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Lille, June 12, 2017

**Subject:** Animal Welfare Consultation: Slaughter without stunning

Dear Mrs. Olivia BRAJTERMAN,

I thank you for undertaking this consultation on the animal welfare of animals subject to religious slaughter. As requested, I would like submit to you my comments and those of the National Prison Chaplain, Mr. M. Moulay El Hassan EL ALAOUI TALIBI, on your draft text on good practices for the killing of animals by *particular methods of slaughter prescribed by religious rites*. Also, I noted that the final text will be a resource for business operators and EU Member States to use in their efforts to improve animal welfare through training and support for animal welfare officers and slaughterhouse workers. Actually, it is central for me to support this work, as the head of both ASIDCOM and WMCO, the Muslim consumers' organizations in France and the EU, respectively. First, animal welfare is a priority for us and second, there is a real need to clarify the conditions for the use of religious slaughter to make sure that religious animal welfare requirements are respected.

Please allow me, first, to draw your attentions to a few inaccuracies in the introduction of the consultation:

First, you quote that *“The Regulation takes into account legislative or administrative provisions and customs of the Member States relating to religious rites. Accordingly, it provides exemptions to the obligation that “Animals shall be spared any avoidable pain, distress or suffering during their killing and related operations” (Art. 3).* This could lead to confusion among the people being consulted. The European regulation provides exemptions to the obligation that “Animals

shall only be killed after stunning in accordance with the methods and specific requirements related to the application of those methods set out in Annex I” (Art. 4), in the case of religious slaughter.

Second, I am disturbed by the contradiction between the title of the consultation “Slaughter without Stunning” and the solicitation of comments that suggest the need to stun before or after the religious slaughter. Sections such as “Post-cut stunning”, “Use of non-authorized methods of stunning – non-penetrative captive bolt” and “Electrical waterbath”... are totally inappropriate in this document. I will comment on this point in more detail below.

Please note that the comments I submit to you below are based, in part, on the following documents:

- The European Regulation n°1099/2009
- The religious references of CFCM for halal products (an English copy is being sent with this contribution)
- Our organization’s report about the French experience with regard to the use of guidelines for animal welfare and SOP.

1. **Basic rules: (cattle, sheep and goats, poultry)**

The European Regulation n°1099/2009 defines “killing” as “means of any intentionally induced process which causes the death of an animal”, and “slaughtering” by “means for killing of animals intended for human consumption”. Also, in Art. 4-1, it is highlighted that “Animals shall only be killed after stunning”. That is why we wonder if it is accurate to use the term “*slaughter without stunning*”, as the definition provided in the regulation requires that slaughter includes stunning. On the other hand, the European Regulation gives a clear definition of the special status of the religious slaughter of animals. In Art. 2, the “religious rite” is defined as “means a series of acts related to the slaughter of animals and prescribed by a religion”, and the religious slaughter is designated in Art. 4-4 by “particular methods of slaughter prescribed by religious rites”. So, given the above remarks and documents, please note our remarks and suggestions for your documents “*The Basis Rules*”:

- The title of the consultation should be “Animal Welfare Consultation: Religious Slaughter” rather than “*Animal Welfare Consultation: The Slaughter without Stunning*”
- The definition of “religious rites” should be given
- Include the wording of Art. 4.4 “In the case of animals subject to particular methods of slaughter prescribed by religious rites, the requirements of paragraph 1 shall not apply provided that the slaughter takes place in a slaughterhouse”, and highlight that the European regulations establish that derogation from stunning animals prior to slaughter is done to comply with the need to respect “the freedom of religion and the right to manifest religion or belief in worship, teaching, practice and observance, as enshrined in Article 10 of the Charter of Fundamental Rights of the European Union” paragraph 18.
- The phrase “*For animals subject to slaughter without stunning for the purpose of religious rites*” should be replaced by the terms used in the European Regulations “In the case of animals subject to particular methods of slaughter prescribed by religious rites”
- The European Regulation defines the notion of religious slaughter, but as a secular document, it is not competent to give a detailed technical definition for the religious practices. Also, you highlight in the introduction that the controls in place in Europe have shown that there are poor practices occurring in the religious slaughter of animals. Indeed, when the business operators do not directly involve the competent religious authorities, poor practices are easily introduced, and both animals’ and consumers’ rights are not respected. That is why religious representatives must be present to prepare and supervise the application of the SOP. Also, clear technical descriptions of the religious slaughter have to be requested from the competent religious representatives and then it is appropriate for the secular authorities to hold both the religious supervision agencies and the slaughterhouses responsible for meeting the written requirements.
- Our organizations suggest that religious representatives have to be involved in preparing and applying the SOP and to train religious operators on animal welfare for the purpose of assuring that both animal welfare and religious practices are properly carried out.

