ✓* from 8/12/19 | n/a | n/a | n/a | n/a | n/a | n/a |
| s1.3 – design and construction of lairage facilities to minimise sudden noise and injuries to animals | ✓ from 8/12/19 | ✓ | ✓* from 8/12/19 | n/a | n/a | n/a | n/a | n/a | n/a |
| s1.4 – design and construction of lairage facilities to facilitate inspection. Adequate lighting (fixed or portable). | ✓ from 8/12/19 | ✓ | ✓* from 8/12/19 | n/a | n/a | n/a | n/a | n/a | n/a |
| Stricter national rule - lairages must have suitable equipment for tethering animals | ✓ NR | ✓ NR | ✓* from 8/12/19 | n/a | n/a | n/a | n/a | n/a | n/a |
| Stricter national rule - lairages must have suitable mangers, racks for feeding animals, readily accessible and unable to be fouled | ✓ NR | ✓ NR | ✓* from 8/12/19 | n/a | n/a | n/a | n/a | n/a | n/a |
| Lairage facilities for animals not delivered in containers | | | | | | | | | |
| s 2.1 – design of pens, passageways and races | ✓ from 8/12/19 | ✓ | ✓* from 8/12/19 | n/a | n/a | n/a | n/a | n/a | n/a |
| s 2.2 – ramps and bridges | ✓ from 8/12/19 | ✓ | ✓* from 8/12/19 | n/a | n/a | n/a | n/a | n/a | n/a |

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|---|-------------------------------------|--|---|--|---|--|---|--|---|
| s 2.3 – water supply system | ✓ from 8/12/19 | ✓ | ✓* from 8/12/19 | n/a | n/a | n/a | n/a | n/a | n/a |
| s 2.4 – waiting pens | ✓ from 8/12/19 | ✓ | ✓* from 8/12/19 | n/a | n/a | n/a | n/a | n/a | n/a |
| s 2.5 - floors | ✓ from 8/12/19 | ✓ | ✓* from 8/12/19 | n/a | n/a | n/a | n/a | n/a | n/a |
| s2.6 – field lairages | ✓ from 8/12/19 | ✓ | ✓* from 8/12/19 | n/a | n/a | n/a | n/a | n/a | n/a |
| Stricter national rule - field lairages must be maintained to ensure animals not subject to physical, chemical or other health hazards | ✓ NR | ✓ NR | ✓ NR | n/a | n/a | n/a | n/a | n/a | n/a |
| Stricter national rule - field lairages must have adequate lighting (fixed or portable) for inspection | ✓ NR | ✓ NR | ✓ NR | n/a | n/a | n/a | n/a | n/a | n/a |
| Stricter national rule - field lairages must have suitable equipment for tethering animals | ✓ NR | ✓ NR | ✓ NR | n/a | n/a | n/a | n/a | n/a | n/a |

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|--|-------------------------------------|--|---|--|---|--|---|--|---|
| Stricter national rule - field lairages must have suitable mangers, racks for feeding animals, readily accessible and unable to be fouled | ✓ NR | ✓ NR | ✓ NR | n/a | n/a | n/a | n/a | n/a | n/a |
| Restraining equipment and facilities | | | | | | | | | |
| s3.1 – design and maintenance of restraining equipment | ✓ from 8/12/19 | ✓ | ✓* from 8/12/19 | n/a | n/a | n/a | n/a | n/a | n/a |
| s 3.2 – restraining boxes when used with captive bolt | ✓ from 8/12/19 | ✓ | ✓* from 8/12/19 | n/a | n/a | n/a | n/a | n/a | n/a |
| Electrical stunning equipment | | | | | | | | | |
| s4.1 – electrical stunning equipment | ✓ from 8/12/19 | ✓ | ✓* from 8/12/19 | n/a | n/a | n/a | n/a | n/a | n/a |
| s4.2 – automatic electrical stunning equipment | ✓ from 8/12/19 | ✓ | ✓* from 8/12/19 | n/a | n/a | n/a | n/a | n/a | n/a |
| Waterbath stunning equipment | | | | | | | | | |
| s5.1 – design of shackle lines | ✓ from 8/12/19 | ✓ | ✓* from 8/12/19 | n/a | n/a | n/a | n/a | n/a | n/a |
| s5.2 – time limits for suspending birds from shackles | ✓ from 8/12/19 | ✓ | ✓* from 8/12/19 | n/a | n/a | n/a | n/a | n/a | n/a |

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|---|-------------------------------------|--|---|--|---|--|---|--|---|
| s5.3 – accessibility to shackle line | ✓ from 8/12/19 | ✓ | ✓* from 8/12/19 | n/a | n/a | n/a | n/a | n/a | n/a |
| s5.4 – size and shape of metal shackles | ✓ from 8/12/19 | ✓ | ✓* from 8/12/19 | n/a | n/a | n/a | n/a | n/a | n/a |
| s5.5 – electrically insulated entry ramp | ✓ from 8/12/19 | ✓ | ✓* from 8/12/19 | n/a | n/a | n/a | n/a | n/a | n/a |
| s5.6 – design of waterbath to ensure level of immersion | ✓ from 8/12/19 | ✓ | ✓* from 8/12/19 | n/a | n/a | n/a | n/a | n/a | n/a |
| s5.7 – electrodes in waterbath | ✓ from 8/12/19 | ✓ | ✓* from 8/12/19 | n/a | n/a | n/a | n/a | n/a | n/a |
| s5.8 – system in contact with breast of birds | ✓ from 8/12/19 | ✓ | ✓* from 8/12/19 | n/a | n/a | n/a | n/a | n/a | n/a |
| s5.9 – access to waterbath | ✓ from 8/12/19 | ✓ | ✓* from 8/12/19 | n/a | n/a | n/a | n/a | n/a | n/a |
| s5.10 – device to display electrical key parameters | ✓ from 8/12/19 | ✓ | ✓* from 8/12/19 | n/a | n/a | n/a | n/a | n/a | n/a |
| Gas stunning equipment for pigs and poultry | | | | | | | | | |

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|--|-------------------------------------|--|---|--|---|--|---|--|---|
| s 6.1 – design and build of gas stunners to (a) optimise stunning by gas; (b) prevent injury or contusions; (c) minimise struggle and vocalisation. | ✓ from 8/12/19 | ✓ | ✓* from 8/12/19 | n/a | n/a | n/a | n/a | n/a | n/a |
| s6.2 – gas stunner equipped to measure continuously, display and record gas concentrations and time of exposure and to give clear, visible and audible warning if gas concentrations fall below required level. Device placed to be clearly visible to personnel. | ✓ from 8/12/19 | ✓ | ✓* from 8/12/19 | n/a | n/a | n/a | n/a | n/a | n/a |
| s6.3 – gas stunner to be designed to ensure animals can lie down without being stacked on top of each other (even at maximum throughput) | ✓ from 8/12/19 | ✓ | ✓* from 8/12/19 | n/a | n/a | n/a | n/a | n/a | n/a |
| Stricter national rule (gas stunning of pigs) (only for gas mixtures 1 and 3) – gas stunning equipment designed, constructed and maintained to enable pigs to remain upright until they are unconscious and to enable pigs to see each other as they are conveyed into the chamber. | ✓ NR | ✓ NR | ✓ NR | n/a | n/a | n/a | n/a | n/a | n/a |
| Stricter national rule (gas stunning of pigs) (only gas mixtures 1 and 3) gas stunning equipment to have adequate lighting in conveying mechanism to allow pigs to see other pigs or their surroundings. | ✓ NR | ✓ NR | ✓ NR | n/a | n/a | n/a | n/a | n/a | n/a |
| Stricter national rule (gas stunning of pigs) (only gas mixtures 1 and 3) gas stunning equipment to have apparatus which maintains the required concentration by volume of carbon dioxide in gas mixture. | ✓ NR | ✓ NR | ✓ NR | n/a | n/a | n/a | n/a | n/a | n/a |

