This leaflet is intended to identify and provide guidance on significant changes to the previous legal requirements for the protection of animals at the time of slaughter or killing. Regulation 1099/2009 makes provision for Member States to maintain existing national welfare standards where those standards currently exceed the minimum required by the Regulation, and to introduce higher standards in relation to religious slaughter, slaughter of farmed game, and slaughter outside a slaughterhouse. The relevant UK authorities have announced that they intend to maintain all existing national rules that go beyond Regulation 1099/2009. The new Regulation covers the killing of animals bred or kept for the production of food, wool, skin, fur or other products, as well as for the purpose of depopulation and related operations. However, it does not cover the killing of these animals in an emergency outside of a slaughterhouse, or where compliance with those provisions would result in an immediate and serious risk for human health or safety. Also excluded from the Regulation are animals killed: (1) during authorised scientific experiments; (2) during hunting or recreational fishing activities; and (3) during cultural or sporting events. In addition the regulation does not apply to the killing of poultry, rabbits and hares outside of a slaughterhouse by their owner for private domestic consumption.
All Processors

A. Standard Operating Procedures  All food business operators must prepare and implement Standard Operating Procedures (SOP) [Article 6]. Many operators already have written SOPs in place, but it will be necessary to check that these meet the requirements of the new Regulation. In particular the Regulation requires that in the case of stunning the SOP must take into account the equipment manufacturer’s recommendations; define for each stunning method its effectiveness to stun animals; and specify what actions must be taken in the case of an ineffective stun. Business operators may use the SOP included in the guides to good practice published by organisations of business operators (eg British Poultry Council, British Meat Processors’ Association, etc) or Defra. The SOP must be made available to the competent authority (Defra) upon request and the competent authority can require these to be amended [Article 22, 1a].

B. Certificate of Competence  All persons working with live animals (including lairage staff and those hanging-on live poultry) in a slaughterhouse must hold an approved Certificate of Competence (CoC) [Article 7]. At present only those involved in the stunning, slaughter or killing, pithing, shackling or hoisting, and bleeding of any animal that is not dead require a slaughterman’s licence. From 1 January 2013 all those involved in the care and handling of animals in the lairage, and those involved in the restraint of animals prior to stunning will be required to hold an approved Certificate of Competence.

C. Restraining and Stunning Equipment  Business operators must ensure all restraining and stunning equipment is checked and maintained in accordance with the manufacturer’s instructions by trained personnel [Article 9]. This only applies when the manufacturer’s instructions are available and does not extend to restraining and stunning equipment already installed when such instructions are not available. The current legislation (WASK) requires that stunning/restraining equipment is maintained in good working order so as to facilitate rapid and effective stunning, and this will still be required.

D. Equipment Maintenance  A maintenance record for all restraining and stunning equipment must be kept and the records retained for at least one year [Article 9]. The current legislation does not require that a maintenance record is kept for restraining and stunning equipment, although it is likely that many business operators already keep such records for their own information.

E. Gas Stunning Equipment  Gas stunning equipment must continually measure, display and record gas concentration and length of exposure. It must be clearly visible to the operator of the equipment and give a visual and audible warning if the gas concentration falls below the required level. The records must be kept for at least one year [Annex II, Article 6.2]. WASK currently specifies the same requirements except for the need to record gas concentration and length of exposure. Current gas systems will therefore need to comply with these requirements by 8 December 2019, unless prior to that date there are changes to the layout of the slaughterhouse, new construction or the installation of new equipment any or all of which relate to the gas stunning equipment. In that situation operators will be required to comply with the requirement for recording equipment at the time these changes become operational unless this is before 1 January 2013. New slaughterhouses will have to comply with this requirement.

F. Electrical Stunning Equipment  Business operators must ensure that all electrical stunning equipment used in slaughterhouses is fitted with an instrument which displays and records the details of key electrical parameters for each animal stunned. The instrument must be clearly visible to the

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operator of the equipment and give a visual and audible warning if the length of exposure falls below the required level. The records must be kept for at least one year [Annex II, Article 4.1]. WASK requires that all electrodes used for stunning are connected to a device which indicates the voltage and current under load and which is clearly visible to the operator. The Regulation will require all electrical stunning equipment (except waterbath stunning equipment) to record the details of key electrical parameters. However, operators will have until 8 December 2019 to install equipment capable of recording and storing the required data, unless they make changes to the layout of the slaughterhouse; engage in any new construction or purchase new equipment, any or all of which relate to the electrical stunning equipment. In that case they will be required to comply with the requirement for equipment capable of storing the required data when these changes occur, unless these changes became operational before 1 January 2013.

