

Wednesday 6 May 2009

## The protection of animals at the time of killing \*

P6\_TA(2009)0369

**European Parliament legislative resolution of 6 May 2009 on the proposal for a Council regulation on the protection of animals at the time of killing (COM(2008)0553 – C6-0451/2008 – 2008/0180(CNS))**

(2010/C 212 E/49)

(Consultation procedure)

*The European Parliament,*

- having regard to the Commission proposal to the Council (COM(2008)0553),
  - having regard to Article 37 of the EC Treaty, pursuant to which the Council consulted Parliament (C6-0451/2008),
  - having regard to Rule 51 of its Rules of Procedure,
  - having regard to the report of the Committee on Agriculture and Rural Development and the opinion of the Committee on the Environment, Public Health and Food Safety (A6-0185/2009),
1. Approves the Commission proposal as amended;
  2. Calls on the Commission to alter its proposal accordingly, pursuant to Article 250(2) of the EC Treaty;
  3. Calls on the Council to notify Parliament if it intends to depart from the text approved by Parliament;
  4. Asks the Council to consult Parliament again if it intends to amend the Commission proposal substantially;
  5. Instructs its President to forward its position to the Council and the Commission.

TEXT PROPOSED BY THE COMMISSION

AMENDMENT

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**Amendment 1**  
**Proposal for a regulation**  
**Title**

Proposal for a Council regulation on the protection of animals at the time of killing

Proposal for a Council regulation on the protection of animals at the time of **slaughter and** killing

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TEXT PROPOSED BY THE COMMISSION

AMENDMENT

**Amendment 2**  
**Proposal for a regulation**  
**Recital 6**

(6) The European Food Safety Authority (EFSA) has adopted two opinions on the welfare aspects of the main systems of stunning and killing of certain species of animals, namely on the Welfare aspects of the main systems of stunning and killing the main commercial species of animals, in 2004 and on the welfare aspects of the main systems of stunning and killing applied to commercially farmed deer, goats, rabbits, ostriches, ducks, geese and quail, in 2006. Community legislation in this area should be updated to take into account those scientific opinions. Recommendations to phase out the use of carbon dioxide for pigs and poultry, **as well as to phase out the use of waterbath stunners for poultry** were not included in the proposal because the impact assessment revealed that they were not economically viable at present in the EU. Furthermore other recommendations should not be part of this Regulation because they refer to technical parameters that should be part of implementing measures or codes of good practices. Recommendations on farm fish were not included in the proposal because there was a need for further scientific opinion and economic evaluation in this field.

(6) The European Food Safety Authority (EFSA) has adopted two opinions on the welfare aspects of the main systems of stunning and killing of certain species of animals, namely on the Welfare aspects of the main systems of stunning and killing the main commercial species of animals, in 2004 and on the welfare aspects of the main systems of stunning and killing applied to commercially farmed deer, goats, rabbits, ostriches, ducks, geese and quail, in 2006. **In 2001 the Scientific Committee on Animal Health and Animal Welfare (SCAHAW) adopted a report on The Welfare of Animals Kept for Fur Production which included an analysis of the killing methods used in fur farms.** Community legislation in this area should be updated to take into account those scientific opinions. Recommendations to phase out the use of carbon dioxide for pigs and poultry were not included in the proposal because the impact assessment revealed that they were not economically viable at present in the EU. Furthermore other recommendations should not be part of this Regulation because they refer to technical parameters that should be part of implementing measures or codes of good practices. Recommendations on farm fish were not included in the proposal because there was a need for further scientific opinion and economic evaluation in this field.

**Amendment 3**  
**Proposal for a regulation**  
**Recital 15**

(15) The Protocol on protection and welfare of animals also underlines the need to respect the legislative or administrative provisions and customs of the Member States relating, in particular, to religious rites, cultural traditions and regional heritage when formulating and implementing the Community's policies on inter alia agriculture and the internal market. It is therefore appropriate to exclude from the scope of this Regulation cultural events, where compliance with animal welfare requirements would adversely affect the very nature of the event concerned.

(15) The Protocol on protection and welfare of animals also underlines the need to respect the legislative or administrative provisions and customs of the Member States relating, in particular, to religious rites, cultural traditions **or traditions of religious origin** and regional heritage when formulating and implementing the Community's policies on inter alia agriculture and the internal market. It is therefore appropriate to exclude from the scope of this Regulation cultural, **religious and traditional** events, where compliance with animal welfare requirements would adversely affect the very nature of the event concerned.

**Amendment 4**  
**Proposal for a regulation**  
**Recital 16**

(16) In addition, cultural traditions refer to an inherited, established, or customary pattern of thought, action or behaviour which includes in fact the concept of something transmitted by or acquired from a predecessor. They contribute to foster long-standing social links between generations. Provided that those activities do not affect the market of animal products **and are not motivated by production purposes**, it is appropriate to exclude **killings** of animals taking place during those events from the scope of this Regulation.

(16) In addition, cultural traditions **or traditions of religious origin** refer to an inherited, established, or customary pattern of thought, action or behaviour which includes in fact the concept of something transmitted by or acquired from a predecessor. They contribute to foster long-standing social links between generations. Provided that those activities do not affect the market of animal products, it is appropriate to exclude **the slaughter** of animals taking place during those events from the scope of this Regulation.