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|--|-------------------------------------|--|---|--|---|--|---|--|---|
| Stricter national rule (gas stunning of birds) (only gas mixtures 1, 3 and 4) – gas stunning equipment fitted with (a) apparatus that can deliver the gas mixture in accordance with the requirements in Annex 1; and (b) a means of visually monitoring the birds. | ✓ NR | ✓ NR | ✓ NR | n/a | n/a | n/a | n/a | n/a | n/a |
| Stricter national rule (gas stunning of birds) (only gas mixtures 1, 3 and 4) there's a means of flushing the gas stunning equipment with atmospheric air with minimum delay. | ✓ NR | ✓ NR | ✓ NR | n/a | n/a | n/a | n/a | n/a | n/a |
| Stricter national rule – (gas stunning of birds) (only gas mixtures 1, 3 and 4) there's a means of access to the bird with minimum delay. | ✓ NR | ✓ NR | ✓ NR | n/a | n/a | n/a | n/a | n/a | n/a |
| Stricter national rule - Facilities for horses | | | | | | | | | |
| Separate room to be provided for killing horses | ✓ NR | ✓ NR | n/a | n/a | n/a | n/a | n/a | n/a | n/a |
| Loose box provided in lairage for horses | ✓ NR | ✓ NR | n/a | n/a | n/a | n/a | n/a | n/a | n/a |
| ANNEX III (OPERATIONAL RULES FOR SLAUGHTERHOUSES) | | | | | | | | | |
| Arrival, moving and handling of animals | | | | | | | | | |
| s1.1 – systematic assessment of welfare on arrival | ✓ | ✓ | ✓* | n/a | n/a | n/a | n/a | n/a | n/a |

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|---|-------------------------------------|--|---|--|---|--|---|--|---|
| s1.2 - - Animals to be unloaded and slaughtered without delay - Mammals to be lairaged where not slaughtered asap. - Animals not slaughtered within 12 hrs to be fed and given moderate amounts of food at appropriate intervals | ✓ | ✓ | ✓ | n/a | n/a | n/a | n/a | n/a | n/a |
| <u>Stricter national rule</u> - animals protected from adverse weather/given adequate ventilation during unloading process | ✓ NR | ✓ NR | ✓ NR | n/a | n/a | n/a | n/a | n/a | n/a |
| <u>Stricter national rule</u> - animals protected from adverse weather and given adequate ventilation after unloading | ✓ NR | ✓ NR | ✓ NR | n/a | n/a | n/a | n/a | n/a | n/a |
| <u>Stricter national rule</u> - animals subjected to high temperatures in humid weather are cooled by appropriate means | ✓ NR | ✓ NR | ✓ NR | n/a | n/a | n/a | n/a | n/a | n/a |
| <u>Stricter national rule</u> - animals which might injure each other are kept/lairaged apart | ✓ NR | ✓ NR | ✓ NR | n/a | n/a | n/a | n/a | n/a | n/a |

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|---|-------------------------------------|--|---|--|---|--|---|--|---|
| Stricter national rule - sufficient quantity of wholesome food provided to animals on arrival, and twice daily thereafter (except within 12 hours of animal being killed) | ✓ NR | ✓ NR | ✓ NR | n/a | n/a | n/a | n/a | n/a | n/a |
| Stricter national rule - food provided to animals without unnecessary disturbance | ✓ NR | ✓ NR | ✓ NR | n/a | n/a | n/a | n/a | n/a | n/a |
| s1.5 – vulnerable animals given priority | ✓ | ✓ | ✓* | n/a | n/a | n/a | n/a | n/a | n/a |
| s1.6 – availability of drinking water from appropriate facilities at all times | ✓ | ✓ | ✓* | n/a | n/a | n/a | n/a | n/a | n/a |
| s1.7 – steady supply of animals for killing | ✓ | ✓ | ✓* | n/a | n/a | n/a | n/a | n/a | n/a |
| s1.8 – Prohibition to: -strike, kick animals -apply pressure to sensitive parts - lift, drag animals by the head, ears, horns, legs (except poultry, rabbits, hares), tail, fleece - use prods or other instruments with pointed ends | ✓ | ✓ | ✓* | ✓ | ✓ | n/a | n/a | n/a | n/a |
| Stricter national rule - prohibition on dragging stunned/killed animals over those which haven't been stunned or killed | ✓ NR | ✓ NR | ✓ NR | n/a | n/a | n/a | n/a | n/a | n/a |

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|--|-------------------------------------|--|---|--|---|--|---|--|---|
| s1.9 – use of instruments which administer shocks | ✓ | ✓ | ✓* | ✓ | ✓ | n/a | n/a | n/a | n/a |
| s1.10 – prohibitions and requirements on tying animals | ✓ | ✓ | ✓* | ✓ | ✓ | n/a | n/a | n/a | n/a |
| s1.11 – animals unable to walk | ✓ | ✓ | ✓* | ✓ | ✓ | n/a | n/a | n/a | n/a |
| Stricter national rule - sick/disabled animals are kept apart from those which aren't sick/disabled | ✓ NR | ✓ NR | ✓ NR | n/a | n/a | n/a | n/a | n/a | n/a |
| Additional rules for mammals in lairage (except rabbits and hares) | | | | | | | | | |
| s2.1 – space for animals to stand, lie down and turn | ✓ | ✓ | ✓* | n/a | n/a | n/a | n/a | n/a | n/a |
| s2.2 – animals to be kept securely in lairage | ✓ | ✓ | ✓* | n/a | n/a | n/a | n/a | n/a | n/a |
| s2.3 – sign indicating date and time of arrival | ✓ | ✓ | ✓* | n/a | n/a | n/a | n/a | n/a | n/a |
| s2.4 – preparation of isolation pens | ✓ | ✓ | ✓* | n/a | n/a | n/a | n/a | n/a | n/a |
| s2.5 – regular inspection of health of animals | ✓ | ✓ | ✓* | n/a | n/a | n/a | n/a | n/a | n/a |
| Bleeding of animals | | | | | | | | | |
| s3.1 – operations to be carried out on one animal at a time | ✓ | ✓ | ✓* | ✓ | n/a | n/a | n/a | n/a | n/a |
| s3.2 – electrical stimulation/ further dressing and | ✓ | ✓ | ✓* | ✓ For simple | n/a | n/a | n/a | n/a | n/a |

