

## **FINAL BUSINESS AND REGULATORY IMPACT ASSESSMENT**

### **1. Title of Proposal**

Enforcement and implementation of Council Regulation EC No 1099/2009 on the protection of animals at the time of killing.

### **2. Purpose and intended effect**

**2.1. Background** – Animal welfare at the time of slaughter or killing is currently subject to the requirements of Council Directive 93/119/EC which was transposed by the Welfare of Animals (Slaughter or killing) Regulations 1995 as amended (the WASK Regulations). The WASK Regulations extend to the whole of Great Britain. In 2008 the Commission brought forward proposals to replace Council Directive 93/119/EC with a Regulation. The Commission highlighted the need to update Council Directive 93/119/EC which has never been amended.

As its starting point the Commission took 2 scientific opinions from the European Food Safety Authority, which suggested revising the technical annexes of the Directive. In parallel, in 2005, the World Organisation for Animal Health adopted guidelines for terrestrial and aquatic animals which include chapters on the welfare of animals at slaughter and killing leading to similar conclusions. As a consequence, in 2006 the Commission mandated an external consultant to carry out a study on stunning/killing practices in slaughterhouses and their economic, social and environmental consequences. The study was finalised in 2007. At the same time the Commission consulted interested parties and Member States. In 2006 the Commission adopted the first Community Action Plan on the Protection and Welfare of Animals, introducing new concepts such as the welfare indicators and the need for further research programmes and centres of reference on animal welfare. Specific problems were also identified with Directive 93/112/EC such as the lack of harmonised methodology for new stunning methods, the lack of clear responsibilities for operators on animal welfare, insufficient provision for competence of personnel handling animals and inadequate conditions for the welfare of animals during killing for disease purposes.

Council Regulation EC No 1099/2009 on the protection of animals at the time of killing was agreed in September 2009 and comes into effect on 1 January 2013, except for some measures in relation to layout, construction and equipment in slaughterhouses, which will not come into effect until December 2019 for existing slaughterhouses. The Regulation will be directly applicable in all Member States, including the UK. Regulation 1099/2009 acknowledges that some European countries have higher welfare standards than others and, for this reason, it allows Member States to retain national rules to maintain existing welfare protection where this offers a higher standard of protection than those required by the Regulation. National rules maintaining current welfare protections must be notified to the Commission before Regulation 1099/2009 comes into effect on 1 January 2013. The additional welfare

protection provided by a national rule which is not retained will be lost and Member States will not have a chance to reintroduce the rule at a later date.

Regulation 1099/2009 also allows new, stricter national rules to be introduced to increase welfare protection in relation to religious slaughter, farmed game and killing outside a slaughterhouse. There is no time limit for introducing new national rules in these 3 categories.

Regulation 1099/2009 provides a framework for ensuring overarching welfare outcomes are achieved. This outcome driven process differs in some aspects to the current UK regulatory framework which establishes overarching welfare requirements but also establishes detailed, technical standards for all key aspects of the slaughter process on the assumption that, if these standards are met, the required welfare outcomes will result. Regulation 1099/2009 will apply to all animals killed for the production of meat or other products in a slaughterhouse or on farm as well as for disease control purposes.

**2.2. Objective** – By introducing this Regulation the Commission’s general objective is to improve the protection of animals at the time of killing, while ensuring a level playing field for all Business Operators concerned, so that their competitiveness is not affected by discrepancies in their productive costs or their market access. The Commission considers that this should contribute to better regulation/simplification of policy objectives at European level. The Commission’s specific objectives are:

- to encourage innovation for stunning animals humanely;
- to ensure better integration of animal welfare in the production process of slaughterhouses;
- to increase the level of knowledge of personnel concerned; and
- to improve the protection of animals when large scale killing for disease control purposes occurs.