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**Amendment 5****Proposal for a regulation  
Recital 22 a (new)**

*(22a) The above-mentioned new challenges will inevitably have significant financial implications for Union operators. In order to comply with the rules laid down in this Regulation, adequate EU funding should be made available to offer the financial support required to enable the Union sector to show leadership on animal welfare in the international context.*

**Amendment 6****Proposal for a regulation  
Recital 24**

(24) Depending on how they are used during the slaughtering or killing process, some stunning methods can lead to death while avoiding pain and minimising distress or suffering for the animals. **Consequently, it is not necessary to make a distinction between reversible and non-reversible methods of stunning.**

(24) Depending on how they are used during the slaughtering or killing process, some stunning methods can lead to death while avoiding pain and minimising distress or suffering for the animals.

**Amendment 7****Proposal for a regulation  
Recital 32**

(32) Regulation (EC) No 854/2004 provides for a list of establishments from which imports into the Community of specified products of animal origin are permitted. The general requirements and the additional requirements applicable to slaughterhouses laid down in this Regulation should be taken into account for the purposes of that list.

(32) Regulation (EC) No 854/2004 provides for a list of establishments from which imports into the Community of specified products of animal origin are permitted. The general requirements and the additional requirements applicable to slaughterhouses laid down in this Regulation should be taken into account for the purposes of that list. **The Commission should ensure that importation of meat and meat products from third countries destined for the internal market comply with the general rules laid down in this regulation.**

**Amendment 8****Proposal for a regulation  
Recital 33**

(33) Slaughterhouses and the equipment used therein are designed for particular categories of animals and capacities. Where those capacities are exceeded or the equipment is used for purposes for which it was not designed, it has a negative impact on the welfare of animals. Information on these aspects should therefore be communicated to the competent authorities and should be part of the approval procedure for slaughterhouses.

(33) Slaughterhouses and the equipment used therein are designed for particular categories of animals and capacities. Where those capacities are exceeded or the equipment is used for purposes for which it was not designed, it has a negative impact on the welfare of animals. Information on these aspects should therefore be communicated to the competent authorities and should be part of the approval procedure for slaughterhouses. **Small, regularly inspected slaughterhouses with a slaughter capacity of up to 50 livestock units per week or 150 000 units of poultry per annum which mainly sell food directly to the final consumer do not require an onerous permit procedure in order to comply with the principles of this Regulation,**

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TEXT PROPOSED BY THE COMMISSION

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**Amendment 9****Proposal for a regulation  
Recital 34 a (new)**

*(34a) It is necessary to avoid the suffering of animals due to fear and stress before slaughter. It is therefore appropriate to design the construction of slaughterhouses, plan slaughterhouse procedures and train staff in such a way as to prevent animals from suffering stress, fear and pain between unloading and slaughter.*

**Amendment 10****Proposal for a regulation  
Recital 35**

(35) Science and technical progress are regularly made with regard to the construction, layout and equipment of slaughterhouses. It is therefore important that the Community authorises the Commission for amending the requirements applicable to the construction, layout and equipment of slaughterhouses while keeping a uniform and high level of protection for animals.

(35) Science and technical progress are regularly made with regard to the construction, layout and equipment of slaughterhouses. It is therefore important that the Community authorises the Commission for amending the requirements applicable to the construction, layout and equipment of slaughterhouses while keeping a uniform and high level of protection for animals. *Efforts to develop better stunning procedures should be constantly ongoing. Research should also be stepped up in the field of alternatives to slaughtering surplus chicks.*

**Amendment 11****Proposal for a regulation  
Recital 37**

(37) **Killing** without stunning requires an accurate cut of the throat to minimise suffering. In addition, animals that are not mechanically restrained after the cut are likely to slow down the bleeding process, thereby prolonging unnecessarily the suffering of the animals. Animals slaughtered without stunning should therefore be individually restrained.

(37) **Slaughter** without stunning requires an accurate cut of the throat to minimise suffering. In addition, animals that are not mechanically restrained after the cut are likely to slow down the bleeding process, thereby prolonging unnecessarily the suffering of the animals. Animals slaughtered without stunning should therefore be individually restrained **and receive effective stunning immediately after the cut.**

**Amendment 12****Proposal for a regulation  
Recital 38**

(38) Science and technical progress are regularly made with regard to the handling and restraining of animals at slaughterhouses. It is therefore important that the Community authorises the Commission for amending the requirements applicable to the handling and restraining of animals before **slaughter** while keeping a uniform and high level of protection for animals.

(38) Science and technical progress are regularly made with regard to the handling and restraining of animals at slaughterhouses **and fur factory farms**. It is therefore important that the Community authorises the Commission for amending the requirements applicable to the handling and restraining of animals before **killing** while keeping a uniform and high level of protection for animals.

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**Amendment 13****Proposal for a regulation****Article 1 – paragraph 2 – point a – sub-point i**

i) *during technical or scientific experiments carried out under the supervision of the competent authority;*

i) *in the context of the activities regulated by Council Directive 86/609/EEC of 24 November 1986 on the approximation of laws, regulations and administrative provisions of the Member States regarding the protection of animals used for experimental and other scientific purposes <sup>(1)</sup>;*

<sup>(1)</sup> OJ L 358, 18.12.1986, p. 1.