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|--|-------------------------------------|--|---|--|---|--|---|--|---|
| scalding | | | | stunning only | | | | | |
| Stricter national rule electrical stimulation/further dressing and scalding only permitted after certain time periods | ✓ NR | ✓ NR | ✓ NR | ✓ NR | n/a | n/a | n/a | n/a | n/a |
| s3.3 – prohibition on automatic neck cutters unless can ascertain whether both carotids cut. | ✓ | ✓ | ✓ | n/a | n/a | n/a | n/a | n/a | n/a |
| Stricter national rule - Religious slaughter | | | | | | | | | |
| Definition of animal, bovine animal and bird should remain unchanged | ✓ NR | ✓ NR | Prohibited | Prohibited | Prohibited | Prohibited | Prohibited | Prohibited | Prohibited |
| Slaughter in accordance with religious rites must only be undertaken by a Jew licensed by the Rabbinical Commission or a Muslim (both must also hold a CoC) using the Jewish or Muslim method for the food of a Muslim or Jew. | ✓ NR | ✓ NR | Prohibited | Prohibited | Prohibited | Prohibited | Prohibited | Prohibited | Prohibited |
| Bovines must remain upright at all times until unconsciousness has been verified | ✓ NR | ✓ NR | Prohibited | Prohibited | Prohibited | Prohibited | Prohibited | Prohibited | Prohibited |

| WELFARE REQUIREMENT | Approved slaughterhouses (existing) | Approved slaughterhouses (new) and any new layout, construction or equipment in existing slaughterhouses | Killing elsewhere than in slaughterhouses or killing establishment (e.g. place of origin) | Killing by the owner for private domestic consumption (all animals except pigs, sheep, goats, rabbits, hares, poultry) | Killing by third party on behalf of the owner for private domestic consumption (all animals except pigs, sheep, goats, rabbits, hares, poultry) | Killing by the owner for private domestic consumption (pigs, sheep, goats) | Killing by third party on behalf of the owner for private domestic consumption (pigs, sheep, goats) | Killing by the owner for private domestic consumption (rabbits, hares, and poultry). <i>*Out of scope of Regulation 1099/2009</i> | Killing by third party on behalf of owner for private domestic consumption (rabbits, hares, and poultry). |
|--|-------------------------------------|--|---|--|---|--|---|--|---|
| Bovine restraining pens must be designed and operated to protect the animal from avoidable pain, suffering agitation, injuries or contusions while entering or confined in it and provide effective restraint, a means of head restraint and support | ✓ NR | ✓ NR | Prohibited | Prohibited | Prohibited | Prohibited | Prohibited | Prohibited | Prohibited |
| Current provisions for handling animals should be retained with the exception of provisions relating to restraint of sheep, goats and calves on a cradle or table. | ✓ NR | ✓ NR | Prohibited | Prohibited | Prohibited | Prohibited | Prohibited | Prohibited | Prohibited |
| The cut should be rapid and uninterrupted | ✓ NR | ✓ NR | Prohibited | Prohibited | Prohibited | Prohibited | Prohibited | Prohibited | Prohibited |
| Animals must not be moved post cut until unconsciousness has been verified and in any event not before the period specified | ✓ NR | ✓ NR | Prohibited | Prohibited | Prohibited | Prohibited | Prohibited | Prohibited | Prohibited |
| Religious slaughter of all animals and birds outside a slaughterhouse (as defined under Regulation 1099/2009) should be prohibited | ✓ NR | ✓ NR | Prohibited | Prohibited | Prohibited | Prohibited | Prohibited | Prohibited | Prohibited |
| Licences issued by the Rabbinical Commission should be recognised as an equivalent qualification under Regulation 1099/2009 Article 21 (7) and be given the same status as a Qualification Certificate for Certificate | ✓ NR | ✓ NR | Prohibited | Prohibited | Prohibited | Prohibited | Prohibited | Prohibited | Prohibited |

| WELFARE REQUIREMENT | Approved slaughterhouses (existing) | Approved slaughterhouses (new) and any new layout, construction or equipment in existing slaughterhouses | Killing elsewhere than in slaughterhouses or killing establishment (e.g. place of origin) | Killing by the owner for private domestic consumption (all animals except pigs, sheep, goats, rabbits, hares, poultry) | Killing by third party on behalf of the owner for private domestic consumption (all animals except pigs, sheep, goats, rabbits, hares, poultry) | Killing by the owner for private domestic consumption (pigs, sheep, goats) | Killing by third party on behalf of the owner for private domestic consumption (pigs, sheep, goats) | Killing by the owner for private domestic consumption (rabbits, hares, and poultry). <i>*Out of scope of Regulation 1099/2009</i> | Killing by third party on behalf of owner for private domestic consumption (rabbits, hares, and poultry). |
|--|-------------------------------------|--|---|--|---|--|---|--|---|
| of Competence purposes. | | | | | | | | | |
| The Rabbinical Commission should be defined for CoC purposes | ✓ NR | ✓ NR | Prohibited | Prohibited | Prohibited | Prohibited | Prohibited | Prohibited | Prohibited |
| Slaughter without a pre-cut stun must only take place in a slaughterhouse (including poultry and rabbits slaughtered for private consumption), using equipment and operating procedures explicitly approved for that purpose as part of the official controls process in slaughterhouses under EU Regulation 854/2004 (the cost will be included in the cost of official controls charged to business operators) | ✓ NR | ✓ NR | Prohibited | Prohibited | Prohibited | Prohibited | Prohibited | Prohibited | Prohibited |
| Where equipment used for religious slaughter is modified the modifications must be approved through the official controls process in slaughterhouses under EU Regulation 854/2004 before it is used for non stun slaughter | ✓ NR | ✓ NR | Prohibited | Prohibited | Prohibited | Prohibited | Prohibited | Prohibited | Prohibited |
| Before a bovine, goat or sheep's neck is cut the slaughterman must ensure the knife is surgically sharp | ✓ NR | ✓ NR | Prohibited | Prohibited | Prohibited | Prohibited | Prohibited | Prohibited | Prohibited |
| Before the animal's neck is cut (includes birds) the slaughterman must ensure the blade is undamaged | ✓ NR | ✓ NR | Prohibited | Prohibited | Prohibited | Prohibited | Prohibited | Prohibited | Prohibited |

| WELFARE REQUIREMENT | Approved slaughterhouses (existing) | Approved slaughterhouses (new) and any new layout, construction or equipment in existing slaughterhouses | Killing elsewhere than in slaughterhouses or killing establishment (e.g. place of origin) | Killing by the owner for private domestic consumption (all animals except pigs, sheep, goats, rabbits, hares, poultry) | Killing by third party on behalf of the owner for private domestic consumption (all animals except pigs, sheep, goats, rabbits, hares, poultry) | Killing by the owner for private domestic consumption (pigs, sheep, goats) | Killing by third party on behalf of the owner for private domestic consumption (pigs, sheep, goats) | Killing by the owner for private domestic consumption (rabbits, hares, and poultry). <i>*Out of scope of Regulation 1099/2009</i> | Killing by third party on behalf of owner for private domestic consumption (rabbits, hares, and poultry). |
|--|-------------------------------------|--|---|--|---|--|---|--|---|
| and the blade is at least twice the width of the neck | | | | | | | | | |
| Knife will be defined to preclude the use of mechanical blades for slaughter of poultry in accordance with religious rites | ✓ NR | ✓ NR | Prohibited | Prohibited | Prohibited | Prohibited | Prohibited | Prohibited | Prohibited |
| Where any animal or bird is stunned where slaughter takes place in accordance with religious rites the requirements of Regulation 1099/2009 and any relevant national rules should apply | ✓ NR | ✓ NR | Prohibited | Prohibited | Prohibited | Prohibited | Prohibited | Prohibited | Prohibited |
| Where an immediate post-cut stun is used the standstill periods will cease to apply. | ✓ NR | ✓ NR | Prohibited | Prohibited | Prohibited | Prohibited | Prohibited | Prohibited | Prohibited |

