

# **Animal Health (Slaughtering) Regulations [2017]**

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[Enabling powers, etc.]

## **Part 1 Preliminary**

### **1 Citation and commencement**

These Regulations may be cited as the Animal Health (Slaughtering) Regulations [2017] and come into force on [date / procedure].

### **2 Interpretation**

(1) In these Regulations

(a) words and expressions defined in section 2 of the Act have the meaning given in that Act;

(b) the Act means the Animal Health and Production Act 2016; and

(c) unless the context otherwise requires

business operator means a licence holder under these Regulations or an animal establishment operator in respect of an animal establishment to which these Regulations apply;

carcasses includes parts of carcasses;

Executive Director means the Executive Director of BAHFSA, appointed under section 10 of the Bahamas Agricultural Health and Food Safety Authority Act 2015;

general requirements means the general requirements set out, respectively, in paragraph 1 in each of Schedules 1 to 4; and

lairage means, in relation to an abattoir, the part of an abattoir that is used for the confinement of animals awaiting slaughter there.

## **Part 2 Registration**

### **3 Interpretation of this Part**

In this Part abattoir means a place declared by the Minister to be an abattoir under section 34(3) of the Act (and includes the abattoir referred to in section 34(2)).

### **4 Requirement for a licence**

Except as provided by regulation 8, no person shall slaughter an animal intended for sale unless the slaughter is carried out

(a) in an abattoir licensed under regulation 5(1); or

(b) in an approved place of slaughter licensed under regulation 6(1).

### **5 Licensing of abattoirs**

(1) No person may operate premises as an abattoir unless the use of those premises for that purpose has been authorised by a licence issued by the Director.

(2) The Director shall not issue (whether on the first or on any subsequent occasion) a licence for the purpose or sub-regulation (1) unless

(a) the requirements in section 31(3) of the Act are satisfied;

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- (b) the applicant has drawn up standard operating procedures, in accordance with regulation 21(2), suitable for the premises, the categories of animal and (where appropriate) types of equipment in respect of which a licence is sought;
  - (c) the Director is satisfied that the premises to which the application relates complies with the standards set out in Schedule 1;
  - (d) the applicant provides evidence in writing that an authorised veterinary surgeon has assessed the applicant and is of the opinion that the applicant
    - (i) is competent to carry out the operation in respect of the category of animal and (where appropriate) type of equipment for which a licence is sought without causing an animal avoidable pain, distress or suffering, and
    - (ii) has sufficient knowledge of the provisions of all relevant legislation and guidance relating to that operation, category of animal and (where appropriate) type of equipment for which the licence is sought; and
  - (e) the applicant has paid the fee in accordance with regulation 19.
- (3) The Director may attach to any license issued under sub-regulation (1) any specific conditions as he may think fit in order to ensure the proper functioning of the premises in accordance with the Act and these Regulations.

### **6 Licensing of approved places of slaughter**

- (1) No person may operate premises as an approved place of slaughter unless the use of those premises for that purpose has been authorised by a licence issued by the Director.
- (2) The Director shall not issue (whether on the first or on any subsequent occasion) a licence for the purpose or sub-regulation (1) unless
  - (a) the requirements in section 31(3) of the Act are satisfied;
  - (b) the premises are located in an area and are of such a scale, in terms of the numbers of animals slaughtered, that it is impractical for those animals to be slaughtered in an abattoir;
  - (c) the applicant has drawn up standard operating procedures, in accordance with regulation 21(2), suitable for the premises, the categories of animal and (where appropriate) types of equipment in respect of which a licence is sought;
  - (d) the Director is satisfied that
    - (i) the premises where slaughtering and related operations will take place are able to meet the general requirements in Schedule 1;
    - (ii) the applicant's standard operating procedures demonstrate that other requirements relating to animal health will be implemented as far as is practicable and to an extent that removes any unacceptable animal health risks;
  - (e) the applicant provides evidence in writing that an authorised veterinary surgeon has assessed the applicant and is of the opinion that the applicant

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- (i) is competent to carry out the operation in respect of the category of animal and (where appropriate) type of equipment for which a licence is sought without causing an animal avoidable pain, distress or suffering, and
  - (ii) has sufficient knowledge of the provisions of all relevant legislation and guidance relating to that operation, category of animal and (where appropriate) type of equipment for which the licence is sought; and
- (f) the applicant has paid the fee in accordance with regulation 19.
- (3) The Director may attach to any license issued under sub-regulation (1) any specific conditions as he may think fit in order to ensure the proper functioning of the premises in accordance with the Act and these Regulations.

### **7 Form and display of licence**

- (1) A licence issued for the purpose of regulations 5(1) or 6(1) must<sup>o</sup>
  - (a) specify the name of the occupier and, if different, the name of the owner of the abattoir;
  - (b) specify the extent of the premises that may be used as an abattoir or as an approved place of slaughter, as the case may be;
  - (c) state the dates of issue and expiry of the licence;
  - (d) be signed by the Director,but may otherwise be in [a form approved by the Board] [such form and manner as the Director may determine].
- (2) The occupier of premises in respect of which a licence issued in accordance with regulation 5(1) is in force must display that licence in a conspicuous place in the premises where it may be read by an authorised officer and by any person visiting the premises.