The Commission’s general objective does not entirely fit in with Scottish Government policy. While a level playing field for all Business Operators concerned would be fair, achieving this objective would actually result in a lowering of some animal welfare standards at the time of killing. Scotland has high standards of animal welfare so any potential lowering of standards would require very careful consideration. The outcome driven process preferred by the Commission could also be difficult to enforce.

The Scottish Government’s specific objectives accordingly are:

- to ensure that Regulation 1099/2009 is properly enforced by means of domestic legislation;
- to ensure that the obligations imposed by Regulation 1099/2009 are implemented fully;
- to ensure that no reduction in welfare standards occurs in the absence of detailed EU rules without very good reason;

**2.3. Rationale for Government intervention** – There are good public benefits and ethical considerations associated with the conduct of animal slaughter that provide a rationale for the Scottish Government’s involvement. Regulation 1099/2009 requires Member States to lay down rules on penalties and to take all measures to ensure they are implemented. Penalties must be effective, proportionate and dissuasive. Under Article 26(1) of Regulation 1099/2009, Member States can maintain existing national rules ensuring more extensive welfare protection than the minimum standards provided under the Regulation and the Scottish Government has an obligation to ensure that welfare standards are not lowered other than by design. Article 26(2) allows Member States to adopt new national rules in relation to religious slaughter, slaughter outside a slaughterhouse and the slaughter of farmed game and the opportunity to consider possible welfare improvements in these areas is deserving of proper consideration. To avoid duplication of statutory requirements, redundant elements of the current legislative framework must be repealed where superseded by Regulation 1099/2009. These measures require Government intervention.

This work contributes towards the Scottish Government National Performance Framework Strategic Outcomes ‘We have strong, resilient and supportive communities where people take responsibility for their own actions and how they affect others’ and ‘We live in a Scotland that is the most attractive place for doing business in Europe’. How we treat animals often reflects how we treat each other, both as individuals and as a community, and protecting the welfare of animals at the time of killing is important to the Scottish Government, the people of Scotland, and to the reputation of the Scottish livestock and slaughter industries.

### **3. Consultation**

#### **3.1. Within Government –**

The following Government Agency, Teams and Departments have been consulted in connection with the enforcement and implementation of Regulation 1099/2009 and the production of this Business and Regulatory Impact Assessment (BRIA):

- The Food Standards Agency in Scotland provided advice and information on slaughterhouse enforcement issues and certificates of competence;
- The Animal Health and Veterinary Laboratories Agency provided advice and information relating to on farm slaughter enforcement issues and certificates of competence;
- The Animal Health and Welfare Veterinary Team, Scottish Government, provided advice on slaughterhouses and related issues;
- The Farm Animal Welfare Committee provided advice on the Guides to Good Practice and other welfare at slaughter issues;
- The Rural and Environment Science and Analytical Services, Scottish Government, provided help and advice regarding the procurement of a training framework provider and BRIA statistics;

- Better Regulation and Industry Engagement Team, Scottish Government, provided advice on the preparation of the BRIA;
- Scottish Government Legal Directorate provided legal advice with regard to Regulation 1099/2009 and related issues;
- The Directorate for Justice, Scottish Government, provided advice on penalties and enforcement;
- Legal Aid Team, Scottish Government, provided advice on the implications for the legal aid fund;
- The Animal Welfare Core Team, Department for Environment, Food and Rural Affairs in England, provided advice and information about Regulation 1099/2009 and other slaughter issues;
- The Animal Identification, Legislation & Welfare Team, Department of Agriculture & Rural Development in Northern Ireland, provided information on slaughter issues;
- Livestock Welfare Policy Team, Office of the Chief Veterinary Officer in the Welsh Government provided information on slaughter issues.