G. Monitoring Procedures  Business operators will introduce and implement monitoring procedures in slaughterhouses [Article 16]. Many business operators will already have in place monitoring systems to ensure animal welfare standards are maintained and, as long as these meet the minimum requirements laid down in Article 16, they may continue to use them. Those without monitoring systems in place may implement systems described in the guides to good practice mentioned below.

H. Animal Welfare Officer  Business operators will appoint at least one Animal Welfare Officer (AWO) for every slaughterhouse slaughtering over 1000 livestock units of mammals or 150,000 birds or rabbits/year [Article 17]. An adult bovine animal or equid constitutes one livestock unit. The method for calculating the total number of livestock units killed in a slaughterhouse handling various species of farmed mammals is given in Article 17 (6) of the Regulation. The AWOS will be under the direct authority of the business operator to whom they will report directly on matters relating to the welfare of the animals. The AWO will have the authority to require all slaughterhouse employees to carry out any remedial actions necessary to ensure compliance with the Regulation, and will keep a record of all actions taken to improve animal welfare. This record must be retained for at least one year and made available to the competent authority upon request.

I. Certificate of Competence  Business operators must ensure AWOS have a Certificate of Competence (CoC) for every activity for which they are responsible [Article 17(4)]. Many slaughterhouses already have AWOS in place, some of whom will have attended AWO training courses run by external providers (eg Bristol University). However, from 1 January 2013 all AWOS will be required to hold a Certificate of Competence (as referred to in B above), issued by an approved provider for all the operations for which they are responsible in the slaughterhouse (eg certificates in lairaging, restraining, stunning, etc). However see D in section Competent Authority below.

J. Cervical Dislocation/Percussive Blow  The Regulation says that no one may kill more than 70 animals per day by manual cervical dislocation, or by a percussive blow to the head, and no animal weighing more than 5 kg live weight shall be killed in this way [Annex 1, Chapter 1, Table 1(5) and 1(6) and Chapter II Article 3]. These methods shall not be used in a slaughterhouse except as a back-up method for stunning [Chapter II, Article 3]. In addition Article 3, Chapter II states that manual cervical dislocation shall not be used on animals of more than 3 kg live weight. Only poultry up to 5 kg live weight may be killed by mechanical cervical dislocation but there is no limit on the number which may be killed by this method. It is not specified in the Regulation what constitutes mechanical cervical dislocation. None of these methods of killing animals is best practice and where possible should only be used in an emergency.

K. Carotid Arteries  In the case of any stunning method which does not result in the instantaneous death of the animal (referred to as simple stunning in the Regulation), both carotid arteries, or the vessels from which they arise, will be systematically severed [Annex III, Article 3.2].
Red Meat Processors

A. Back-up Equipment  Business operators must ensure that, during stunning, appropriate back-up equipment is immediately available at the point of stunning in case of equipment failure [Article 9]. The current legislation does not require that back-up equipment is immediately available at the point of stunning, but must be ‘kept at the site within the slaughterhouse where stunning, slaughter or killing takes place’. In fact, and in compliance with best practice, back-up equipment is usually immediately available to the slaughterman.

B. Religious Slaughter  Business operators must ensure that all ruminants (ie sheep, goats and deer, in addition to bovines) slaughtered by a religious method (ie without stunning) are individually and mechanically restrained [Article 15]. Bovines are already required to be restrained upright in a mechanical restraining pen approved by the Minister. The new regulation will require sheep, goats and deer slaughtered by a religious method without stunning to be likewise individually restrained.

C. Non-penetrative Captive-Bolt  Business operators may only permit the use of a non-penetrative captive-bolt device on ruminants, rabbits and hares of less than 10 kg live weight. [Annex 1, Chapter II, Article 1]. Any producers currently using a non-penetrating captive-bolt on animals over 10 kg in weight will have to switch to the use of a penetrating captive-bolt, or some other method, from January 2013.

D. Constant Current  Automatic electrical stunning equipment associated with a restrainer must deliver a constant current [Annex II, Article 4.2]. The requirement to operate constant current stunning equipment does not come into effect for existing plants until 8 December 2019. However, should operators make changes to the layout of the slaughterhouse, undertake new construction or purchase new equipment, any or all of which relate to the automatic stunning equipment, they will be required to comply with the requirement for constant current stunning equipment at the time of these changes, unless these changes become operational before 1 January 2013. All new slaughterhouses will be required to comply.