### **8 Urgent exemptions**

- (1) An authorised officer may on the application of the person in charge of an animal issue the person with a certificate authorising the person to slaughter the animal otherwise than in an abattoir or approved place of slaughter if<sup>o</sup>
  - (a) the animal is considered by the person in charge of the animal to be in such distress that to move it to another place for slaughter would be inhumane; and
  - (b) in all the circumstances of the case, the authorised officer is satisfied that the proposed slaughter should be permitted.
- (2) The authorised officer may attach to the certificate such conditions, with which any person involved in the slaughter of the animal must comply, as he considers necessary in order to ensure that the animal is safely and hygienically slaughtered with the minimum distress.
- (3) A certificate referred to in sub-regulation (1) must contain<sup>o</sup>
  - (a) the name and address of the person in charge of the animal;
  - (b) a description of the animal including any identification marks;
  - (c) the location where the animal may be slaughtered;
  - (d) the date and time of slaughter;

- (e) the reason why the animal needs to be slaughtered otherwise than in a slaughterhouse;
  - (f) any conditions to be complied with at and after the time of the slaughter,
- and must be signed and dated by the authorised officer that issued it.

### **Part 3**

#### **Animal health certificates**

**9 Requirement for a certificate**

Subject to regulation 12, no person may carry out an operation specified in regulation 10 except under and to the extent authorised by a certificate registered with the Director.

**10 Operations which require a certificate**

The operations referred to in regulation 9 are any of the following operations, wherever they are carried out

- (a) the handling and care of animals before they are restrained;
- (b) the restraint of animals for the purpose of stunning or killing;
- (c) the stunning of animals;
- (d) the assessment of effective stunning;
- (e) the shackling or hoisting of live animals;
- (f) the bleeding of live animals; the slaughtering of live animals; and
- (g) any other activity that the Minister may, from time to time, specify by means of notice in the Gazette.

**11 Grant and registering of certificates**

- (1) The Director must grant and register a certificate if
  - (a) the applicant meets the conditions in sub-regulation (2); and
  - (b) the Director is satisfied the applicant is a fit and proper person to hold a certificate.
- (2) The applicant must
  - (a) not be less than 18 years old;
  - (b) [either
    - (i) submit evidence of training and examination; or
    - (ii) submit evidence of registration on a training course,in respect of the operation, category of animal and (where appropriate) type of equipment for which a temporary certificate is sought;]
  - (c) not in the three years preceding the application
    - (i) have been convicted of any offence concerning the welfare of animals;
    - (ii) have had any licence, certificate or other authorisation under these Regulations or any other law in relation to the killing of an animal or related operation revoked or suspended; and
  - (d) pay a fee in accordance with regulation 19.

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- (3) A certificate must specify the operation, category of animal and (where appropriate) type of equipment in respect of which it has been granted.
- (4) [A certificate may be granted in respect of an operation, category of animal and (where appropriate) type of equipment only if
  - (a) the evidence of training and examination submitted with the application for the certificate relates to that operation, category of animal and type of equipment; or
  - (b) the training course on which the applicant is registered provides training in relation to that operation, category of animal and type of equipment.]

### **12 Exceptions to the requirement for a certificate**

- (1) Regulation 0 does not apply to any person who
  - (a) works in the presence, and under the direct supervision, of a person who holds a certificate registered with the Director, provided that the scope of the certificate extends to the operation being undertaken;
  - (b) works in the presence, and under the direct supervision, of a veterinary surgeon;
  - (c) carries out the emergency killing of an animal;
  - (d) kills an animal other than for a commercial purpose;
  - (e) for purposes other than human consumption, kills an animal in the field by means of a free bullet;
  - (f) for purposes other than human consumption, kills poultry by means of cervical dislocation (where there are no other methods available for stunning) on premises forming part of an agricultural holding on which the poultry were reared;
  - (g) kills an animal for the purpose of depopulation; or
  - (h) is a veterinary surgeon acting in the exercise of professional veterinary activities.
- (2) Nothing in sub-regulation (1) authorises anything which is otherwise prohibited under any these regulations or any other enactment.

## **Part 4 Administrative provisions**

### **13 Duration of licences and certificates**

A licence or certificate granted under these Regulations are valid for 1 year from its date of issue unless it is revoked earlier under regulation 15 or by a court under regulation 27(2).

### **14 Refusal to grant a licence or certificate**

- (1) The Director may, by notice in writing, refuse to grant a licence or certificate if satisfied that the applicant
  - (a) has failed to meet any of the conditions in regulations 8, 10 or 16 (as the case may be); or
  - (b) is not a fit and proper person to hold a licence or certificate.
- (2) The notice must
  -

- (a) give reasons for the refusal; and
- (b) give details of the right of appeal against the decision.

**15 Suspension or revocation of a licence or certificate**

- (1) The Director may, by notice in writing, suspend or revoke a licence or certificate if satisfied that the holder of the licence or certificate
  - (a) has failed to comply with any provision of the Act or these Regulations;
  - (b) is no longer a fit and proper person to hold it;
  - (c) is not, or is no longer, competent to carry out the operations which the licence or certificate authorises; or
  - (d) has been convicted of an offence concerning the welfare of animals.
- (2) The Director may, by notice in writing, suspend or revoke a licence issued to a person under regulation 5(1) in respect of an abattoir if satisfied that
  - (a) the abattoir no longer complies with the requirements prescribed by these regulations;
  - (b) the abattoir is not being operated in accordance with these regulations; or
  - (c) the layout of the abattoir has substantially or materially changed and no request for modification of that licence has been made under regulation 16.
- (3) Written notice under this regulation must
  - (a) give reasons for the suspension or revocation;
  - (b) state when the suspension or revocation comes into effect and, in the case of suspension, state on what date or event it is to cease to have effect; and
  - (c) give details of the right of appeal against the decision.
- (4) Any person whose licence or certificate is suspended or revoked must, whether or not that suspension or revocation is the subject of an appeal pursuant to regulation 18, surrender it to the competent authority within 14 days of receipt of the notice informing that person of the suspension or revocation.