### 3.2. Public consultation –

In March and April 2012, the Scottish Government held 4 stakeholder meetings to provide an overview of Council Regulation (EC) No 1099/2009 on the protection of animals at the time of killing and to obtain initial views on any key issues. Stakeholders from the Meat Industry, the Farming Industry, the Jewish / Muslim Communities and the Welfare Organisations attended these meetings. Initial feedback on the 3 main consultation areas was as follows:

- **Enforcement** – the Scottish Government’s plan to put in place a more flexible enforcement regime by introducing enforcement notices as a way of dealing with less serious or accidental breaches was generally viewed with favour. The religious communities also thought that animal welfare rules should be clear and transparent and that this would aid enforcement action;
- **National Rules** – Keeping current national rules was not viewed as gold plating when animal welfare was at stake and it was generally agreed that national rules that go beyond the scope of the Regulation should be kept unless there was a very good reason not to; and
- **New Stricter Rules** – A number of suggestions were put forward, particularly with regard to religious slaughter but it was observed that any new rules would only be acceptable if there was a significant impact on animal welfare.

Minutes of these meetings were produced and permission was received from all stakeholders to publish these minutes on the Scottish Government website at: <http://www.scotland.gov.uk/Topics/farmingrural/Agriculture/animal-welfare/AnimalWelfare/slaughter/minutes>

The output of these meetings subsequently fed into the production of the Scottish Government formal consultation document on implementing Council Regulation (EC) No 1099/2009 in Scotland, which was issued on 29 August 2012 to over 430 stakeholders, interested organisations and individuals. The consultation ran for 8 weeks and ended on 26 October. The responses are currently being collated. Those relating to enforcement, penalties and Certificates of Competence have been taken into consideration but the responses on national rules will not be analysed until after the Regulation comes into effect; if appropriate, the legislation will be amended after the analysis.

### **3.3. Business –**

The Animal Welfare Team met with representatives of The Scottish Association of Meat Wholesalers, The Scottish Federation of Meat Traders, NFU Scotland, The British Poultry Council, The Licensed Animal Slaughterers and Salvage Association, The Association of Non-Stun Abattoirs, Halal Chicken Services, The Halal Food Authority, The Muslim Council of Britain, The Muslim Council of Scotland and The Scottish Council of Jewish Communities to discuss the implementation and enforcement of Regulation 1099/2009. A further meeting to update Industry Members on progress with the Regulation and to discuss Certificates of Competence and training arrangements took place on 21 November. Additional meetings are planned.

## **4. Options**

**Option 1** – Do nothing. Regulation 1099/2009 will come into effect on 1 January 2013 and will be directly applicable. The WASK Regulations will remain in place. No domestic legislation will be introduced to enforce Regulation 1099/2009.

**Option 2** – Regulation 1099/2009 will come into effect on 1 January 2013. New domestic legislation will be introduced to ensure that the Regulation is complied with and enforced. The WASK Regulations will be repealed. No existing national rules that go beyond the requirements of Regulation 1099/2009 will be retained.

**Option 3** – Regulation 1099/2009 will come into effect on 1 January 2013. New domestic legislation will be introduced to ensure that the Regulation is complied with and enforced. Existing national rules that go beyond the requirements of Regulation 1099/2009 will be retained by partially retaining the WASK Regulations to ensure there is no reduction in welfare protection for animals at slaughter.

**Option 4** – Regulation 1099/2009 will come into effect on 1 January 2013. New domestic legislation will be introduced to ensure that the Regulation is complied with and enforced. Existing national rules that go beyond the requirements of Regulation 1099/2009 will be retained by partially retaining the WASK Regulations to ensure there is no reduction in welfare protection for animals at slaughter and new, stricter rules will be introduced to provide

additional welfare protection in the areas of religious slaughter, slaughter outside a slaughterhouse and the slaughter of farmed game.

#### **4.1. Sectors and groups affected –**

Regulation 1099/2009 will affect all food business operators in Scotland involved in slaughtering poultry, pigs, cattle, sheep and other species. In addition, Regulation 1099/2009 will impact on on farm slaughter operations undertaking the supply of small quantities of poultry, rabbit and hare meat. It will also impact on livestock, poultry and egg producers and others involved in killing animals outside a slaughterhouse. There will be an impact on companies manufacturing equipment for use in slaughterhouses. Government Agencies (The Food Standards Agency and the Animal Health Veterinary Laboratories Agency) responsible for approving facilities, verification and enforcement activities and supervision of depopulation operations, will also be affected.