**Amendment 14****Proposal for a regulation****Article 1 – paragraph 2 – point a – sub-point ii**

ii) *during hunting activities;*

ii) *during hunting or recreational fishing activities;*

**Amendment 15****Proposal for a regulation****Article 1 – paragraph 2 – point a – sub-point iv a (new)**

*iva) for major religious festivities involving traditional sacrifices for direct consumption, for example at Easter or Christmas and only for a period of ten days preceding the relevant dates.*

**Amendment 16****Proposal for a regulation****Article 1 – paragraph 2 – point b a (new)**

*ba) semi-domesticated deer, shot in the field and processed through a game farm facility*

**Amendment 17****Proposal for a regulation****Article 2 – point b**

(b) 'related operations' means operations such as handling, lairaging, restraining, stunning and bleeding of animals taking place in the context and at the location where they are to be **killed**;

(b) 'related operations' means operations such as handling, **unloading**, lairaging, restraining, stunning and bleeding of animals taking place in the context and at the location where they are to be **slaughtered**;

**Amendment 18****Proposal for a regulation****Article 2 – point b a (new)**

*ba) 'competent authority' means the central authority of a Member State competent to ensure compliance with the requirements of this Regulation, or any other authority to which that central authority has delegated that competence;*

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**Amendment 19****Proposal for a regulation  
Article 2 – point d a (new)**

*da) ‘unconsciousness’ means a state of unawareness in which there is temporary or permanent disruption to brain function and after which the animal is unable to respond to normal stimuli, including pain;*

**Amendment 20****Proposal for a regulation  
Article 2 – point f**

f) ‘stunning’ means any intentionally induced process which causes loss of consciousness and sensibility **without pain**, including any process resulting in instantaneous death;

f) ‘stunning’ means any intentionally induced process which causes loss of consciousness and sensibility, including any process resulting in instantaneous death;

**Amendment 21****Proposal for a regulation  
Article 2 – point g**

g) ‘religious rite’ means a series of acts related to the slaughter of animals and prescribed by a religion **such as Islam or Judaism**;

g) ‘religious rite’ means a series of acts related to the slaughter of animals and prescribed by a religion **or occasioned by specific religious festivities**;

**Amendment 22****Proposal for a regulation  
Article 2 – point k**

k) ‘slaughterhouse’ means **any** establishment used for slaughtering **terrestrial** animals;

k) ‘slaughterhouse’ means **an** establishment used for slaughtering **and dressing** animals, **the meat of which is intended for human consumption**;

**Amendment 23****Proposal for a regulation  
Article 2 – point m**

m) ‘fur animals’ means animals of the mammal species primarily reared for the production of fur such as minks, polecats, foxes, raccoons, coypu and chinchillas;

m) ‘fur animals’ means animals of the mammal species primarily reared for the production of fur such as minks, polecats, foxes, raccoons, **raccoon dogs**, coypu, **rabbits** and chinchillas;

**Amendment 24****Proposal for a regulation  
Article 3 – paragraph 2 – point a**

a) are provided with physical comfort and protection, in particular by being kept **clean**, under thermal comfort and prevented from falling or slipping;

a) are provided with physical comfort and protection, in particular by being kept under thermal comfort and prevented from falling or slipping;

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**Amendment 25**  
**Proposal for a regulation**  
**Article 3 – paragraph 2 – point d**

d) do not show signs of pain, **fear**, aggression or other abnormal behaviour;

d) do not show signs of pain, aggression or other abnormal behaviour;

**Amendment 26**  
**Proposal for a regulation**  
**Article 3 – paragraph 2 – point f**

*f) are prevented from adverse interaction.*

*deleted*

**Amendment 119**  
**Proposal for a regulation**  
**Article 3 – paragraph 3 a (new)**

*3a. Killing of surplus one-day chicks, by whatever means, shall no longer be permitted once appropriate alternatives to the killing of these animals are available.*

**Amendment 27**  
**Proposal for a regulation**  
**Article 4 – paragraph 2 – subparagraph 1**

2. *By way of derogation from paragraph 1, where such methods are prescribed by* religious rites, animals may be **killed** without prior stunning, provided that the **killing** takes place in a slaughterhouse.

2. *In accordance with* religious rites, animals may be **slaughtered** without prior stunning, provided that the **slaughtering** takes place in a slaughterhouse.

**Amendment 28**  
**Proposal for a regulation**  
**Article 4 – paragraph 2 – subparagraph 2**

*However, Member States may decide not to apply that derogation.*

*deleted*

**Amendment 29**  
**Proposal for a regulation**  
**Article 5 – paragraph 1**

1. Stunning shall be carried out in accordance with the methods set out in Annex I.

1. Stunning shall be carried out in accordance with the methods set out in Annex I. ***In order to take account of scientific and technical progress, the Commission may approve new stunning methods on the basis of an assessment by the European Food Safety Authority and in accordance with the procedure referred to in Article 22(2).***

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**Amendment 30****Proposal for a regulation  
Article 5 – paragraph 2 – subparagraph 1**

2. The personnel responsible for stunning shall 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 **the confirmation of** death.