**16 Modification of a licence or certificate**

- The Director shall modify a licence or certificate in respect of an operation, category of animal or (where appropriate) type of equipment as requested by an applicant if
- (a) the applicant can continue to meet the requirements in these Regulations in respect of the modification; and
  - (b) the Director is satisfied the applicant is a fit and proper person to hold a licence or certificate, as modified.

**17 Refusal to modify a licence or certificate**

- (1) The Director may, by notice in writing, refuse to modify a licence or certificate if satisfied that the applicant
  - (a) has failed to meet or is unable to meet the requirements in these Regulations in respect of the modification; or
  - (b) is not a fit and proper person to hold a licence or certificate, as modified.



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- (2) The notice must<sup>o</sup>
  - (a) give reasons for the refusal; and
  - (b) give details of the right of appeal against the decision.

### **18 Appeals**

- (1) A person who is aggrieved by a decision of the Director to refuse, suspend or revoke a licence or certificate, or to refuse to modify a licence or certificate, may appeal against it within 14 days of the decision of the Director, in writing to the Executive Director.
- (2) The Executive Director shall determine and communicate the results in writing of an appeal made under sub-regulation (1) within 14 days.
- (3) A further right of appeal shall exist under section 64(2) and (3) of the Act as if the decision under sub-regulation (2) were a decision under section 64(1) of the Act.
- (4) A decision to suspend or revoke a licence or certificate is not suspended pending an appeal unless the Sanitary and Phytosanitary Appeal Tribunal orders otherwise.

### **19 Fees**

- (1) In respect of an application of a type described in column 1 of the Table, a person must pay to [the Director] the fee specified in column 2 in relation to that type of application.

**Table**

Type of application	Fee (\$)
Application for a licence	100
Application for a certificate	20
Application to modify a licence	40
Application to modify a certificate	8

- (2) In respect of an assessment under regulation 5(2)(c) or 6(2)(e) by an authorised veterinary surgeon exercising functions on behalf of the Director under these regulations, a person must pay to the Director a fee calculated as follows<sup>o</sup>
  - (a) \$50 for each half-hour or part thereof spent by an authorised veterinary surgeon on an assessment including time spent on associated documentation; and
  - (b) the actual cost of travelling, accommodation and any other expenses reasonably incurred by the authorised veterinary surgeon.

## **Part 5**

### **Animal health practices and requirements**

#### **20 Codes of practice**

- (1) The Director may, in consultation with the Minister<sup>o</sup>
  - (a) develop or commission the development of codes of practice; or
  - (b) adopt codes of practice prepared by other organisations or persons

for the purpose of facilitating the implementation of and compliance with these Regulations.

- (2) When developing, commissioning or adopting codes of practice under sub-regulation (1), the Director shall have regard to any generally accepted international practice and standards, including animal health standards disseminated by the OIE.
- (3) The Minister may approve a code of practice by
  - (a) notice in the *Gazette*; and
  - (b) publishing with that notice (either in the notice or by reference to publication elsewhere) the code of practice being approved.
- (4) The Director may, within an approved code of practice or otherwise, determine procedures for certification, monitoring and auditing in respect of particular activities and classes of activity designed to ensure that approved codes of practice are adequately applied and may make compliance with such procedures a condition of a licence or certificate issued under these Regulations.

## **21 Standard operating procedures**

- (1) Business operators shall
  - (a) plan in advance the killing of animals and related operations;
  - (b) carry them out in accordance with standard operating procedures.
- (2) Business operators shall draw up and implement standard operating procedures referred to in sub-regulation (1) to ensure that killing and related operations are carried out in accordance with these Regulations.
- (3) For the purpose of sub-regulation (2), a business operator may use standard operating procedures in an approved code of practice.
- (4) As regards stunning, the standard operating procedures shall
  - (a) take into account the manufacturers' recommendations;
  - (b) define for each stunning method used, on the basis of available scientific evidence, the key parameters set out in Part 1 of Schedule 4 ensuring their effectiveness to stun the animals;
  - (c) specify the measures to be taken
    - (i) when the checks referred to in 25(3) indicate that an animal is not properly stunned; and
    - (ii) when the animal still presents signs of life following a slaughtering process.
- (5) Business operators shall maintain a copy of the standard operating procedures at the licensed premises and shall make it available to an authorised officer upon request.

## **22 Supervision of animal welfare**

- (1) The business operator, in respect of an animal establishment, shall appoint one or more members of staff to be an animal welfare supervisor in accordance with this regulation.
- (2) An animal welfare supervisor appointed under sub-regulation (1) shall hold a certificate issued under regulation 11(1) in relation to any operation, category

of animal and (where appropriate) type of equipment in respect of which he performs supervisory functions in accordance with sub-regulation (3).