#### **4.2. Benefits –**

**Option 1 – Do nothing. Regulation 1099/2009 will come into effect on 1 January 2013 and will be directly applicable. The WASK Regulations will remain in place. No domestic legislation will be introduced to enforce Regulation 1099/2009.**

Option 1 produces no benefits but the following risks have been identified:

- Regulation 1099/2009 is directly applicable so will automatically come into effect on 1 January 2013 but there will be no domestic legislation to enforce the new welfare requirements;
- There will be no penalties for breaches;
- The WASK Regulations will remain in place so there would be legislative duplication and overlap which would be confusing for stakeholders;
- Scotland will not be in compliance with Article 23 of Regulation 1099/2009 and infraction proceedings could be expected;
- The Scottish Government's reputation may be damaged.

**Option 2 – Regulation 1099/2009 will come into effect on 1 January 2013. New domestic legislation will be introduced to ensure that the Regulation is complied with and enforced. The WASK Regulations will be repealed. No existing national rules that go beyond the requirements of Regulation 1099/2009 will be retained.**

Option 2 (as measured against option 1) has the following benefits:

- Regulation 1099/2009 will automatically come into effect on 1 January 2013 and domestic legislation will be in place to enforce the new welfare requirements;
- Penalties for breaches will be in place;

- The WASK Regulations will be repealed so there would not be any legislative duplication or overlap;
- There will be some cost saving to the industry;
- Scotland will be in compliance with Article 23 of Regulation 1099/2009.

Option 2 has the following risks:

- The coming into effect of Regulation 1099/2009 and the introduction of enforcing domestic Regulations will have cost implications for the industry;
- The loss of existing national rules will result in a considerable lowering of welfare standards in Scotland for animals at the time of killing;
- More animals may be slaughtered without stunning using a religious method than are required to ensure an adequate supply to the Muslim and Jewish communities;
- The more outcome based approach of Regulation 1099/2009 will make enforcement more difficult;
- If welfare protection is lowered the Scottish Government may be challenged by veterinary groups, animal welfare organisations and even Industry stakeholders may seek an explanation;
- Lowering welfare standards will cause public concern;
- Lowering welfare standards may adversely affect the reputation of the Scottish Livestock and Slaughter Industries.

**Option 3 – Regulation 1099/2009 will come into effect on 1 January 2013. New domestic legislation will be introduced to ensure that the Regulation is complied with and enforced. Existing national rules that go beyond the requirements of Regulation 1099/2009 will be retained by partially retaining the WASK Regulations to ensure there is no reduction in welfare protection for animals at time of slaughter.**

Option 3 (as measured against option 1) has the following benefits:

- Regulation 1099/2009 will automatically come into effect on 1 January 2013 and domestic legislation will be in place to enforce the new welfare requirements;
- Penalties for breaches will be in place;
- Parts of the WASK Regulations will be repealed to ensure that there will not be any legislative duplication or overlap;
- Current welfare standards will be maintained at no additional cost to the industry;
- Scotland will be in compliance with Article 23 of Regulation 1099/2009.

Option 3 has the following risks:

- The coming into effect of Regulation 1099/2009 and the introduction of enforcing domestic Regulations will have cost implications for the industry;

- Since national rules are being maintained there will be no cost savings for the industry.