2. The personnel responsible for stunning shall 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.

**Amendment 31****Proposal for a regulation  
Article 5 – paragraph 2 a (new)**

**2a. Bleeding shall start as soon as possible after stunning.**

**Amendment 32****Proposal for a regulation  
Article 5 – paragraph 3 – subparagraph 2**

However, any such amendments must ensure a level of animal welfare at least equivalent to that of the existing methods as demonstrated by scientific evidence **published in appropriate, internationally recognised, peer reviewed journals.**

However, any such amendments must ensure a level of animal welfare at least equivalent to that of the existing methods as demonstrated by **appropriate** scientific evidence.

**Amendment 33****Proposal for a regulation  
Article 5 – paragraph 4**

4. Community **Codes of good practices** concerning the methods set out in Annex I may be adopted in accordance with the procedure referred to in Article 22(2).

4. Community **guidelines for the drawing up of procedures and implementation of rules** concerning the methods set out in Annex I may be adopted in accordance with the procedure referred to in Article 22(2).

**Amendment 34****Proposal for a regulation  
Article 6 – paragraph 2 – subparagraph 1**

2. Operators shall draw up and implement such standard operating procedures to ensure that **killing** and related operations are carried out in accordance with Article 3(1).

2. Operators shall draw up and implement such standard operating procedures to ensure that **slaughter** and related operations are carried out in accordance with Article 3(1). **To that effect, the procedures laid down in Article 5 of Regulation (EC) No 852/2004 may be applied to slaughterhouses.**

**Amendment 35****Proposal for a regulation  
Article 6 – paragraph 3**

3. The standard operating procedures shall be made available to the competent authority upon request.

3. The standard operating procedures shall be made available to the competent authority upon request. **The official veterinarian shall be notified in writing whenever standard operating procedures have changed.**



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**Amendment 36**

**Proposal for a regulation**  
**Article 6 – paragraph 3 a (new)**

*3a. The competent authority may amend standard operating procedures when they are clearly not in line with the general, rules and requirements laid down in this regulation.*

**Amendment 120**

**Proposal for a regulation**  
**Article 6 - paragraph 3 b (new)**

*3b. Paragraphs 1 to 3 shall not apply to the killing of animals at slaughterhouses where not more than 50 livestock units per week are slaughtered.*

**Amendment 37**

**Proposal for a regulation**  
**Article 7 – paragraph 2 – point a**

- a) *the handling and care* of animals *before they are restrained*;      a) *driving* of animals *for the purposes of restraint, stunning or slaughter*;

**Amendment 38**

**Proposal for a regulation**  
**Article 7 – paragraph 2 – point f**

- f) the bleeding of live animals.      f) the bleeding of live animals *and/or the slaughter methods referred to in Article 4(2)*.

**Amendment 39**

**Proposal for a regulation**  
**Article 7 – paragraph 2 – point f a (new)**

*(fa) the killing of fur animals*

**Amendment 40**

**Proposal for a regulation**  
**Article 7 – paragraph 3**

*3. The killing of fur animals shall be supervised by a person holding a certificate of competence as referred to in Article 18 which corresponds to all the operations carried out under his supervision.*      *deleted*

**Amendment 41**

**Proposal for a regulation**  
**Article 8 – point a**

- a) the *categories* or weights of animals for which the equipment is intended to be used;      a) the *species* or weights of animals for which the equipment is intended to be used;

**Amendment 42**

**Proposal for a regulation**  
**Article 8 – point c a (new)**

*(ca) maintenance and calibration methods for that equipment.*

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**Amendment 43****Proposal for a regulation  
Article 9 – paragraph 2**

2. During slaughter operations, appropriate back-up stunning **equipment** shall be immediately available on-the-spot and used in the case of failure of the stunning equipment initially used.

2. During slaughter operations, **an** appropriate back-up stunning **method** shall be immediately available on-the-spot and used in the case of failure of the stunning equipment initially used. **Where this back-up stunning method concerns heavy installations, mobile equipment will be appropriate.**

**Amendment 44****Proposal for a regulation  
Article 9 – paragraph 2 a (new)**

**2a. No animal shall be restrained if the slaughterer responsible for stunning or slaughtering that animal is not ready to do so.**

**Amendment 45****Proposal for a regulation  
Article 10**

*The requirements laid down in Chapters II and III of this Regulation shall be relevant for the purposes of Article 12(2)(a) of Regulation (EC) No 854/2004.*

*In the course of an inspection of slaughterhouses or establishments which have been, or are to be, approved in third countries for the purpose of being able to export to the European Union in accordance with EU legislation, the Commission experts shall ensure that the live animals referred to in Article 5 have been slaughtered under conditions which, as far as animal welfare is concerned, are at least equivalent to those provided for in this Regulation.*

*The health certificate accompanying meat imported from a third country shall be supplemented by an attestation certifying that the above requirement has been met.*

**Amendment 46****Proposal for a regulation  
Article 10 a (new)****Article 10a****Arrangements for imports from third countries**

*The Commission shall ensure that meat and meat products from third countries that are intended for consumption in the internal market comply with the provisions of this Regulation.*