- (3) The animal welfare supervisor shall
- (a) systematically assess animal welfare upon arrival in order to identify the priorities, in particular by determining which animals have specific welfare needs and the corresponding measures to be taken; and
  - (b) monitor the welfare conditions of each consignment of animals from arrival through to slaughter.

**23 Layout, construction and equipment of abattoirs and approved places of slaughter**

- (1) A business operator shall ensure that premises used for killing and related operations shall be designed, constructed, maintained and operated so as to ensure compliance with the obligations under these Regulations in the expected conditions of activity of the facility throughout the year.
- (2) Business operators shall ensure that
- (a) in respect of an abattoir, the layout and construction of the abattoir and the equipment used in it comply with the requirements set out in Schedule 1; or
  - (b) in respect of an approved place of slaughter, the layout and construction of the approved place of slaughter and the equipment used in it complies with the requirements set out in Schedule 1 to the extent described in the standard operating procedures provided with the licence application under regulation 6(2)(c).

**24 General measures**

- (1) No person engaged in the handling, movement, restraint, stunning or killing of an animal may
- (a) cause any avoidable pain, distress or suffering to that animal; or
  - (b) permit that animal to sustain any avoidable pain, distress or suffering.
- (2) For the purpose of sub-regulation (1), business operators, and to the extent applicable all other persons engaged in the handling, movement, restraint, stunning or killing of an animal, shall
- (a) in respect of an abattoir, take the necessary measures to ensure that animals are treated in accordance with the requirements in Schedules 2 to 4; and
  - (b) in respect of an approved place of slaughter, take the necessary measures to ensure that animals are treated in accordance with the requirements in Schedules 2 to 4 to the extent described in the standard operating procedures provided with the licence application under regulation 6(2)(c).

**25 Additional requirements relating to stunning operations**

- (1) 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 Schedule 4.
- (2) The methods referred to in Schedule 4 which do not result in instantaneous death (in that Schedule referred to as simple stunning) shall be followed as

quickly as possible by a procedure ensuring death such as bleeding, pithing, electrocution or prolonged exposure to anoxia.

- (3) A business operator shall ensure that persons responsible for stunning or another person nominated for this purpose, carry out regular checks to ensure that the animals do not present any signs of consciousness or sensibility in the period between the end of the stunning process and death.
- (4) When the outcome of any check carried out pursuant to in sub-regulation (3) indicates that an animal is not properly stunned, the person in charge of stunning shall immediately take the appropriate measures as specified in the standard operating procedures drawn up in accordance with regulation 21(2).

- 26 Exemptions relating to methods of slaughter prescribed by religious rites**  
In the case of animals subject to particular methods of slaughter prescribed by religious rites, the requirements of regulation 25 may be replaced with alternative requirements, with the consent of the Director.

## **Part 6 Miscellaneous**

**27 Penalties**

- (1) The fixed penalty for failure to register an establishment referred to in section 31(7) of the Act is five thousand dollars.
- (2) Where a court has found a person guilty of an offence against these Regulations it may in addition to any other penalty it imposes revoke any licence or certificate issued to that person under these Regulations.

**28 Defence**

- (1) Subject to sub-regulation (4), it shall be a defence to a charge of committing an offence under these Regulations to prove that the accused took all reasonable steps and exercised all due diligence to avoid committing the offence.
- (2) For the purpose of sub-regulation (1), "reasonable steps" shall include applying or following any approved code of practice.
- (3) Subject to sub-regulation (4), it shall be a defence to a charge of committing an offence under these Regulations to prove that committing the offence was intended to alleviate unnecessary suffering of an animal.
- (4) Where a defence provided by this regulation involves an allegation that the commission of the offence was due to the act or default of another person, the person charged shall not, without leave of the court, be entitled to rely on the defence unless, within a period ending seven clear days before the hearing, he has served on the prosecutor a notice giving such information identifying or assisting in the identification of the other person as was then in his possession.

**29 Repeal**

[Regulations to be repealed].

## **Schedule 1**

### **Requirements for Abattoirs**

#### ***Layout, construction and equipment of abattoirs***

#### **1 General requirements**

The business operator must ensure that

- (a) it has suitable equipment and facilities available for the purpose of unloading animals from means of transport;
- (b) there are no sharp edges or protrusions with which an animal may come into contact;
- (c) the place of killing is sited in such a way as to minimise handling of the animal at any time up to the point of killing;
- (d) any instrument, restraining equipment, other equipment or installation which is used for stunning or killing is designed, constructed and maintained so as to facilitate rapid and effective stunning or killing; and
- (e) any defect found in back-up stunning or killing equipment is rectified as soon as is practicable after the defect is identified.

#### **2 Animals delivered other than in containers**

(1) The business operator must ensure that

- (a) equipment for unloading animals delivered other than in containers is of a suitable height and design for that purpose, has non-slip flooring and, if necessary, is provided with lateral protection; and
- (b) exit and entry ramps have the minimum possible incline.