Transitional provisions applicable until 8th December 2019

| Welfare requirement - transitional provisions | Slaughterhouses (existing) | Slaughterhouses (new) | Killing elsewhere than in slaughterhouses or killing establishment (e.g. place of origin) | Killing by the owner for private domestic consumption (all animals except pigs, sheep, goats, rabbits, hares, poultry) | Killing by third party on behalf of the owner for private domestic consumption (all animals except pigs, sheep, goats, rabbits, hares, poultry) | Killing by the owner for private domestic consumption (pigs, sheep, goats) | Killing by third party on behalf of the owner for private domestic consumption (pigs, sheep, goats) | Killing by the owner for private domestic consumption (rabbits, hares, and poultry). * <i>Out of scope of Regulation 1099/2009</i> | Killing by third party on behalf of owner for private domestic consumption (rabbits, hares, and poultry). |
|---|-------------------------------|--------------------------|--|--|--|---|---|---|--|
| Suitable equipment/facilities for unloading animals | ✓ until 8/12/19 | n/a | n/a | n/a | n/a | n/a | n/a | n/a | n/a |
| Unloading equipment has non-slip floor and lateral protection | ✓ until 8/12/19 | n/a | n/a | n/a | n/a | n/a | n/a | n/a | n/a |
| Bridge, ramp, gangways fitted with sides, railings etc | ✓ until 8/12/19 | n/a | n/a | n/a | n/a | n/a | n/a | n/a | n/a |
| Exit and entry ramps have minimum possible incline | ✓ until 8/12/19 | n/a | n/a | n/a | n/a | n/a | n/a | n/a | n/a |
| Construction of passageways to minimise injury/take account of gregarious tendencies of animals | ✓ until 8/12/19 | n/a | n/a | n/a | n/a | n/a | n/a | n/a | n/a |

| Welfare requirement - transitional provisions | Slaughterhouses (existing) | Slaughterhouses (new) | Killing elsewhere than in slaughterhouses or killing establishment (e.g. place of origin) | Killing by the owner for private domestic consumption (all animals except pigs, sheep, goats, rabbits, hares, poultry) | Killing by third party on behalf of the owner for private domestic consumption (all animals except pigs, sheep, goats, rabbits, hares, poultry) | Killing by the owner for private domestic consumption (pigs, sheep, goats) | Killing by third party on behalf of the owner for private domestic consumption (pigs, sheep, goats) | Killing by the owner for private domestic consumption (rabbits, hares, and poultry). *Out of scope of Regulation 1099/2009 | Killing by third party on behalf of owner for private domestic consumption (rabbits, hares, and poultry). |
|---|----------------------------|-----------------------|---|--|---|--|---|--|---|
| Sufficient number of pens for adequate lairaging/protection from adverse weather conditions | ✓ until 8/12/19 | n/a | n/a | n/a | n/a | n/a | n/a | n/a | n/a |
| Lairages have non-slip floors/prevent injury | ✓ until 8/12/19 | n/a | n/a | n/a | n/a | n/a | n/a | n/a | n/a |
| Lairages have adequate ventilation | ✓ until 8/12/19 | n/a | n/a | n/a | n/a | n/a | n/a | n/a | n/a |
| Lairages have back-up ventilation | ✓ until 8/12/19 | n/a | n/a | n/a | n/a | n/a | n/a | n/a | n/a |
| Lairages have adequate lighting (fixed or portable) to enable inspection of animals | ✓ until 8/12/19 | n/a | n/a | n/a | n/a | n/a | n/a | n/a | n/a |
| Lairages have adequate drinking facilities | ✓ until 8/12/19 | n/a | n/a | n/a | n/a | n/a | n/a | n/a | n/a |

| Welfare requirement - transitional provisions | Slaughterhouses (existing) | Slaughterhouses (new) | Killing elsewhere than in slaughterhouses or killing establishment (e.g. place of origin) | Killing by the owner for private domestic consumption (all animals except pigs, sheep, goats, rabbits, hares, poultry) | Killing by third party on behalf of the owner for private domestic consumption (all animals except pigs, sheep, goats, rabbits, hares, poultry) | Killing by the owner for private domestic consumption (pigs, sheep, goats) | Killing by third party on behalf of the owner for private domestic consumption (pigs, sheep, goats) | Killing by the owner for private domestic consumption (rabbits, hares, and poultry). *Out of scope of Regulation 1099/2009 | Killing by third party on behalf of owner for private domestic consumption (rabbits, hares, and poultry). |
|---|----------------------------|-----------------------|---|--|---|--|---|--|---|
| Lairages have adequate supply of bedding material (unless they have slat or mesh floor) | ✓ until 8/12/19 | n/a | n/a | n/a | n/a | n/a | n/a | n/a | n/a |
| Field lairages have appropriate protection against adverse weather conditions | ✓ until 8/12/19 | n/a | n/a | n/a | n/a | n/a | n/a | n/a | n/a |
| Field lairages have adequate drinking facilities | ✓ until 8/12/19 | n/a | n/a | n/a | n/a | n/a | | | |
| Electrical stunning equipment (electrodes) have device to measure load and audible or visible device to measure time of current | ✓ until 8/12/19 | n/a | n/a | n/a | n/a | n/a | | | |
| Gas stunning equipment for pigs and poultry –chamber fitted with devices to measure gas concentrations and give warning signals | ✓ until 8/12/19 | n/a | n/a | n/a | n/a | n/a | | | |

Annex 6 – Matrix 1 - EU obligations and stricter national rules: Killing for purposes other than human consumption

KEY

Green rules – EU law

- ✓ EU requirement directly applicable under Reg 1099/2009
- ✓* EU requirement directly applicable under Reg 1099/2009 (in the absence of a *de minimis* threshold applied by the Commission under Article 11)

Red rules – national rules maintained under Article 26(1) of Regulation 1099/2009

- ✓ EU requirement applied in new domestic regulations (to maintain current welfare standards in WASK)
- ✓NR National requirement applied in new domestic regulations (to maintain current welfare standards in WASK)

Blue rules – national rules adopted under Article 26(2)(a) of Regulation 1099/2009

- ✓ EU requirement applied in new domestic regulations (to ensure consistency of requirements between killing and slaughter operations)
- ✓NR National requirement applied in new domestic regulations (to ensure consistency of requirements between killing/slaughter operations)

n/a EU or national requirement does not apply

DEFINITIONS

SLAUGHTERHOUSE

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.