**Amendment 121****Proposal for a regulation  
Article 11 – paragraph 2 – introductory part**

2. For the purposes of this Regulation the competent authority, referred to in Article 4 of Regulation (EC) No 853/2004, shall approve for each slaughterhouse:

2. For the purposes of this Regulation the competent authority, referred to in Article 4 of Regulation (EC) No 853/2004, shall approve for each slaughterhouse **with a slaughter capacity of more than 50 livestock units per week or more than 150 000 units of poultry per annum:**

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**Amendment 48****Proposal for a regulation  
Article 11 – paragraph 2 – point a**

a) *the maximum throughput for each slaughter line;* *deleted*

**Amendment 49****Proposal for a regulation  
Article 11 – paragraph 2 – point c**

c) the maximum capacity for each lairage area intended for equidae and animals of the bovine, ovine, caprine and porcine species and poultry and lagomorphs. c) the maximum capacity for each lairage area intended for equidae and animals of the bovine, ovine, caprine and porcine species and poultry, **ratites** and lagomorphs.

**Amendment 50****Proposal for a regulation  
Article 12 – paragraph 2**

2. Operators shall ensure that animals **that are killed** without stunning are mechanically restrained. 2. Operators shall ensure that, **when applicable and in the case of religious slaughter where** animals **are slaughtered** without stunning, **they** are mechanically restrained.

**Amendment 51****Proposal for a regulation  
Article 12 – paragraph 3 – point e**

e) *the use of electric currents that do not stun or kill the animals under controlled circumstances, in particular, any electric current application that does not span the brain.* *deleted*

**Amendment 52****Proposal for a regulation  
Article 12 – paragraph 3 – point 2**

However, points (a) and (b) shall not apply to the shackles used for poultry. However, points (a) and (b) shall not apply to the shackles used for poultry **and lagomorphs**.

**Amendment 53****Proposal for a regulation  
Article 13 – paragraph 1**

1. Operators shall put in place and implement appropriate monitoring procedures to verify and confirm that animals for slaughter are effectively stunned in the period between the end of the stunning process and the confirmation of death. 1. Operators shall put in place and implement appropriate monitoring procedures to verify and confirm that animals for slaughter are effectively stunned in the period between the end of the stunning process and the confirmation of death. **Animals must be dead before any other potentially painful carcass-dressing procedure is performed or treatment applied.**

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**Amendment 54****Proposal for a regulation  
Article 13 - paragraph 4 a (new)**

*4a. Operators of fur farms shall notify the competent authority in advance when animals are to be killed, to enable the Official Veterinarian to check that the requirements set out in this Regulation, and the standard operating procedures, are being observed.*

**Amendment 55****Proposal for a regulation  
Article 13 – paragraph 5**

5. Community *codes of good practices* concerning monitoring procedures in slaughterhouses may be adopted in accordance with the procedure referred to in Article 22(2).

5. Community *guidelines for the drawing up of procedures and implementation of rules* concerning monitoring procedures in slaughterhouses may be adopted in accordance with the procedure referred to in Article 22(2).

**Amendment 56****Proposal for a regulation  
Article 13 – paragraph 5 a (new)**

*5a. The Official Veterinarian shall regularly verify the above-mentioned monitoring procedures and adherence to the standard operating procedures.*

**Amendment 57****Proposal for a regulation  
Article 14 – paragraph -1 (new)**

*-1. Operators shall be responsible for ensuring compliance with the rules laid down in this Regulation.*

**Amendment 58****Proposal for a regulation  
Article 14 – paragraph 1**

1. Operators shall designate an animal welfare officer for each slaughterhouse, to be responsible for *ensuring* compliance with the rules laid down in this Regulation in that slaughterhouse. He or she shall report directly to the operator on matters relating to the welfare of the animals.

1. Operators shall designate an animal welfare officer for each slaughterhouse, to be responsible for *supervising* compliance with the rules laid down in this Regulation in that slaughterhouse. He or she shall report directly to the operator on matters relating to the welfare of the animals.

**Amendment 103****Proposal for a regulation  
Article 14 – paragraph 5**

5. *Paragraphs 1 and 4 shall not apply to* slaughterhouses slaughtering less than 1 000 livestock units of mammals or 150 000 units of poultry per year.

5. Slaughterhouses slaughtering fewer than 1 000 livestock units of mammals or 150 000 units of poultry per year *may be operated by an animal welfare officer, and the procedure for obtaining a certificate of competence will be simplified in accordance with specifications defined by the competent authority.*

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**Amendment 60****Proposal for a regulation  
Article 15 – paragraph 1**

1. *The competent authority and the operators involved in a depopulation operation shall establish an action plan to ensure compliance with the rules laid down in this Regulation, before the commencement of the operation.* *deleted*

*In particular, the killing methods planned and the corresponding standard operating procedures for ensuring compliance with the rules laid down in this Regulation, shall be included in the contingency plans required under Community legislation on animal health, on the basis of the hypothesis established in the contingency plan concerning the size and the location of suspected outbreaks.*

**Amendment 61****Proposal for a regulation  
Article 15 – paragraph 3**

3. For the purposes of this Article and in **exceptional circumstances**, the competent authority may grant derogations from one or more of the provisions of this Regulation where it considers that compliance is likely to affect human health or significantly slow down the process of eradication of a disease.