#### **3 Lairages**

(1) The business operator must ensure that

- (a) a sufficient number of pens is provided at the abattoir for adequate lairaging of the animals with protection from the effects of adverse weather conditions;
- (b) where mechanical means of ventilation are required, provision is made for an alarm and emergency back-up facilities in the event of breakdown or other mechanical failure;
- (c) a lairage has
  - (i) adequate ventilation to ensure that temperature, air relative humidity and ammonia levels are kept within limits that are not harmful to an animal, taking into account the extremes of temperature and humidity which may be expected; and
  - (ii) racks, mangers or other equipment adequate in number and size for the feeding of animals confined in the lairage, fixed where practicable, and constructed and placed so that they are easily accessible to the animals, can readily be filled and cannot readily be fouled;
- (d) floors are built and maintained in such a way as to minimise the risk of animals slipping or falling;

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- (e) adequate fixed or portable lighting is provided to enable the inspection of animals at any time;
- (f) pens, passageways and races are constructed to allow
  - (i) animals to move freely in the required direction using their behavioural characteristics and without distraction;
  - (ii) pigs or sheep to walk side by side, except in the case of races leading to the restraining equipment;
- (g) ramps and bridges are equipped with lateral protection;
- (h) the water supply system is constructed and maintained so as to allow all animals at all times access to clean water.

### **4 Restraining equipment and facilities**

- (1) The business operator must ensure that restraining equipment and facilities are built and maintained to
  - (a) prevent injury or contusions to the animals;
  - (b) minimise struggle and vocalisation when animals are restrained;
  - (c) minimise the time of restraint.
- (2) The business operator must ensure that for animals of bovine species, restraining boxes used in conjunction with a pneumatic captive bolt shall be fitted with a device that restricts both the lateral and vertical movement of the head of the animal.
- (3) The business operator must ensure that there is ready access to any shackle line or processing equipment used for live poultry and to any controls of such equipment.

### **5 Stunning pens and equipment**

- (1) The business operator must ensure that a stunning pen used to restrain adult bovine animals for the purpose of stunning is constructed so as to
  - (a) permit one animal at a time to be confined in it without discomfort;
  - (b) prevent any substantial movement forwards, backwards or sideways of an animal confined in it;
  - (c) restrict the movement of the head of an animal confined in it so as to permit accurate stunning and allow the head of an animal to be released immediately after the animal has been stunned; and
  - (d) allow unimpeded access to the forehead of an animal confined in it.
- (2) The business operator must ensure that
  - (a) electrical stunning equipment is fitted with a device which displays and records the details of the electrical key parameters for each animal stunned;
  - (b) the device is placed so as to be clearly visible to the personnel and that it can give a clearly visible and audible warning if the duration of exposure falls below the required level; and
  - (c) these records be kept for at least one year.
- (3) Automatic electrical stunning equipment associated to a restrainer must deliver a constant current.

**6 Facilities for horses**

Where an abattoir is one in which horses are killed, the business operator must ensure that

- (a) a separate room or bay is provided for the killing of horses; and
- (b) a lairage in which a horse is confined, must contain at least one loose box which is so constructed as to minimise the danger of a horse injuring itself or any other animal confined in that lairage.

## **Schedule 2 Handling Operations**

### **1 General requirements**

- (1) The business operator and any person engaged in the movement or lairaging of animals must ensure that
  - (a) every animal is protected from adverse weather conditions and is provided with adequate ventilation;
  - (b) if an animal has been subjected to high temperatures in humid weather, it is cooled by appropriate means;
  - (c) pending the killing of a sick or disabled animal, it is kept apart from any animal which is not sick or disabled; and
  - (d) no person drags an animal which has been stunned or killed over any other animal which has not been stunned or killed.
- (2) It is prohibited for any person to
  - (a) strike or kick the animals;
  - (b) apply pressure to any particularly sensitive part of the body in such a way as to cause animals avoidable pain or suffering;
  - (c) lift or drag the animals by the head, ears, horns, tail, fleece or (except for poultry, rabbits and hares) legs;
  - (d) use prods or other implements with pointed ends; or
  - (e) twist, crush or break the tails of animals or grasp the eyes of any animal.

### **2 Arrival of animals**

- (1) The business operator must ensure that animals are unloaded from the transport in which they are delivered as quickly as possible after arrival and subsequently slaughtered without undue delay.
- (2) The business operator must ensure that animals which have not been slaughtered within 12 hours of their arrival
  - (a) are fed;
  - (b) are provided an appropriate amount of bedding or equivalent material appropriate to the species and the number of animals concerned; and
  - (c) such bedding or material allows an efficient drainage or ensures adequate absorption of urine and faeces.
- (3) Containers in which animals are transported shall be kept in good order, handled with care, in particular if they have a perforated or flexible bottom, and
  - (a) shall not be thrown, dropped, or knocked over;
  - (b) where possible, shall be loaded and unloaded horizontally and mechanically; and
  - (c) where possible, shall be unloaded individually.
- (4) When containers are put one on top of the other, the necessary precautions shall be taken
  - (a) to limit urine and faeces falling on the animals placed underneath;



- (b) to ensure stability of the containers;
- (c) to ensure that ventilation is not impeded.

**3 Inspection of animals**

The business operator must ensure that the condition and state of health of every animal is inspected at least every morning and evening by the business operator or by a competent person acting on the business operator's behalf.

**4 Animals which have experienced pain or suffering and unweaned animals**

- (1) Any person engaged in the movement or lairaging of animals must ensure that the following animals are killed immediately
  - (a) animals which have experienced pain or suffering during transport or following arrival; and
  - (b) animals which are too young to take solid feed.
- (2) If it is not possible to meet the requirement in paragraph (1), arrangements must be made so as to relieve the animals from their suffering, in particular by
  - (a) milking dairy animals at intervals of not more than 12 hours;
  - (b) providing appropriate conditions for suckling and the welfare of the newborn animal in the case of a female having given birth;
  - (c) providing water in the case of animals delivered in containers.
- (3) Animals which are unable to walk must not be dragged to the place of slaughter, but shall be killed where they lie.