E. Lairage  Business operators will ensure that each pen in the lairage has a sign indicating the date and time of arrival of the animals in the pen and the maximum number of animals to be kept in the pen. The Regulation requires field lairages have appropriate protection from adverse weather conditions and drinking facilities, but WASK requires that there be no physical, chemical or other health hazards, that suitable equipment for tethering animals is provided, there is adequate lighting and there are facilities for feeding animals. These requirements will remain in place.

White Meat Processors

A. Minimum Stunning Currents  Business operators must ensure that when head-only electrical stunning is applied, they use at least the designated minimum current for the species being stunned. (see Table 1 below), [Annex 1, Chapter II, Article 4.2]. For poultry stunned in a waterbath stunner the electrical requirements are given in Table 2 [Annex 1, Chapter II, Article 6.3].

Table 1. Minimum currents for head-only electrical stunning. (Average values per animal).

<table>
<thead>
<tr>
<th>Category of animals</th>
<th>Bovine animals of 6 months or older</th>
<th>Bovine animals less than 6 months</th>
<th>Animals of ovine and caprine species</th>
<th>Animals of porcine species</th>
<th>Chicken</th>
<th>Turkeys</th>
</tr>
</thead>
<tbody>
<tr>
<td>Minimum current</td>
<td>1.28 A</td>
<td>1.25 A</td>
<td>1.00 A</td>
<td>1.30 A</td>
<td>240 mA</td>
<td>400 mA</td>
</tr>
</tbody>
</table>
Table 2. Electrical requirements for waterbath stunning equipment. (Average values per animal).

<table>
<thead>
<tr>
<th>Frequency (Hz)</th>
<th>Chickens</th>
<th>Turkeys</th>
<th>Ducks and Geese</th>
<th>Quails</th>
</tr>
</thead>
<tbody>
<tr>
<td>≤ 200 Hz</td>
<td>100 mA</td>
<td>250 mA</td>
<td>130 mA</td>
<td>45 mA</td>
</tr>
<tr>
<td>From 200 to 400 Hz</td>
<td>150 mA</td>
<td>400 mA</td>
<td>Not permitted</td>
<td>Not permitted</td>
</tr>
<tr>
<td>From 400 to 1500 Hz</td>
<td>200 mA</td>
<td>400 mA</td>
<td>Not permitted</td>
<td>Not permitted</td>
</tr>
</tbody>
</table>

B. Hanging Times  Conscious birds may not be hung from a shackle line for more than one minute, except for ducks, geese and turkeys which may not be hung conscious for more than two minutes [Annex II, Article 5.2]. WASK (as amended) currently requires that no bird be hung for more than two minutes, apart from turkeys which may be hung for no longer than three minutes. Shackle lines which do not meet the new requirements will need to be shortened, but producers have until 8 December 2019 to make the changes unless they make changes to the layout of the slaughterhouse, undertake new construction or purchase new equipment, any or all of which relate to the shackle line. If they do, they will be required to comply with the new hanging on times at the time these changes become operational. They will not be required to comply until 8 December 2019 if these changes become operational before 1 January 2013.

C. Breast Comforter  All waterbath shackle lines must be equipped with a breast comforter [Annex II, Article 5.8]. A system in contact with the breast of the birds shall be built from the point of shackling until the birds enter the waterbath stunner in order to keep them calm. Many waterbath poultry processing plants will already have breast comforters installed. Those without breast comforters have until 8 December 2019 to install them, unless they make changes to the layout of the slaughterhouse, engage in any new construction or purchase new equipment, any or all of which relate to the shackle line. In that case they will be required to comply with the requirement for breast comforters at the time these changes become operational, unless they become operational before 1 January 2013.

Equipment Manufacturers

A. Sale of Restraining and Stunning Equipment  Products advertised or marketed as restraining or stunning equipment can only be sold if accompanied by detailed instructions for their use [Article 8]. This requirement applies to the manufacturers and/or retailers of restraining and stunning equipment, presumably both those within and outside the European Union, if they plan to advertise and/or sell their equipment within the EU, although this is not specified in the Regulation. The Regulation does not specify in what language or languages these instructions must be made available. It is assumed that as a minimum they must be in the language of the country within the EU in which they are being advertised and sold.