3. For the purposes of this Article and in **cases of force majeure**, the competent authority may grant derogations from one or more of the provisions of this Regulation where it considers that compliance is likely to affect human health or significantly slow down the process of eradication of a disease **or further undermine animal welfare**.

**Amendment 62****Proposal for a regulation  
Article 15 – paragraph 4**

4. *Within one year from the date of the end of depopulation operation, the competent authority referred to in paragraph 1 shall transmit to the Commission and make publicly available, in particular through the internet, an evaluation report on the results thereof.* *deleted*

*That report shall include, in particular:*

- a) the reasons for the depopulation;*
- b) the number and the species of animals killed;*
- c) the stunning and killing methods used;*
- d) a description of the difficulties encountered and, where appropriate, solutions found to alleviate or minimise the suffering of the animals concerned;*
- e) any derogation granted in accordance with paragraph 3.*

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**Amendment 63**  
**Proposal for a regulation**  
**Article 16**

In the case of emergency **killing**, the person in charge of the animals concerned shall take all the necessary measures to **kill** the animal as soon as possible.

In the case of emergency **slaughter**, the person in charge of the animals concerned shall take all the necessary measures to **slaughter** the animal as soon as possible, **without prejudice to the conditions laid down in Section I, Chapter VI of Annex III to Regulation (EC) No 853/2004 concerning emergency slaughter outside the slaughterhouse.**

**Amendment 64**  
**Proposal for a regulation**  
**Article 17**

Article 17

*deleted*

Reference centres

1. Each Member State shall appoint a national reference centre (hereinafter referred to as the 'reference centre') to perform the following tasks:

- a) provide scientific and technical expertise relating to the approval of slaughterhouses;
- b) carry out assessments of new stunning methods;
- c) actively encourage the development by operators and other interested parties of codes of good practice for the implementation of this Regulation and publish and disseminate such codes, and monitor their application;
- d) develop guidelines for the competent authority for the purposes of this Regulation;
- e) accredit bodies and entities for the issuance of certificates of competence, as provided for in Article 18;
- f) correspond and cooperate with the Commission and other reference centres, in order to share technical and scientific information and best practices as regards the implementation of this Regulation.

2. Within one year from the date of the entry into force of this Regulation, Member States shall submit details of their reference centre to the Commission and the other Member States, and shall make such information publicly available on the internet.

3. Reference centres may be established as a network, made up of separate entities, provided that all the tasks listed in paragraph 1 are allocated for all the relevant activities taking place in the Member States concerned.

Member States may appoint for an entity located outside their own territory to carry out one or more of those tasks.

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**Amendment 65****Proposal for a regulation  
Article 18 – paragraph 1 – point b**

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| <p>b) <i>delivering certificates of competence attesting the passing of an independent final examination; the subjects of this examination shall be relevant for the categories of animals concerned and correspond to the operations listed in Article 7(2), and the subjects set out in Annex IV</i></p> | <p>b) <i>ensuring that anyone responsible for developing or maintaining the standard operating procedures set out in Article 6 of this Regulation has received appropriate training;</i></p> |
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**Amendment 66****Proposal for a regulation  
Article 18 – paragraph 1 – point c**

- |   |                       |
|---|-----------------------|
| <p>c) <i>approving training programmes of the courses referred to in point (a) and the content and modalities of the examination referred in point (b);</i></p> | <p><i>deleted</i></p> |
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**Amendment 67****Proposal for a regulation  
Article 18 – paragraph 2**

2. *The competent authority may delegate the organisation of the courses, the final examination and the issuance of the certificate of competence to a separate body or entity which:*

- |   |   |
|---|---|
| <p>a) <i>has the expertise, staff and equipment necessary to do so;</i></p> <p>b) <i>is independent and free from any conflict of interest as regards the issuance of the certificates of competence;</i></p> <p>c) <i>is accredited by the reference centre.</i></p> | <p>2. <i>The training programmes must be developed and, where applicable, run, by the business itself or by an organisation authorised by the competent authority.</i></p> <p><i>That business or organisation shall issue the certificates of competence in this field.</i></p> <p><i>The competent authority may, where it considers necessary, develop and run training programmes and issue certificates of competence.</i></p> |
|---|---|

*The details of such bodies and entities shall be made publicly available, in particular via the internet.*

**Amendment 68****Proposal for a regulation  
Article 18 – paragraph 3 – subparagraph 1**

3. *Certificates of competence shall indicate for which categories of animals and for which of the operations listed in Article 7(2) or (3) the certificate is valid.*

3. *Member States shall appoint the responsible competent authority to approve the content of the training programmes referred to in paragraph 2.*

**Amendments 69 and 70****Proposal for a regulation  
Article 18 – paragraph 3 – subparagraph 2**

*Certificates of competences shall not be valid for a period exceeding five years.*

*Certificates of competence shall be valid for an unlimited period. Holders of certificates of competence shall be required to undergo regular training.*

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TEXT PROPOSED BY THE COMMISSION

AMENDMENT

**Amendment 71****Proposal for a regulation  
Article 24 – paragraph 2**

2. Until 31 December 2014, Member States may provide for certificates of competence, as referred to in Article 18, to be issued without examination to persons demonstrating relevant **uninterrupted** professional experience of at least **[ten] years**.