**5 Animals delivered other than in containers**

The business operator and any person engaged in the movement or lairaging of animals which are delivered other than in a container must ensure that

- (a) care is taken not to frighten, excite or mistreat an animal;
- (b) no animal is overturned; and
- (c) no animal is taken to the place of killing unless it can be killed without delay.

**6 The driving of animals**

No person may lead or drive an animal over ground or floor, the nature or condition of which is likely to cause the animal to slip or fall.

**7 Moving animals with care**

The business operator and any person engaged in the movement of animals must ensure that every animal is moved with care and, when necessary, that animals are led individually.

**8 Instruments for guiding animals**

- (1) The business operator and any person engaged in the movement of animals must ensure that any instrument intended for guiding an animal is used solely for that purpose and only for short periods on individual animals.
- (2) The use of instruments which administer electric shocks shall be avoided as far as possible and, where used

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- (a) shall only be used for adult bovine animals and adult pigs which refuse to move, and only when they have room ahead of them in which to move;
- (b) shall be used in such a manner that the shocks last no longer than one second, are adequately spaced and are only be applied to the muscles of the hindquarters; and
- (c) shall not be used to provide shocks repeatedly if the animal fails to respond.

### **9 Lairaging of animals**

The business operator and any person engaged in the lairaging of animals must ensure that food is provided in a way which will permit the animals to feed without unnecessary disturbance.

### **10 Additional rules for mammals in lairage (except for rabbits and hares)**

- (1) The business operator shall ensure that the requirements in paragraphs (2) to (6) are met with respect to mammals in lairage, except for rabbits and hares.
- (2) Each animal shall have enough space to stand up, lie down and, except for cattle kept individually, turnaround.
- (3) Animals shall be kept securely in the lairage and care shall be taken to prevent them from escaping and to protect them from predators.
- (4) For each pen it shall be indicated with a visible sign the date and time of arrival and, except for cattle kept individually, the maximum number of animals to be kept.
- (5) Every day that the slaughter house operates, before any animal arrives, isolation pens for animals that require specific care shall be prepared and kept ready for immediate use.
- (6) The condition and state of health of the animals in a lairage shall be regularly inspected by the animal welfare officer or a person having appropriate competence.

### **Schedule 3 Restraining Operations**

#### **1 General requirements**

- (1) Animals shall not be tied by the horns, antlers or nose rings and their legs shall not be tied together.
- (2) When animals need to be tied, ropes, tethers or other means used shall be
  - (a) strong enough not to break;
  - (b) such as to allow the animals, if necessary, to lie down and to eat and drink;
  - (c) designed in such a way as to eliminate any danger of strangulation or injury, and so as to allow animals to be quickly released.

#### **2 Restraining bovine animals**

No person may stun or kill an adult bovine animal unless at the time it is stunned or killed it is confined in a stunning pen or in a restraining pen which, in either case, is in good working order.

#### **3 Suspending poultry**

The prohibition on suspending or hoisting conscious animals does not apply in the case of poultry which may be suspended for stunning or killing provided that appropriate measures are taken to ensure that, at the point of being stunned or killed, the poultry are in a sufficiently relaxed state for stunning or killing to be carried out effectively and without undue delay.

#### **4 Shackle lines**

- (1) No person may operate a shackle line unless
  - (a) it is possible to relieve any avoidable pain, distress or suffering which poultry suspended from shackles appear to be suffering or to remove poultry from the shackles; and
  - (b) 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, poultry suspended from it can be performed without undue haste and with proper regard for the welfare of the poultry.
- (2) No person may, in connection with the stunning or killing of poultry, use a shackle line, machine or other equipment unless it is used in connection with the stunning or killing of poultry of the type, size and weight for which it was designed, save in an emergency where it is used to relieve suffering.

#### **5 Restraining operations**

- (1) The business operator and any person engaged in the stunning or killing of an animal must ensure that an 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, accurately and for the appropriate time.

## Schedule 4 Stunning and Killing Operations

### 1 General requirements

- (1) The business operator and any person engaged in the stunning or killing of an animal must ensure that any instrument, restraining equipment, installation or other equipment which is used for stunning or killing is used in such a way as to facilitate rapid and effective stunning or killing.
- (2) The loss of consciousness and sensibility shall be maintained until the death of the animal.
- (3) In the case of simple stunning, no person may stun an animal unless it is possible to kill it without delay.
- (4) Where one person is responsible for the stunning, shackling, hoisting and bleeding of animals, that person shall carry out all those operations consecutively on one animal before carrying out any of them on another animal.

### *Part 1. List of stunning methods and related specifications*

**Table 1 — Mechanical methods**

Method	Description	Conditions of use
Penetrative captive bolt device	Severe and irreversible damage of the brain provoked by the shock and the penetration of a captive bolt. Simple stunning.	All species. Slaughter, depopulation and other situations.
Non-penetrative captive bolt device	Severe damage of the brain by the shock of a captive bolt without penetration. Simple stunning.	Ruminants, poultry, rabbits and hares. Slaughter only for ruminants. Slaughter, depopulation and other situations for poultry, rabbits and hares.
Firearm with free projectile	Severe and irreversible damage of the brain provoked by the shock and the penetration of one or more projectiles.	All species. Slaughter, depopulation and other situations.
Maceration	Immediate crushing of the entire animal.	Chicks up to 72 hours and egg embryos. All situations other than slaughter.
Cervical dislocation	Manual or mechanical stretching and twist of the neck provoking cerebral	Poultry up to 5 kg live weight. Slaughter, depopulation and

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	ischemia.	other situations.
Percussive blow to the head	Firm and accurate blow to the head provoking severe damage to the brain.	Piglets, lambs, kids, rabbits, hares, fur animals and poultry up to 5 kg live weight. Slaughter, depopulation and other situations.