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

KILLING ELSEWHERE THAN IN A SLAUGHTERHOUSE OR KILLING ESTABLISHMENT FOR PURPOSES OTHER THAN HUMAN CONSUMPTION

Includes:

- killing surplus chicks in hatchery waste
- killing of animals by their owner or third party on behalf of owner for purpose other than private domestic consumption

| WELFARE REQUIREMENT | Killing establishments (existing) | Killing establishments (new) | Killing elsewhere than in a slaughterhouse or killing establishment | Depopulation (for public health, animal health, animal welfare or environmental reasons) (with no derogation from Reg 1099 requirements) |
|--|--------------------------------------|---------------------------------|---|---|
| CHAPTER II (GENERAL REQUIREMENTS) | | | | |
| Article 3(1) - general prohibition – avoidable pain etc | ✓ | ✓ | ✓ | ✓ |
| Article 3(2) - necessary measures to prevent suffering | ✓ | ✓ | ✓ | ✓ |
| Article 3(3) - design, construction, operation of facilities | ✓ | ✓ | ✓ | ✓ |
| Article 4(1) – stunning methods | ✓ | ✓ | ✓ | ✓ |
| Article 4(4) – religious slaughter | Prohibited | Prohibited | Prohibited | Prohibited |
| Article 5(1) – checks on stunning | ✓ | ✓ | ✓ | ✓ |
| Article 5(2) – checks during religious slaughter | Prohibited | Prohibited | Prohibited | Prohibited |
| Article 6(1), (2) and (4) - SOPs | ✓ | ✓ | ✓ | ✓ |
| Article 7(1) – level of competence | ✓ | ✓ | ✓ | ✓ |
| Article 7(2) – certificates of competence | n/a | n/a | n/a | n/a |

| WELFARE REQUIREMENT | Killing establishments (existing) | Killing establishments (new) | Killing elsewhere than in a slaughterhouse or killing establishment | Depopulation (for public health, animal health, animal welfare or environmental reasons) (with no derogation from Reg 1099 requirements) |
|---|--|--|--|---|
| <p>Stricter national rule Certificates of competence required for following operations where animal killed for purpose other than human consumption:</p> <ul style="list-style-type: none"> a) handling and care of animals b) restraint of animals c) stunning of animals d) assessment of effective stunning e) shackling or hoisting of live animals f) bleeding of live animals | <p>✓ NR for operations (b),(c), (d) and (f)</p> <p>✓ NR for operations (a) and (e)</p> | <p>✓ NR for operations (b),(c), (d) and (f)</p> <p>✓ NR for operations (a) and (e)</p> | <p>✓ NR for operations (b),(c), (d) and (f)</p> <p>✓ NR for operations (a) and (e)</p> | n/a |
| <p>Stricter national rule - certificates of competence for pithing a stunned animal</p> | ✓ NR | ✓ NR | ✓ NR | n/a |
| <p>Article 8 – manufacturers’ instructions for equipment</p> | n/a | n/a | n/a | n/a |
| <p>Article 9(1) – maintaining restraining/stunning equipment</p> | ✓ | ✓ | ✓ | ✓ |
| <p>Article 9(2) – back-up stunning equipment</p> | ✓ | ✓ | ✓ | ✓ |
| <p>Article 9(3) – restraining only when ready</p> | ✓ | ✓ | ✓ | ✓ |
| <p>Stricter national rule - All solipeds, ruminants, pigs, rabbits and birds must be restrained before killing in such a way to spare the animal avoidable pain, suffering or distress</p> | ✓ NR | ✓ NR | ✓ NR only applies to animals killed by bleeding | ✓ NR only applies to animals killed by bleeding |

| WELFARE REQUIREMENT | Killing establishments (existing) | Killing establishments (new) | Killing elsewhere than in a slaughterhouse or killing establishment | Depopulation (for public health, animal health, animal welfare or environmental reasons) (with no derogation from Reg 1099 requirements) |
|---|-----------------------------------|------------------------------|---|---|
| <u>Stricter national rule</u> - Prohibition on stunning adult bovines in killing establishments unless restrained in stunning pen or head securely fastened | ✓ NR | ✓ NR | ✓ NR only applies to animals killed by bleeding | ✓ NR only applies to animals killed by bleeding |
| CHAPTER III (ADDITIONAL REQUIREMENTS APPLICABLE TO SLAUGHTERHOUSES) | | | | |
| Article 14(1) - compliance with Annex II | ✓ | ✓ | n/a | n/a |
| Article 14(2) – provision of certain information | n/a | n/a | n/a | n/a |
| Article 15(1) – compliance with Annex III | ✓ | ✓ | n/a | n/a |
| Article 15(2) – restraint during religious slaughter | Prohibited | Prohibited | Prohibited | Prohibited |
| Article 15(3) – prohibition on restraining methods | ✓ | ✓ | ✓ NR only applies to animals killed by bleeding | ✓ NR only applies to animals killed by bleeding |
| Article 16(1) and (2) – monitoring procedures | ✓ | ✓ | n/a | n/a |
| Article 16(3) – monitoring slaughter lines | ✓ | ✓ | n/a | n/a |
| Article 16(4) – frequency of checks | ✓ | ✓ | n/a | n/a |
| Article 17 – designation of AWO and requirement for AWO to have CoC | ✓ | ✓ | n/a | n/a |
| CHAPTER IV (EMERGENCY KILLING) | | | | |

| WELFARE REQUIREMENT | Killing establishments (existing) | Killing establishments (new) | Killing elsewhere than in a slaughterhouse or killing establishment | Depopulation (for public health, animal health, animal welfare or environmental reasons) (with no derogation from Reg 1099 requirements) |
|--|--|-------------------------------------|--|---|
| Article 19 – emergency killing | ✓ | ✓ | ✓ | ✓ |
| CHAPTER V (COMPETENT AUTHORITY REQUIREMENTS) | | | | |
| Article 21 (5) – Requirement for a temporary certificates of competence. (Subject to exemptions) | ✓ | ✓ | ✓ | n/a |
| Article 21(6) – Written declaration of EU or national welfare offences committed in last 3 years on application for CoC | ✓ | ✓ | ✓ | n/a |
| <u>Stricter national rule</u> Applicants to declare all EU or national welfare offences convicted of on application for CoC (not just those committed in last 3 years) | ✓ NR | ✓ NR | ✓ NR | n/a |
| <u>Stricter national rule</u> Applicants must be fit and proper person to hold a CoC | ✓ NR | ✓ NR | ✓ NR | n/a |
| ANNEX I, CHAP II (STUNNING METHODS) | | | | |
| Table 1 (Mechanical methods) | | | | |
| 1. Penetrative captive bolt (all species) | ✓ | ✓ | ✓ | ✓ |
| 2. Non-penetrative captive bolt (ruminants, poultry, rabbits, | ✓ only poultry, rabbits, | ✓ only poultry, rabbits, hares | ✓ only poultry, rabbits, | ✓ only poultry, rabbits, hares |
| 3. Firearm with free projectile (all species) | ✓ | ✓ | ✓ | ✓ |

| WELFARE REQUIREMENT | Killing establishments (existing) | Killing establishments (new) | Killing elsewhere than in a slaughterhouse or killing establishment | Depopulation (for public health, animal health, animal welfare or environmental reasons) (with no derogation from Reg 1099 requirements) |
|--|--|-------------------------------------|--|---|
| 4. Maceration (chicks up to 72 hours and egg embryos) | n/a | n/a | ✓ | ✓ |
| 5. Cervical dislocation (poultry up to 5kg) | ✓ <i>back up only</i> | ✓ <i>back up only</i> | ✓ <i>back up only</i> | ✓ <i>back up only</i> |
| 6. Percussive blow to the head (piglets, lambs, kids, rabbits, hares, fur animals, poultry up to 5kg live weight) | ✓ | ✓ | ✓ | ✓ |
| Table 2 (Electrical methods) | | | | |
| 1. Head-only electrical stunning (all species) | ✓ | ✓ | ✓ | ✓ |
| 2. Head-to-body electrical stunning (all species) | ✓ | ✓ | ✓ | ✓ |
| 3. Electrical waterbath (poultry only) | ✓ | ✓ | ✓ | ✓ |
| Table 3 (Gas methods) | | | | |
| 1. Carbon dioxide at high concentration (pigs, mustelids, chinchillas, poultry (except duck and geese)) | ✓ | ✓ | ✓ | ✓ |
| 2. Carbon dioxide in two phases (pigs and poultry only) | ✓ | ✓ | ✓ | ✓ |
| 3. Carbon dioxide with inert gases (pigs and poultry only) | ✓ | ✓ | ✓ | ✓ |
| 4. Inert gases (pigs and poultry only) | ✓ | ✓ | ✓ | ✓ |
| 5. Carbon monoxide (pure) (fur animals, poultry and piglets) | ✓ | ✓ | ✓ | ✓ |
| 6. Carbon monoxide with other gases (fur animals, poultry and piglets) | ✓ | ✓ | ✓ | ✓ |
| Table 2 (Other methods) | | | | |