**Option 4 – Regulation 1099/2009 will come into effect on 1 January 2013. New domestic legislation will be introduced to ensure that the Regulation is complied with and enforced. Existing national rules that go beyond the requirements of Regulation 1099/2009 will be retained by partially retaining the WASK Regulations to ensure there is no reduction in welfare protection for animals at time of slaughter and new, stricter rules will be introduced to provide additional welfare protection in the areas of religious slaughter, slaughter outside a slaughterhouse and the slaughter of farmed game.**

Option 4 (as measured against option 1) has the following benefits:

- Regulation 1099/2009 will automatically come into effect on 1 January 2013 and domestic legislation will be in place to enforce the new welfare requirements;
- Penalties for breaches will be in place;
- Parts of the WASK Regulations will be repealed to ensure that there will not be any legislative duplication or overlap;
- Retaining existing national rules means current welfare standards will be maintained;
- New stricter rules in one or more of the areas of religious slaughter, slaughter outside a slaughterhouse or the slaughter of farmed game will increase welfare protection;
- Scotland will be in compliance with Article 23 of Regulation 1099/2009.

Option 4 has the following risks:

- The coming into effect of Regulation 1099/2009 and the introduction of enforcing domestic Regulations will have cost implications for the industry;
- Since national rules are being maintained there will be no cost savings for the industry;
- The introduction of any new, stricter rules may have additional cost implications for the industry.

### **4.3. Costs**

#### **Option 1**

Doing nothing would probably result in infraction proceedings so there will be a cost associated with this Option.

#### **Option 2**

#### **Costs associated with implementation of Regulation 1099/2009**

Regulation 1099/2009 introduces the following directly applicable obligations. Any associated costs / savings will also apply to options 3 and 4.

## **Measures that will apply from 1 January 2013**

### **General requirements**

- Draw up and implement Standard Operating Procedures (SOPs) – Article 6
- Ensure all persons working with live animals (including lairage staff and poultry live hangers) in a slaughterhouse hold a Regulation 1099/2009 compliant Certificate of Competence – Article 7
- Provide instructions for the use of restraining and stunning equipment – Article 8
- Ensure equipment is maintained in accordance with manufacturer's instructions and a record is maintained – Article 9
- Develop and disseminate Guides to Good Practice – Article 13

### **Requirements applicable to slaughterhouses**

- Ensure all animals slaughtered in accordance with religious rites are individually restrained – Article 15
- Ensure ruminants slaughtered in accordance with religious rites are mechanically restrained – Article 15
- Permit inversion of cattle when slaughtered in accordance with religious rites – Article 15
- Introduce and implement monitoring procedures in slaughterhouses – Article 16
- Designate an Animal Welfare Officer for every slaughterhouse above a minimum size – Article 17
- Ensure Animal Welfare Officers hold a Certificate of Competence for every activity for which they are responsible – Article 17

### **Stunning methods**

- Use specific currents and frequencies to stun poultry in an electric waterbath – Annex I
- Restrict use of cervical dislocation to slaughter poultry – Annex I

## **Measures that will apply to new slaughterhouses from 1 January 2013 and to existing slaughterhouses from 8 December 2019**

### **Layout, construction and equipment in slaughterhouses**

- Ensure automatic stunning equipment delivers a constant current – Annex II
- Ensure lines used to shackle live poultry incorporate breast comforters – Annex II
- Ensure birds are not suspended live for more than 1 minute (ducks, geese and turkeys - 2 minutes) – Annex II
- Ensure electrical and gas stunning equipment is fitted with a device to record key parameters. Records must be kept for one year – Annex II

The following paragraphs assess the costs associated with the above new measures required by Regulation 1099/2009.

In Scotland there are 4 approved Poultry Slaughterhouses and 37 Red Meat Slaughterhouses. Local authorities were approached for figures regarding non approved slaughterhouses; 11 premises were identified but it is likely that there are considerably more. There are 7 premises (knackers' yards) killing other than for human consumption and approximately 27,000 livestock and poultry holdings in Scotland.