Table 2 — Electrical methods

Method	Description	Conditions of use
Head-only electrical stunning	Exposure of the brain to a current generating a generalised epileptic form on the electro-encephalogram (EEG). Simple stunning.	All species. Slaughter, depopulation and other situations.
Head-to-Body electrical stunning	Exposure of the body to a current generating at the same time a generalised epileptic form on the EEG and the fibrillation or the stopping of the heart. Simple stunning in case of slaughter.	All species. Slaughter, depopulation and other situations.
Electrical waterbath	Exposure of the entire body to a current generating a generalised epileptic form on the EEG and possibly the fibrillation or the stopping of the heart through a waterbath. Simple stunning except where frequency is equal to or less than 50 Hz.	Poultry. Slaughter, depopulation and other situations.

Table 3 — Gas methods

Method	Description	Conditions of use
Carbon dioxide at high concentration	Direct or progressive exposure of conscious animals to a gas mixture containing more than 40 % carbon dioxide. The method may be used in pits, tunnels, containers or building previously sealed. Simple stunning in case of slaughter of pigs.	Pigs, mustelids, chinchillas, poultry except ducks and geese. Slaughter only for pigs. Other situations than slaughter for poultry mustelids, chinchillas, pigs.
Carbon dioxide in two	Successive exposure of	Poultry

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phases	conscious animals to a gas mixture containing up to 40 % of carbon dioxide, followed when animals have lost consciousness, by a higher concentration of carbon dioxide.	Slaughter, depopulation and other situations
Carbon dioxide associated with inert gases	Direct or progressive exposure of conscious animals to a gas mixture containing up to 40 % of carbon dioxide associated with inert gases leading to anoxia. The method may be used in pits, bags, tunnels, containers or in buildings previously sealed. Simple stunning for pigs if the duration of exposure to at least 30 % of carbon dioxide is of less than 7 minutes. Simple stunning for poultry if the overall duration of exposure to at least 30 % of carbon dioxide is of less than 3 minutes.	Pigs and poultry. Slaughter, depopulation and other situations.
Inert gases	Direct or progressive exposure of conscious animals to a inert gas mixture such as Argon or Nitrogen leading to anoxia. The method may be used in pits, bags, tunnels, containers or in buildings previously sealed. Simple stunning in case of the slaughter of pigs. Simple stunning for poultry if the duration of exposure to anoxia is of less than 3 minutes.	Pigs and poultry. Slaughter, depopulation and other situations.
Carbon monoxide (pure source)	Exposure of conscious animals to a gas mixture containing more than 4 % of carbon monoxide.	Fur animals, poultry and piglets. Other situations than slaughter.
Carbon monoxide associated with other gases	Exposure of conscious animals to a gas mixture containing more than 1 % of carbon monoxide	Fur animals, poultry and piglets. Other situations than slaughter.

	associated with other toxic gases.	
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Table 4 — Other methods

Method	Description	Conditions of use
Lethal injection	Loss of consciousness and sensibility followed by irreversible death induced by the injection of veterinary medicines.	All species. Other situations than slaughter.

**Part 2. Additional Requirements**

**2 Penetrative captive bolt**

- (1) No person may use a penetrative captive bolt device to stun an animal unless
  - (a) subject to sub-paragraph (3), the device is positioned and applied so as to ensure that the bolt enters the cerebral cortex; and
  - (b) the correct strength of cartridge or other propellant is used, in accordance with the manufacturer's instructions, to produce an effective stun.
- (2) No person may shoot a bovine animal in the back of the head.
- (3) No person may shoot a sheep or goat in the back of the head, unless the presence of horns prevents use of the top or the front of the head, in which case it may be shot in the back of the head provided that
  - (a) the shot is placed immediately behind the base of the horns and aimed towards the mouth; and
  - (b) bleeding is commenced within 15 seconds of shooting or the sheep or goat is killed by another procedure within 15 seconds of shooting.
- (4) A person who uses a captive bolt device must check that the bolt is retracted to its full extent after each shot and if it is not so retracted must ensure that the device is not used again until it has been repaired.

**3 Non-penetrative captive bolt**

No person may stun an animal using a non-penetrative captive bolt except by an instrument which is applied in the proper position and which is used with the correct strength of cartridge or other propellant in accordance with the manufacturer's instructions to produce an effective stun.

**4 Percussive blow to the head**

- (1) No person may stun an animal using a non-mechanical percussive blow to the head.
- (2) The prohibition in sub-paragraph (1) does not apply to rabbits, provided that the operation is carried out in such a way that the rabbit is immediately rendered unconscious and remains so until it is dead.

**5 Electrical stunning other than by waterbath**

No person may use electrodes to stun an animal unless

- (a) appropriate measures are taken to ensure that there is good electrical contact; and
- (b) the strength and duration of the current used is such that the animal is immediately rendered unconscious and remains so until it is dead.