2. Until 31 December 2014, Member States may provide for certificates of competence, as referred to in Article 18, to be issued without examination to persons demonstrating **appropriate training and** relevant professional experience of at least **12 months before the entry into force of this Regulation**.

**Amendment 72****Proposal for a regulation  
Article 24 – paragraph 2 a (new)**

**2a. The Commission shall by 1 January 2013 submit a legislative proposal to the European Parliament and the Council on the establishment of conditions and rules on the use of mobile slaughterhouses within the Union, ensuring that all precautions are taken in those mobile units to avoid compromising animal welfare.**

**Amendment 73****Proposal for a regulation  
Annex I – Chapter I – Table I – Line No 2 – Category of animals**

Ruminants **up to 10 kg**, poultry and lagomorphs.

Ruminants, poultry and lagomorphs.

**Amendment 74****Proposal for a regulation  
Annex I – Chapter I – Table I – Line No 2 – Key parameters - subparagraph 2**

Appropriate velocity and diameter of bolt according to animal size and species.

Appropriate velocity and diameter of bolt (**contact plate method**) according to animal size and species.

**Amendment 75****Proposal for a regulation  
Annex I – Chapter I – Table 2 – Line No 2 – Name**

Head-to-Back electrical **killing**

**Head-to-heart or** head-to-back electrical **stunning or slaughtering**

**Amendment 76****Proposal for a regulation  
Annex I – Chapter I – Table 2 – Line No 2 – Category of animals**

All species **except lambs or piglets of less than 5 kg live weight and cattle**.

All species.

**Amendment 77****Proposal for a regulation  
Annex I – Chapter I – Table 3 – Line No 2 – Category of animals**

Pigs **and** poultry.

Pigs, poultry **and fur animals**.



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TEXT PROPOSED BY THE COMMISSION

AMENDMENT

**Amendment 78****Proposal for a regulation****Annex I – Chapter II – point 7 – paragraph 1 a (new)**

*Carbon dioxide at concentrations over 30 % shall not be used to stun or slaughter poultry in a slaughterhouse. Such concentrations may only be used to kill surplus chicks or for the purposes of disease control.*

**Amendment 79****Proposal for a regulation****Annex II – point 2.3**

2.3. There shall be a waiting pen, **with a level floor and solid sides**, between the holding pens and the race leading to the point of stunning, to ensure a steady supply of animals for stunning and **killing** and to avoid animal handlers having to rush animals from the holding pens. The waiting pen shall be so designed that animals cannot be trapped or trampled.

2.3. There shall be a waiting pen between the holding pens and the race leading to the point of stunning, to ensure a steady supply of animals for stunning and **slaughter** and to avoid animal handlers having to rush animals from the holding pens. The waiting pen shall be so designed that animals cannot be trapped or trampled.

**Amendment 80****Proposal for a regulation****Annex II – point 3.2**

3.2. **Restraining boxes used in conjunction with a captive bolt shall be fitted with a device that restricts both the lateral and vertical movement of the head of the animal.** *deleted*

**Amendment 81****Proposal for a regulation****Annex II – point 3.3**

3.3. **Systems restraining bovine animals by inversion or any unnatural position shall not be used.** *deleted*

**Amendment 82****Proposal for a regulation****Annex II – point 4.1 a (new)**

**4.1a. Electrical stunning equipment shall:**

- a) **incorporate an audible or visible device indicating the length of time of its application to an animal;**
- b) **be connected to a device indicating the voltage and the current under load, positioned so as to be clearly visible to the operator.**

**Amendment 83****Proposal for a regulation****Annex II – point 4.2**

4.2. **Electrical apparatus shall deliver a constant current.** *deleted*

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TEXT PROPOSED BY THE COMMISSION

AMENDMENT

**Amendment 84****Proposal for a regulation  
Annex II – point 7.2**

7.2. *Facilities for poultry shall be designed and built so that animals are only conveyed into the gas mixtures in transport crates without being unloaded.*

7.2. *Live poultry should be conveyed into the gas mixtures either in their transport crates or on conveyor belts.*

**Amendment 85****Proposal for a regulation  
Annex III – point 1.2**

1.2. *Animals must be unloaded as quickly as possible after arrival and subsequently slaughtered without undue delay.*

*deleted*

*In the case of poultry or lagomorphs, the total time of transport added to the time spent between unloading and slaughter shall not exceed 12 hours.*

*In the case of mammals, except lagomorphs, the total time of transport added to the time spent between unloading and slaughter shall not exceed:*

- a) 19 hours for unweaned animals;*
- b) 24 hours for equidae and pigs;*
- c) 29 hours for ruminants.*

*After the expiry of those time limits, the animals must be lairaged, fed, and subsequently given moderate amounts of food at appropriate intervals. In such cases, the animals shall be provided an appropriate amount of bedding or equivalent material which guarantees a level of comfort appropriate to the species and the number of animals concerned. This material must ensure adequate absorption of urine and faeces.*

