

EXECUTIVE NOTE

The Welfare of Animals (Slaughter or Killing) Amendment (Scotland) Regulations 2007 SSI/2007/150

Powers

1. The above Regulations are made in exercise of powers conferred by section 2(2) of the European Communities Act 1972 (hereafter referred to as “the Act”) and amend the Welfare of Animals (Slaughter or Killing) Regulations 1995.

Parliamentary Procedure

2. This Regulation is subject to negative resolution procedure.

Policy Objectives

3. This amendment to the Welfare of Animals (Slaughter or Killing) Regulations 1995 (WASK) will permit the use of gas as a killing method for birds outside of a slaughterhouse in certain prescribed circumstances. This will allow a high throughput means of killing healthy birds on farm prior to any onset of welfare problems and to provide a means of improving the welfare of end-of-lay hens and end-of-life breeder birds due for slaughter. The use of gas on farm as a method of killing birds is already permitted for disease control purposes.

Background

4. With the possibility of situations arising in which large scale culling of healthy birds on-farm may be required (e.g. movement restrictions due to avian influenza, market collapse or other emergencies, such as flooding), it is prudent to consider the culling methods that could be applied in various situations. This is particularly important when considering the possible methods to cull healthy birds that are at imminent risk of suffering welfare problems.

5. For healthy birds that are at risk of imminent suffering, the existing killing options on-farm are limited. At present, only dislocation of the neck, decapitation and electrocution are the permitted methods except for disease control purposes. These low throughput methods are labour-intensive and are unsuitable for larger-scale culling of birds. The proposed amendment will allow gas to be used to cull in these circumstances. It is a more appropriate means for killing large number of birds.

6. The amendment also allows for the killing of end-of-lay hens and end-of-life breeder birds on-farm, which are designed to improve significantly their welfare at the end of their lives. At present, the hens can be transported considerable distances by road to be slaughtered. This is a process which can be stressful. It would minimise welfare problems for the birds if they could be killed on site, thus minimising handling and negating the need for transportation. Gas is the most viable option for humanely and efficiently killing large numbers of these birds.

7. In both cases the amendment provides bird owners with the option of using gas as a killing method of slaughtering birds on farm, however, there is no compulsion to use this method.

The Regulations

8. These Regulations insert a new Schedule 7A into the 1995 Regulations. The Schedule:

- Permits the killing of end-of-lay and end-of-breed hens by exposure to gas elsewhere than in a slaughterhouse as an alternative to transportation to a slaughterhouse;
- Allows Scottish Ministers to authorise the killing of birds by exposure to gas elsewhere than in a slaughterhouse where the welfare of the birds would be compromised as the result of restrictions on their movement to a slaughterhouse.

Such killing must be carried out in terms of the requirements of WASK 1995 (i.e. under the supervision of a suitably qualified licensed slaughterman or veterinary surgeon) (regulation 4 of, and Schedule 1 to the 1995 Regulations).

9. These Regulations also gives effect to amendments (further restrictions) made by EC Regulation No 1/2005 on the protection of animals during transport to Council Directive 93/119/EC on the use of instruments which administer electric shocks to adult bovines and adult pigs.

Consultation

10. A consultation paper and partial Regulatory Impact Assessment were issued to more than 120 interested parties. The consultation period ran from 30 June to 2 October 2006 and only 7 responses were received, all of which were supportive of the proposed welfare improvements.

Financial Effects

11. A Regulatory Impact Assessment has been prepared and has been placed in the Scottish Parliament Information Centre.

Scottish Executive Environment and Rural Affairs Department

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