**6 Electrical stunning by waterbath**

No person may use a waterbath stunner to stun poultry unless

- (a) the level of the water in the waterbath has been adjusted in order to ensure that there is good contact with each bird's head;
- (b) the strength and duration of the current used is such that the poultry are immediately rendered unconscious and remain so until 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;
- (e) the waterbath stunner is adequate in size and depth for the type of poultry being stunned; and
- (f) a person is available to ascertain whether the waterbath stunner has been effective in stunning the poultry and, if it has not been effective, will either stun or kill the poultry without delay.

**7 Exposure to gas – pigs**

- (1) No person may stun pigs by exposure to gas unless each pig is exposed to the gas for long enough to ensure it is killed.
- (2) The business operator and any person engaged in the stunning of pigs by exposure to gas must ensure that
  - (a) the gas stunner, including any equipment used for conveying a pig through the gas mixture, is designed, constructed and maintained so as to
    - (i) avoid compression of the chest of a pig;
    - (ii) enable a pig to remain upright until it loses consciousness; and
    - (iii) enable a pig to see other pigs as it is conveyed in the gas stunner;
  - (b) adequate lighting is provided in the gas stunner and the conveying mechanism to allow pigs to see other pigs or their surroundings;
  - (c) the gas stunner is equipped to maintain the gas concentration, as appropriate, in the gas stunner (in accordance with Table 3 of Part 1 of this Schedule);
  - (d) there is a means of visually monitoring pigs which are in the gas stunner;
  - (e) there is a means of flushing the gas stunner with atmospheric air with the minimum of delay;
  - (f) there is a means of access to any pig with the minimum of delay; and



- (g) no pig is passed through or allowed to remain in the gas stunner at any time when the visible and audible warning signals have been activated or when there is any defect in the operation of the gas stunner.
- (3) The business operator and any person engaged in the stunning of pigs by direct exposure to gas mixture 1 (carbon dioxide at high concentration) in Table 3 of Part 1 of this Schedule must ensure that
  - (a) no pig enters the gas stunner if the displayed concentration by volume of carbon dioxide in the gas mixture falls below 80%; and
  - (b) once a pig enters the gas stunner it is conveyed to the point in the gas stunner of maximum concentration of the gas mixture within a maximum period of 30 seconds.

**8 Exposure to gas – poultry**

- (1) No person may stun poultry by exposure to gas unless each bird is exposed to the gas for long enough to ensure it is killed.
- (2) No person may stun poultry by exposure to
  - (a) gas mixture 3 (carbon dioxide associated with inert gases) in Table 3 of Part 1 of this Schedule unless the carbon dioxide concentration is 30% by volume or less and the oxygen concentration is 2% by volume or less; or
  - (b) gas mixture 4 (inert gases) in Table 3 of Part 1 of this Schedule unless the oxygen concentration is 2% by volume or less.
- (3) The business operator and any person engaged in the stunning of poultry by exposure to gas must ensure that
  - (a) the gas stunner is equipped to maintain the gas concentration, as appropriate, in the gas stunner in accordance with Table 3 of Part 1 of this Schedule;
  - (b) there is a means of visually monitoring poultry which are in the gas stunner;
  - (c) there is a means of flushing the gas stunner with atmospheric air with the minimum of delay;
  - (d) there is a means of access to any poultry with the minimum of delay;
  - (e) no poultry are passed through or allowed to remain in the gas stunner at any time when the visible and audible warning signals have been activated or when there is any defect in the operation of the gas stunner; and
  - (f) no poultry are shackled before they are dead.
- (4) The business operator and any person engaged in the stunning of poultry by exposure to gas mixture 3 (carbon dioxide associated with inert gases) or gas mixture 4 (inert gases) in Table 3 of Part 1 of this Schedule must ensure that no bird enters the gas stunner if, as appropriate
  - (a) 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
  - (b) the displayed concentration of carbon dioxide is above 30% by volume.

**9 Bleeding or pithing**

- (1) A person engaged in the bleeding or pithing of an animal which has been simple stunned must ensure that the animal is bled or pithed without delay after it has been simple stunned.
- (2) A person engaged in the bleeding of an animal which has been simple stunned must ensure that the bleeding is
  - (a) rapid, profuse and complete; and
  - (b) completed before the animal regains consciousness.
- (3) In case of simple stunning or slaughter
  - (a) the two carotid arteries or the vessels from which they arise shall be systematically severed;
  - (b) electrical stimulation shall only be performed once the unconsciousness of the animal has been verified; and
  - (c) further dressing or scalding shall only be performed once the absence of signs of life of the animal has been verified.
- (4) Without prejudice to the generality of sub-paragraph (3)2, if an animal is bled after simple 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
  - (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; or
  - (d) in the case of sheep, goats, pigs and deer, a period of not less than 20 seconds.
- (5) Sub-paragraph (4) does not apply to an animal which has been pithed.
- (6) Birds shall not be slaughtered by means of automatic neck cutters unless
  - (a) it can be ascertained whether or not the neck cutters have effectively severed both blood vessels; and
  - (b) when neck cutters have not been effective the bird is slaughtered immediately.

**10 Horses**

No person may kill a horse

- (a) except in a room or bay which has been provided for the killing of horses;
- (b) in a room or bay in which there are the remains of a horse or other animal; or
- (c) within sight of any other horse.