| WELFARE REQUIREMENT | Killing establishments (existing) | Killing establishments (new) | Killing elsewhere than in a slaughterhouse or killing establishment | Depopulation (for public health, animal health, animal welfare or environmental reasons) (with no derogation from Reg 1099 requirements) |
|---|--------------------------------------|---------------------------------|---|---|
| 1. Lethal injection Only prohibited for slaughter – can be used in a slaughterhouse to kill injured animals in an emergency if animal does not enter food chain | ✓ | ✓ | ✓ | ✓ |
| ANNEX I, CHAP II (STUNNING METHODS – SPECIFIC REQUIREMENTS) | | | | |
| s.1 non-penetrative captive bolt (all species) | ✓ | ✓ | ✓ | ✓ |
| s.2 maceration (chicks up to 72 hours and egg embryos) | n/a | n/a | ✓ | ✓ |
| s.3 cervical dislocation (poultry up to 5kg lw) | ✓ back up only | ✓ back up only | ✓ back up only | ✓ back up only |
| Stricter national rule (cervical dislocation of chicks in hatchery waste) Chicks less than 72 hours should not be killed by cervical dislocation unless the dislocation is accompanied by severance of the spinal cord and blood vessels in the chicks' neck. | n/a | n/a | ✓ NR | ✓ NR |
| s.4 head-only electrical stunning (all species) | ✓ | ✓ | ✓ | ✓ |
| s.5 head to body stunning (all species) | ✓ | ✓ | ✓ | ✓ |
| s.6 water bath stunning (poultry only) | ✓ | ✓ | ✓ | ✓ |

| WELFARE REQUIREMENT | Killing establishments (existing) | Killing establishments (new) | Killing elsewhere than in a slaughterhouse or killing establishment | Depopulation (for public health, animal health, animal welfare or environmental reasons) (with no derogation from Reg 1099 requirements) |
|--|--------------------------------------|---------------------------------|---|---|
| <p>Stricter national rule (poultry only)</p> <p>No person may use a water bath stunner unless the level of the water in the water bath has been adjusted in order to ensure there is good contact with the bird's head and the water bath is adequate in size and depth for type of bird being slaughtered</p> | ✓ NR | ✓ NR | ✓ NR only applies to animals killed by bleeding | ✓ NR only applies to animals killed by bleeding |
| <p>s.7 CO2 at high concentration (pigs, mustelids, chinchillas, poultry (except duck and geese))</p> | ✓ | ✓ | ✓ | ✓ |
| <p>s.8 CO2, inert gases or combination (pigs and poultry only)</p> | ✓ | ✓ | ✓ | ✓ |
| <p>s.9 carbon monoxide (fur animals, poultry and piglets)</p> | ✓ | ✓ | ✓ | ✓ |
| <p>Stricter national rule (penetrative captive bolt) - Prohibition on using captive bolt instrument to stun except where (a) instrument positioned to ensure projectile enters cerebral cortex and (b) correct strength of cartridge or other propellant is used in accordance with manufacturers' instructions</p> <p>Bolt on captive bolt instrument must be retracted to its full extent after each shot and if it is not so retracted, must not be used again until it has been repaired.</p> | ✓ NR | ✓ NR | ✓ NR only applies to animals killed by bleeding | ✓ NR only applies to animals killed by bleeding |
| <p>Stricter national rule (penetrative captive bolt) - Prohibition on shooting bovine animal in back of the head</p> | ✓ NR | ✓ NR | ✓ NR only applies to animals killed by bleeding | ✓ NR only applies to animals killed by bleeding |

| WELFARE REQUIREMENT | Killing establishments (existing) | Killing establishments (new) | Killing elsewhere than in a slaughterhouse or killing establishment | Depopulation (for public health, animal health, animal welfare or environmental reasons) (with no derogation from Reg 1099 requirements) |
|---|--------------------------------------|---------------------------------|---|---|
| Stricter national rule (penetrative captive bolt) - Prohibition on shooting goat or sheep in back of head unless horns prevents front of head being used and (a) shot is placed immediately behind base of horns and aimed towards mouth and sheep/goat killed within 15 seconds of shooting. | ✓ NR | ✓ NR | ✓ NR only applies to animals killed by bleeding | ✓ NR only applies to animals killed by bleeding |
| Stricter national rule (penetrative and non-penetrative captive bolt) Bolt on captive bolt instrument must be retracted to its full extent after each shot and if it is not so retracted, must not be used again until it has been repaired. | ✓ NR | ✓ NR | ✓ NR only applies to animals killed by bleeding | ✓ NR only applies to animals killed by bleeding |
| ANNEX II (LAYOUT, CONSTRUCTION AND EQUIPMENT OF SLAUGHTERHOUSES) | | | | |
| All lairage facilities | | | | |
| s1.1 – appropriate ventilation systems taking into account expected weather conditions | ✓ from 8/12/19 | ✓ | n/a | n/a |
| s1.2 – alarm and emergency back-up facilities in event of breakdown of mechanical ventilation | ✓ from 8/12/19 | ✓ | n/a | n/a |
| s1.3 – design and construction of lairage facilities to minimise sudden noise and injuries to animals | ✓ from 8/12/19 | ✓ | n/a | n/a |
| s1.4 – design and construction of lairage facilities to facilitate inspection. Adequate lighting (fixed or portable). | ✓ from 8/12/19 | ✓ | n/a | n/a |
| Stricter national rule - lairages must have suitable equipment for tethering animals | ✓ NR | ✓ NR | n/a | n/a |

| WELFARE REQUIREMENT | Killing establishments (existing) | Killing establishments (new) | Killing elsewhere than in a slaughterhouse or killing establishment | Depopulation (for public health, animal health, animal welfare or environmental reasons) (with no derogation from Reg 1099 requirements) |
|---|--------------------------------------|---------------------------------|---|---|
| Stricter national rule - lairages must have suitable mangers, racks for feeding animals, readily accessible and unable to be fouled | ✓ NR | ✓ NR | n/a | n/a |
| Lairage facilities for animals not delivered in containers | | | | |
| s 2.1 – design of pens, passageways and races | ✓ from 8/12/19 | ✓ | n/a | n/a |
| s 2.2 – ramps and bridges | ✓ from 8/12/19 | ✓ | n/a | n/a |
| s 2.3 – water supply system | ✓ from 8/12/19 | ✓ | n/a | n/a |
| s 2.4 – waiting pens | ✓ from 8/12/19 | ✓ | n/a | n/a |
| s 2.5 - floors | ✓ from 8/12/19 | ✓ | n/a | n/a |
| s2.6 – field lairages | ✓ from 8/12/19 | ✓ | n/a | n/a |
| Stricter national rule - field lairages must be maintained to ensure animals not subject to physical, chemical or other health hazards | ✓ NR | ✓ NR | n/a | n/a |
| Stricter national rule - field lairages must have adequate lighting (fixed or portable) for inspection | ✓ NR | ✓ NR | n/a | n/a |
| Stricter national rule - field lairages must have suitable equipment for tethering animals | ✓ NR | ✓ NR | n/a | n/a |