## 2. **Mechanical restraining methods (cattle)**

The topic of this document is slaughter without stunning (i.e., religious slaughter). The religious references of CFCM for halal exclude the use of any kind of stunning before or after the halal slaughter.

- Complete the first sentences “For the use of slaughter methods without stunning, be “in accordance with Article 4(4)””.
- The religious slaughterer needs training and empowerment from his religious authorities. It is actually our belief that most **self-proclaimed** halal slaughtermen are not competent to perform religious slaughter.
- It is not proper to include the sentence *“In case the animal is stunned before or after cutting its throat, restraining facilitates stunning as well”* because the subject here is slaughter without stunning.
- Examples are needed to illustrate situations of non-compliant restraint systems with the size or the category of the animals. For this, I note that some animal welfare associations used videos of situations with non-compliant systems to demonstrate a supposed cruelty of the religious slaughter. It is important to note that such violations need to be corrected but do not directly reflect on the religious slaughter.
- The derogation from stunning in case of religious slaughter taking place in slaughterhouses is granted to meet religious needs and requirements for food. That is why, when a business operator is interested in producing halal or kosher meat, he/she has to work with the appropriate qualified organizations representing the religious communities to assure that animal welfare and religious laws are both properly met.
- The 180° position is not recommended for halal slaughter.

## 3. **Slaughter without stunning of cattle: Pre-cut stunning**

In this section, we can no longer speak about slaughter without stunning. So I will not comment because as mentioned before, Muslim representatives in France do not accept any kind of

stunning. However, I want to draw your attention to this item: the document should not include the sentence “*Some religious interpretations may allow the use of non-authorised methods of stunning.*” It is more proper to specify that “The business operator has to request the opinion of a competent religious institution and accept being supervised by such an organization to meet the religious requirements for halal or kosher products”. In fact, these secular guidelines should not highlight particular religious opinions to avoid taking sides in religious discussions that are the proper domain of the religious authorities. Also, our organizations have noted that when such remarks are included in formal guidelines, the veterinary staff sometimes tries to impose stunning on the plant.

The decision to stun or not needs to be made by the religious representatives.

#### 4. **Bleeding operations (cattle)**

The European regulation specifies for the case of religious slaughter (Art. 4-4).

*Art. 5-2* “Where, for the purpose of Article 4(4), animals are killed without prior stunning, **persons responsible for slaughtering shall carry out systematic checks to ensure that the animals do not present any signs of consciousness or sensibility before being released from restraint** and do not present any sign of life before undergoing dressing or scalding.”

Art. 6-2.(c) specifies the measures to be taken when the checks referred to in Article 5 indicate that an animal is not properly stunned or, in the case of animals slaughtered in accordance with Article 4(4), that the animal still presents signs of life.

Giving these regulatory texts:

- Please specify the title "**The religious bleeding operations**"

- Remove this sentence: *“If the animal was stunned (by a non-authorized penetrative captive bolt), it should be cut immediately after signs of unconsciousness have been verified”* because it is off-topic.
- *A second knife and sharpening equipment should be available at all times.* Good. Please add that **“the slaughterer has to be well trained to sharpen the knife and know how to use the sharpening equipment.”**
- Please rephrase this sentence: *“It should not be contaminated with stomach content.”* By **“If any contamination by stomach content occurs, it must be cut or carefully cleaned after the death of the animal.”**
- Please note that the sentence *“There should be no further cuts after the initial single incision.”* is suitable in cases where no blood clots have formed. Otherwise, it may be necessary to cut a second time to increase the flow of blood.
- *“Sometimes, blood clots form and reduce the flow of bleeding, generally within 5 to 15 seconds after cutting the throat. If that is the case, the animal should be stunned with a back-up stunning method (penetrative captive bolt, electrical stunning).”* Please complete with **“But if the slaughterer (who must be trained for this case) is ready, he can perform an immediate second cut to speed up the time to unconsciousness. Ideally it should be a rare occurrence as it can cause loss of the animal as halal or kosher. That is why it is important to improve the plan, the slaughterers’ skills, and the SOP to reduce the number of such cases...”**
- Please replace *“Monitoring signs of life”* by **“Monitoring signs of consciousness”**. Please remind the reader that: **“Where, for the purpose of Article 4(4), animals are killed without prior stunning, persons responsible for slaughtering shall carry out systematic checks to ensure that the animals do not present any signs of consciousness or sensibility before being released from restraint and do not present any sign of life before undergoing dressing or scalding.”** Yet I would like to bring to your attention that from a scientific point of view, the animal needs to be unconscious before being released, and it needs to be insensitive before being further cut. But from the Muslim religious point of view, the animal needs to be dead before being handled after the religious cut.
- Please edit *“Signs of life”* by replacing them with **“Signs of unconsciousness”**:

- Please complete this paragraph *“Sometimes, animals take too long to lose consciousness. In case of prolonged consciousness, the animal should be stunned with a suitable method. A workable back-up solution for stunning is required (penetrative captive bolt, electrical stunning).”* “But post-cut stunning cannot resolve problems resulting from the restrainer system, lack of slaughterer skill, and other non-compliances with the previously establish plan. In fact, a prolonged consciousness usually reflects animal welfare issues before the cut and sometimes the incompetence of the religious slaughterer.”
- Please remove this non-objective sentence *“Cutting an animal’s neck causes pain and distress”*. Actually, it is possible to say this about the other methods of slaughter also and this information has simply not been studied in a credible fashion. The following sentence has to be rephrased *“Therefore, to stun after a delay of loss of consciousness after 45 seconds may be acceptable practice (150 seconds in one Member State) but any longer would be an unacceptable practice.”* In fact, the post-cut stun is not mandatory according to the regulation. The only explicit formal obligation is “to ensure that the animals do not present any signs of consciousness or sensibility before being released from restraint” Art. 5.2.

## 5. Post-cut stunning

- Please complete the introduction sentence *“Some stricter national rules may require that the animal should be rendered unconscious after neck cutting, “with “provided that they do not violate the liberties of the religious minorities”*”.
- The sentence *“As a result, the animal will suffer less stress and pain”* is not exact in cases where the religious slaughter is well done, the animal should collapse quickly and the post-cut stun is then without real benefit for animal welfare, but can lead to disqualifying the religious status of the meat.

I will not comment more on this section because as mentioned before, Muslim representatives in France do not accept any kind of stunning.

## 6. Electrical water-bath

- This sentence is off-topic “*In some European Member States, business operators are required by law to render the bird unconscious before neck cutting.*” In fact, the pre-cut stun is required in all European members for the traditional slaughter, but the religious slaughter has an exemption from this rule to meet the requirements for religious freedom.
- It is quoted that “*The stun should not kill the birds.*” But there is no mention in this section of the means that allow the plant to check that the birds are alive after the stun. Also, animal welfare concerns are often highlighted because the use of low current.

I will not comment more on this section because as mentioned before, Muslim representatives in France do not accept any kind of stunning.

## 7. Manual bleeding operations (Poultry)

- It is recommended to specify the title to highlight that this section is about religious slaughter of poultry. “The religious manual bleeding operations” is more appropriate as a title.
- The introduction of pre-cut and post-cut stuns in this section induces confusion. It would be more appropriate for these to be covered in a separate document. This document should address the religious slaughter without the use of any kind of stunning. Also, the suggestion to use a post-cut stunning if a bird does not collapse within 30 second is not feasible in the industrial context. In fact, the chain speed in poultry slaughterhouses is relatively high. That is why the task of checking that each bird is consciousness after the cut or that it is alive just after the water-bath stun are quite impossible.
- To meet both animal welfare, and religious needs and requirements, the document should remind everyone of the importance of using trained, skillful slaughterers and good equipment (right type and size knife with proper sharpening, etc.). **Also, it is important to specify the accepted speed (number of animals per minute) based on the number**

**of slaughterers.** The noise, the light and the time of rest after transport and before the restraint operation are also important parameters to ensure the welfare of the birds.

#### **8. Mechanical restraining systems (Sheep and goats)**

- Complete the first sentences “*For the use of slaughter methods without stunning, as in accord with Article 4(4)”.*
- A full set of illustrations are needed to cover all mechanical restraining systems in this section.

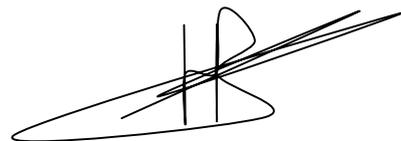
#### **9. Bleeding operations (Sheep and goats)**

- Please specify the title by “The Religious Bleeding Operations”

(Please see above the section on Bleeding Operations (cattle)).

Best Regards

Hanen REZGUI PIZETTE

A handwritten signature in black ink, consisting of a stylized 'H' and 'R' intertwined, with a long horizontal stroke extending to the right.