Competent Authority

A. Guides to Good Practice  Member States are required to encourage the development and dissemination of guides to good practice [Article 13]. Guides to good practice have been developed in the past by a number of organisations including Defra, charities eg HSA, trade associations eg British Poultry Council, producers groups eg Red Tractor, and supermarkets. Up to now these have not had a legal basis, although in the case of Government guidance, failure to adhere to these could be used in a court of law against an operator accused of infringing animal welfare law. In future the guides will be developed and disseminated by operators’ organisations in consultation with Defra and other interested parties. Defra and the devolved administrations will ensure that the guides are consistent with EU
guidelines. The new Regulation should result in standardised recommendations for best practice not only in the UK but throughout the EU, as the Commission will set up and run a registration system for all such guides, access to which will be made available to all Member States.

B. Provision of Training  Member States shall designate the competent authority for ensuring training courses are available for personnel involved in killing and related operations, and delivering certificates of competence [Article 21(1)]. It is understood, that for England, Defra currently intends to delegate the approval of training providers and courses to two organisations, namely Food and Drink Qualifications (FDQ) email: fdq@fdq.org.uk and Royal Society for Public Health (RSPH) www.rsph.org.uk. They will assess and approve organisations which apply to provide the required training, and ensure that they have the necessary staff, facilities, etc. to deliver the approved training courses. The devolved governments of Scotland, Wales and Northern Ireland will decide on the methods for delivering the approved training within their jurisdictions.

C. Issuing Certificates of Competence  The Member State may delegate the final examination and issuing of the certificate of competence to a separate body which must have the necessary expertise, staff and equipment and is free from any conflict of interest [Article 21 (2]). In England the FDQ and RSPH will be delegated to approve the organisations setting the final examination and awarding Qualification Certificates for completing the training. FDQ or RSPH will assess these organisations to ensure they have the necessary expertise, staff and equipment and do not have any conflict of interest. The Qualification Certificate will be submitted to the Food Standards Agency together with the required documentation and fee. The FSA will award a Certificate of Competence or write to the applicant giving reasons for the refusal to issue a CoC. As above, the devolved administrations will decide how they will comply with the requirements of Article 21.

D. CoC for Experienced Personnel  Member States may, until 8 December 2015, operate a simplified procedure for issuing CoCs to persons with at least 3 years (720 days) relevant professional experience [Article 29 (2)]. The person is deemed to have three years’ relevant experience if they have accrued 3 years (720 days) relevant work experience since 1 January 2008. Any days experience gained while working on a provisional licence is excluded. The relevant experience must have been accrued before 1 January 2013. The applicant must be able to demonstrate, with supporting evidence if appropriate, the experience relates to the relevant operation, the species of animal and the equipment for which a Certificate of Competence is sought.

E. Scientific Support  Member States will ensure that sufficient independent scientific support is available to assist the competent authorities in carrying out its responsibilities. This scientific support may be provided via a network but each Member State will identify a single contact point and make it publicly available via the internet. The contact point will be responsible for sharing technical and scientific information and best practices regarding the implementation of the Regulation with its counterparts in other Member States and with the Commission.

National Legislation

It is intended that national legislation will be introduced to maintain the existing requirements of WASK in those areas where Member States have competence, and where these provide more extensive protection for animals than those contained in Regulation 1099/2009. The legislation will be introduced separately in England, Scotland, Wales and Northern Ireland. It is the intention of the competent authorities that the legislation will be introduced prior to 1 January 2013. If that does not occur WASK will continue to be in force and the requirements of WASK will apply when these provide more extensive protection for animals than those in the Regulation.

Once the proposed national legislation is published we will provide further information on any new provisions likely to impact on operators.

Humane Slaughter Association
Defra have announced that 'The Welfare of Animals at the Time of Killing (England) Regulations 2013 (WATOK)' will not be brought into force on 1 January 2013 but sometime later in the year, but not before 1 July 2013. WASK will continue to apply in England until the new legislation is in place. The requirements of Regulation 1099/2009 will apply from 1 January 2013 with the following exceptions: (1) where an employee is undertaking for the first time a slaughter operation which currently requires a WASK licence they should apply for a provisional WASK licence in the usual way, rather than a certificate of competence; (2) Regulation 1099/2009 require those handling and caring for animals before restraining animals, those shackling and hoisting live animals and those killing animals by free bullet to have a certificate of competence. However, these operations do not require a licence under WASK, and until WATOK comes into force, employees working in these areas after 1 January 2013 will not be required to have either a WASK licence or a certificate of competence. It is not known when WATOK will be applied in Wales and Northern Ireland. In Scotland the Scottish Statutory Instrument 2012 No. 321 ‘The Welfare of Animals at the Time of Killing (Scotland) Regulation 2012’ came into effect on 1 January 2013. More information can be obtained from the relevant competent authorities in Wales, Scotland and Northern Ireland.

References


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