| WELFARE REQUIREMENT | Killing establishments (existing) | Killing establishments (new) | Killing elsewhere than in a slaughterhouse or killing establishment | Depopulation (for public health, animal health, animal welfare or environmental reasons) (with no derogation from Reg 1099 requirements) |
|--|--------------------------------------|---------------------------------|---|---|
| <u>Stricter national rule</u> - field lairages must have suitable mangers, racks for feeding animals, readily accessible and unable to be fouled | ✓ NR | ✓ NR | n/a | n/a |
| <i>Restraining equipment and facilities</i> | | | | |
| s3.1 – design and maintenance of restraining equipment | ✓ from 8/12/19 | ✓ | n/a | n/a |
| s 3.2 – restraining boxes when used with captive bolt | ✓ from 8/12/19 | ✓ | n/a | n/a |
| <i>Electrical stunning equipment</i> | | | | |
| s4.1 – electrical stunning equipment | ✓ from 8/12/19 | ✓ | n/a | n/a |
| s4.2 – automatic electrical stunning equipment | ✓ from 8/12/19 | ✓ | n/a | n/a |
| <i>Waterbath stunning equipment</i> | | | | |
| s5.1 – design of shackle lines | ✓ from 8/12/19 | ✓ | n/a | n/a |
| s5.2 – time limits for suspending birds from shackles | ✓ from 8/12/19 | ✓ | n/a | n/a |
| s5.3 – accessibility to shackle line | ✓ from 8/12/19 | ✓ | n/a | n/a |
| s5.4 – size and shape of metal shackles | ✓ from 8/12/19 | ✓ | n/a | n/a |
| s5.5 – electrically insulated entry ramp | ✓ from 8/12/19 | ✓ | n/a | n/a |
| s5.6 – design of waterbath to ensure level of immersion | ✓ from 8/12/19 | ✓ | n/a | n/a |
| s5.7 – electrodes in waterbath | ✓ from 8/12/19 | ✓ | n/a | n/a |

| WELFARE REQUIREMENT | Killing establishments (existing) | Killing establishments (new) | Killing elsewhere than in a slaughterhouse or killing establishment | Depopulation (for public health, animal health, animal welfare or environmental reasons) (with no derogation from Reg 1099 requirements) |
|--|--------------------------------------|---------------------------------|---|---|
| s5.8 – system in contact with breast of birds | ✓ from 8/12/19 | ✓ | n/a | n/a |
| s5.9 – access to waterbath | ✓ from 8/12/19 | ✓ | n/a | n/a |
| s5.10 – device to display electrical key parameters | ✓ from 8/12/19 | ✓ | n/a | n/a |
| Gas stunning equipment for pigs and poultry | | | | |
| s 6.1 – design and build of gas stunners to (a) optimise stunning by gas; (b) prevent injury or contusions; (c) minimise struggle and vocalisation. | ✓ from 8/12/19 | ✓ | ✓ | ✓ |
| s6.2 – gas stunner equipped to measure continuously, display and record gas concentrations and time of exposure and to give clear, visible and audible warning if gas concentrations fall below required level. Device placed to be clearly visible to personnel. | ✓ from 8/12/19 | ✓ | ✓ | ✓ |
| s6.3 – gas stunner to be designed to ensure animals can lie down without being stacked on top of each other (even at maximum throughput) | ✓ from 8/12/19 | ✓ | ✓ | ✓ |
| Stricter national rule (gas stunning of pigs) (only for gas mixtures 1 and 3) – gas stunning equipment designed, constructed and maintained to enable pigs to remain upright until they are unconscious and to enable pigs to see each other as they are conveyed into the chamber. | ✓ NR | ✓ NR | n/a | n/a |
| Stricter national rule (gas stunning of pigs) (only gas mixtures 1 and 3) gas stunning equipment to have adequate lighting in conveying mechanism to allow pigs to see other pigs or their surroundings. | ✓ NR | ✓ NR | n/a | n/a |

| WELFARE REQUIREMENT | Killing establishments (existing) | Killing establishments (new) | Killing elsewhere than in a slaughterhouse or killing establishment | Depopulation (for public health, animal health, animal welfare or environmental reasons) (with no derogation from Reg 1099 requirements) |
|--|--------------------------------------|---------------------------------|---|---|
| <u>Stricter national rule</u> (gas stunning of pigs) (only gas mixtures 1 and 3) gas stunning equipment to have apparatus which maintains the required concentration by volume of carbon dioxide in gas mixture. | ✓ NR | ✓ NR | n/a | n/a |
| <u>Stricter national rule</u> (gas stunning of birds) (only gas mixtures 1, 3 and 4) – gas stunning equipment fitted with (a) apparatus that can deliver the gas mixture in accordance with the requirements in Annex 1; and (b) a means of visually monitoring the birds. | ✓ NR | ✓ NR | n/a | n/a |
| <u>Stricter national rule</u> (gas stunning of birds) (only gas mixtures 1, 3 and 4) there's a means of flushing the gas stunning equipment with atmospheric air with minimum delay. | ✓ NR | ✓ NR | n/a | n/a |
| <u>Stricter national rule</u> – (gas stunning of birds) (only gas mixtures 1, 3 and 4) there's a means of access to the bird with minimum delay. | ✓ NR | ✓ NR | n/a | n/a |
| <u>Stricter national rule - Facilities for horses</u> | | | | |
| Separate room to be provided for killing horses | ✓ NR | ✓ NR | n/a | n/a |
| Loose box provided in lairage for horses | ✓ NR | ✓ NR | n/a | n/a |
| ANNEX III (OPERATIONAL RULES FOR SLAUGHTERHOUSES) | | | | |
| <i>Arrival, moving and handling of animals</i> | | | | |
| s1.1 – systematic assessment of welfare on arrival | ✓ | ✓ | n/a | n/a |

| WELFARE REQUIREMENT | Killing establishments (existing) | Killing establishments (new) | Killing elsewhere than in a slaughterhouse or killing establishment | Depopulation (for public health, animal health, animal welfare or environmental reasons) (with no derogation from Reg 1099 requirements) |
|---|--------------------------------------|---------------------------------|---|---|
| s1.2 - - Animals to be unloaded and slaughtered without delay - Mammals to be lairaged where not slaughtered asap. - Animals not slaughtered within 12 hrs to be fed and given moderate amounts of food at appropriate intervals | ✓ | ✓ | n/a | n/a |
| <u>Stricter national rule</u> - animals protected from adverse weather/given adequate ventilation during unloading process | ✓ NR | ✓ NR | n/a | n/a |
| <u>Stricter national rule</u> - animals protected from adverse weather and given adequate ventilation after unloading | ✓ NR | ✓ NR | n/a | n/a |
| <u>Stricter national rule</u> - animals subjected to high temperatures in humid weather are cooled by appropriate means | ✓ NR | ✓ NR | n/a | n/a |
| <u>Stricter national rule</u> - animals which might injure each other are kept/lairaged apart | ✓ NR | ✓ NR | n/a | n/a |
| <u>Stricter national rule</u> - sufficient quantity of wholesome food provided to animals on arrival, and twice daily thereafter (except within 12 hours of animal being killed) | ✓ NR | ✓ NR | n/a | n/a |
| <u>Stricter national rule</u> - food provided to animals without unnecessary disturbance | ✓ NR | ✓ NR | n/a | n/a |
| s1.5 – vulnerable animals given priority | ✓ | ✓ | n/a | n/a |