**Amendment 86****Proposal for a regulation  
Annex III – point 1.5**

*For the purpose of slaughter, unweaned animals, lactating dairy animals, females having given birth during the journey or animals delivered in containers shall be given priority over other types of animal. If this is not possible, arrangements shall be made so as to relieve them from their suffering, in particular by:*

*deleted*

- 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.*

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TEXT PROPOSED BY THE COMMISSION

AMENDMENT

**Amendment 87****Proposal for a regulation  
Annex III – point 1.7 – sub-point c**

- c) lift or drag the animals by the head, ears, horns, legs, tail or fleece, or handle them in such a way as to cause them avoidable pain or suffering;
- c) lift or drag the animals by the head, ears, horns, legs (**with the exception of the feet of poultry and lagomorphs**), tail or fleece, or handle them in such a way as to cause them avoidable pain or suffering;

**Amendment 88****Proposal for a regulation  
Annex III – point 1.8 a (new)**

- 1.8a. Electrical stunning equipment must not be used as a means of restraint or immobilisation or to make animals move.**

**Amendment 89****Proposal for a regulation  
Annex III – point 1.8 b (new)**

- 1.8b. Animals which are unable to walk must not be dragged to the place of slaughter, but must be slaughtered where they lie.**

**Amendment 90****Proposal for a regulation  
Annex III – point 2.1**

- 2.1. Each animal shall have enough space to stand up, lie down and turn around.
- 2.1. **Except in the case of large bovine animals kept in individual pens for a period which does not exceed a reasonable limit,** each animal shall have enough space to stand up, lie down and turn around.

**Amendment 91****Proposal for a regulation  
Annex III – point 2 a (new)****2a. Captive bolt stunning**

- 2a.1. The captive bolt must be positioned so as to ensure that the projectile enters the cerebral cortex. In particular, the shooting of cattle in the poll position shall be prohibited. Sheep and goats may be shot in the poll position if the presence of horns prevents use of the crown position. In such cases the shot must be placed immediately behind the base of the horns and aimed towards the mouth, and bleeding must commence within 15 seconds of shooting.**
- 2a.2. When using a captive bolt instrument, the operator must check to ensure that the bolt retracts to its full extent after each shot. If it does not so retract, the instrument must not be used again until it has been repaired.**

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TEXT PROPOSED BY THE COMMISSION

AMENDMENT

**Amendment 92****Proposal for a regulation  
Annex III – point 2 b (new)****2b. Restraint of animals**

*An animal shall not be placed in a stunning box nor shall its head be placed in a device to restrict its movement unless the person who is to stun the animal is ready to do so as soon as the animal is placed in the stunning box or its head is fastened.*

**Amendment 93****Proposal for a regulation  
Annex III – point 3.1**

3.1. Where one person is responsible for the stunning, shackling, hoisting and bleeding of animals, that person must carry out all those operations consecutively on one animal before carrying out any of them on another animal.

3.1. Where one person is responsible for the stunning, shackling, hoisting and bleeding of animals, that person must carry out all those operations consecutively on one animal before carrying out any of them on another animal. ***This requirement shall not apply when group stunning is used.***

**Amendment 94****Proposal for a regulation  
Annex III – point 3.1 a (new)**

**3.1a. *Bleeding must be started without delay after stunning and be carried out in such a way as to bring about rapid, profuse and complete bleeding.***

**Amendment 95****Proposal for a regulation  
Annex III – point 3.2 a (new)**

**3.2a. *After incision of the blood vessels, no further dressing procedures or any electrical stimulation may be performed on the animals 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 120 seconds;***

***b) in the case of any other bird, a period of not less than 90 seconds;***

***c) in the case of stunned bovine animals, a period of not less than 30 seconds;***

***d) in the case of bovine animals that have not been stunned, a period of not less than 120 seconds;***

***e) in the case of sheep, goats, pigs and deer, a period of not less than 20 seconds.***

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TEXT PROPOSED BY THE COMMISSION

AMENDMENT

**Amendment 112**

**Proposal for a regulation  
Annex III – point 3.2 b (new)**

**3.2b. When a pregnant animal is slaughtered:**

- (a) if the uterus is intact, the foetus must be left inside until it is dead;*
- (b) in doubt, or if a conscious foetus is discovered in the womb of an animal after slaughter, it must be promptly removed, stunned with a penetrative captive bolt and killed by exsanguination.*

*Slaughterhouses must have suitable equipment to hand to perform the procedure promptly if required.*

**Amendment 96**

**Proposal for a regulation  
Annex III – point 3.3**

3.3. Birds shall not be slaughtered by means of automatic neck cutters unless it can be ascertained whether or not the neck cutters have effectively severed the blood vessels. When neck cutters have not been effective the bird shall be **killed** immediately.

3.3. Birds shall not be slaughtered by means of automatic neck cutters unless it can be ascertained whether or not the neck cutters have effectively severed the blood vessels. When neck cutters have not been effective the bird shall be **slaughtered** immediately.

**Amendment 97**

**Proposal for a regulation  
Annex IV – point (f a) (new)**

*(fa) the killing of fur animals.*

*Practical aspects of handling and restraining animals.*

*Practical aspects of stunning techniques.*

*Back-up stunning and/or slaughter methods.*

*Maintenance of stunning and/or slaughter equipment.*

*Monitoring the effectiveness of stunning.*