| WELFARE REQUIREMENT | Killing establishments (existing) | Killing establishments (new) | Killing elsewhere than in a slaughterhouse or killing establishment | Depopulation (for public health, animal health, animal welfare or environmental reasons) (with no derogation from Reg 1099 requirements) |
|---|--------------------------------------|---------------------------------|---|---|
| s1.6 – availability of drinking water from appropriate facilities at all times | ✓ | ✓ | n/a | n/a |
| s1.7 – steady supply of animals for killing | ✓ | ✓ | n/a | n/a |
| s1.8 – Prohibition to: -strike, kick animals -apply pressure to sensitive parts - lift, drag animals by the head, ears, horns, legs (except poultry, rabbits, hares), tail, fleece | ✓ | ✓ | ✓ only applies to animals killed by bleeding | ✓ only applies to animals killed by bleeding |
| Stricter national rule - prohibition on dragging stunned/killed animals over those which haven't been stunned or killed | ✓ NR | ✓ NR | ✓ NR only applies to animals killed by bleeding | ✓ NR only applies to animals killed by bleeding |
| s1.9 – use of instruments which administer shocks Operational rules – bleeding of animals | ✓ | ✓ | ✓ only applies to animals killed by bleeding | ✓ only applies to animals killed by bleeding |
| s1.10 – prohibitions and requirements on tying animals | ✓ | ✓ | ✓ only applies to animals killed by bleeding | ✓ only applies to animals killed by bleeding |
| s1.11 – animals unable to walk | ✓ | ✓ | ✓ only applies to animals killed by bleeding | ✓ only applies to animals killed by bleeding |

| WELFARE REQUIREMENT | Killing establishments (existing) | Killing establishments (new) | Killing elsewhere than in a slaughterhouse or killing establishment | Depopulation (for public health, animal health, animal welfare or environmental reasons) (with no derogation from Reg 1099 requirements) |
|---|-----------------------------------|------------------------------|---|---|
| Stricter national rule - sick/disabled animals are kept apart from those which aren't sick/disabled | ✓ NR | ✓ NR | n/a | n/a |
| Additional rules for mammals in lairage (except rabbits and hares) | | | | |
| s2.1 – space for animals to stand, lie down and turn | ✓ | ✓ | n/a | n/a |
| s2.2 – animals to be kept securely in lairage | ✓ | ✓ | n/a | n/a |
| s2.3 – sign indicating date and time of arrival | ✓ | ✓ | n/a | n/a |
| s2.4 – preparation of isolation pens | ✓ | ✓ | n/a | n/a |
| s2.5 – regular inspection of health of animals | ✓ | ✓ | n/a | n/a |
| Bleeding of animals | | | | |
| s3.1 – operations to be carried out on one animal at a time | ✓ | ✓ | n/a | n/a |
| s3.2 – electrical stimulation/ further dressing and scalding | ✓ | ✓ | n/a | n/a |
| Stricter national rule electrical stimulation/further dressing and scalding only permitted after certain time periods | ✓ NR | ✓ NR | n/a | n/a |
| s3.3 – prohibition on automatic neck cutters unless can ascertain whether both carotids cut. | ✓ | ✓ | n/a | n/a |
| Stricter national rules on religious slaughter | Prohibited | Prohibited | Prohibited | Prohibited |

Transitional provisions applicable until 8th December 2019

| Welfare requirement - transitional provisions | Killing establishments (existing) | Killing establishments (new) | Killing elsewhere than in a slaughterhouse or killing establishment | Depopulation (for public health, animal health, animal welfare or environmental reasons) (assuming no derogation from Reg 1099 requirements under Article 18(3)) |
|---|-----------------------------------|------------------------------|---|---|
| Suitable equipment/facilities for unloading animals | ✓ until 8/12/19 | n/a | n/a | n/a |
| Unloading equipment has non-slip floor and lateral protection | ✓ until 8/12/19 | n/a | n/a | n/a |
| Bridge, ramp, gangways fitted with sides, railings etc | ✓ until 8/12/19 | n/a | n/a | n/a |
| Exit and entry ramps have minimum possible incline | ✓ until 8/12/19 | n/a | n/a | n/a |
| Construction of passageways to minimise injury/take account of gregarious tendencies of animals | ✓ until 8/12/19 | n/a | n/a | n/a |
| Sufficient number of pens for adequate lairaging/protection from adverse weather conditions | ✓ until 8/12/19 | n/a | n/a | n/a |
| Lairages have non-slip floors/prevent injury | ✓ until 8/12/19 | n/a | n/a | n/a |
| Lairages have adequate ventilation | ✓ until 8/12/19 | n/a | n/a | n/a |
| Lairages have back-up ventilation | ✓ until 8/12/19 | n/a | n/a | n/a |
| Lairages have adequate lighting (fixed or portable) to enable inspection of animals | ✓ until 8/12/19 | n/a | n/a | n/a |
| Lairages have adequate drinking facilities | ✓ until 8/12/19 | n/a | n/a | n/a |

| Welfare requirement - transitional provisions | Killing establishments (existing) | Killing establishments (new) | Killing elsewhere than in a slaughterhouse or killing establishment | Depopulation (for public health, animal health, animal welfare or environmental reasons) (assuming no derogation from Reg 1099 requirements under Article 18(3)) |
|---|-----------------------------------|------------------------------|---|---|
| Lairages have adequate supply of bedding material (unless they have slat or mesh floor) | ✓ until 8/12/19 | n/a | n/a | n/a |
| Field lairages have appropriate protection against adverse weather conditions | ✓ until 8/12/19 | n/a | n/a | n/a |
| Field lairages have adequate drinking facilities | ✓ until 8/12/19 | n/a | n/a | n/a |
| Electrical stunning equipment (electrodes) have device to measure load and audible or visible device to measure time of current | ✓ until 8/12/19 | n/a | n/a | n/a |
| Gas stunning equipment for pigs and poultry –chamber fitted with devices to measure gas concentrations and give warning signals | ✓ until 8/12/19 | n/a | n/a | n/a |

Annex 7 - Consultation Questions

Standard Operating Procedures (Paragraph 16)

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?

Cervical dislocation (Paragraph 16)

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?

Competent authority (Paragraphs 20 – 25)

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

Certificates of Competence (Paragraphs 26 – 56)

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

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

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?

National rules (Paragraphs 57 – 88)

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

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?

Consultation question 9. Is there a welfare case for retaining other WASK measures identified at Annex 3 through national rules - which measures do you consider should be retained and what is the welfare justification for each?

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

National rules under Article 26(2) (Paragraphs 89 – 99)

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?

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?

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?

Depopulation (Paragraphs 100 - 101)

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

Offences and Penalties (Paragraphs 102 – 106)

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

Enforcement (Paragraphs 107 – 110)

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

Powers of Entry (Paragraphs 111 – 116)

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?

Appeals (Paragraphs 117 – 121)

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?

Transitional Measures (Paragraphs 122 – 123)

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

CCTV and monitoring (Paragraphs 126 – 131)

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

Any other comments

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

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

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

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