### **Standard Operating Procedures (SOPs) (Article 6)**

Regulation 1099/2009 will require every business involved in any form of killing or "related operation" (e.g. stunning, restraining etc) to prepare SOPs. It is assumed that the cost of implementing SOPs will include the cost of checks on stunning and familiarisation with the requirements of Regulation 1099/2009. It is assumed the availability of Guides to Good Practice (see relevant section below) will reduce the cost of preparing SOPs and the comparative costs, with and without Guides to Good Practice, are estimated at Tables 1 and 2. It is anticipated that only a small proportion of livestock and poultry holdings will have to produce SOPs.

The one off costs consist of the time it would take Business Operators to develop SOPs with and without Guides to Good Practice (8 hours (1 day) at £26 per hour with Guides (2 days without Guides)) and the retraining of staff. The recurring costs cover the reviewing and updating of SOPs with and without Guides to Good Practice (4 hours (0.5 day) at £26 per hour with Guides (1 day without Guides) and checks on stunning (0.25 hour per day at £13 per hour with Guides (0.5 hour without Guides) (8 hours = 1 day; 240 days = 1 year)).

**Table 1 - Preparation / update of Standard Operating Procedures & Checks on Stunning with no Guides to Good Practice**

<b>Business Type</b>	<b>One Off Cost</b>	<b>Recurring Cost Per Year</b>	<b>Annual Cost Per Business</b>
Approved Poultry Slaughterhouse	£3,011	£7,072	£1,768
Red Meat Slaughterhouse (includes Farmed Game)	£27,852	£65,416	£1,768
<b>Total cost to business</b>	<b>£30,863</b>	<b>£72,488</b>	
Non Approved Poultry Slaughterhouse			£1,768
Premises Killing other than for Human Consumption			£68
Livestock Holding			£47
Poultry Unit			£47

**Table 2 - Preparation / update of Standard Operating Procedures & Checks on Stunning with Guides to Good Practice**

Business Type	One Off Cost	Recurring Cost Per Year	Annual Cost Per Business
Approved Poultry Slaughterhouse	£2,179	£3,536	£884
Red Meat Slaughterhouse (includes Farmed Game)	£20,156	£32,708	£884
<b>Total cost to business</b>	<b>£22,335</b>	<b>£36,244</b>	
Non Approved Poultry Slaughterhouse			£884
Premises Killing other than for Human Consumption			£68
Livestock Holding			£47
Poultry Unit			£47

Sources: FSA; Defra; Information provided by industry

### **Certificate of Competence (CoC) (Articles 7, 21 & 29)**

Under the current WASK Regulations people involved in the restraint, stunning, slaughter or killing, pithing, shackling or hoisting and bleeding of an animal must be licensed. To obtain a licence a person must be certified as competent by an Official Veterinary Surgeon. Once issued, a licence is for life, unless revoked or suspended. Under Regulation 1099/2009 a CoC will be required for every person undertaking killing for human consumption operations, including the handling and care of animals before they are restrained. This extends the scope of the previous WASK slaughter licence requirements to include staff in the lairage, live poultry shacklers and those killing with a free bullet in the field for human consumption. A CoC will not be required where the owner is killing animals on farm for personal consumption. There is no requirement in Regulation 1099/2009 for a CoC for persons slaughtering animals for private consumption on behalf of their owner. As with WASK slaughter licences, there will ultimately be no time limit on the validity of a CoC.

Article 21(7) of Regulation 1099/2009 allows Member States to recognise qualifications obtained for other purposes as equivalent to CoC for the purposes of this Regulation, provided that they have been obtained under conditions equivalent to those laid down in Article 21. It is intended to utilise this ability as part of the transitional arrangements for existing workers. Industry workers who currently hold a WASK licence will not need to take any immediate action since they will be able to work on in the Slaughter Industry in Scotland for a limited time period (possibly 12 months) before having to exchange their licence for a CoC, for which they will be charged a fee currently estimated at £25.50. Workers without a WASK licence (lairage workers for example) will be assessed by an authorised person and issued with a time limited CoC before 1 January 2013; these time limited CoCs will have to be exchanged for full CoCs before the end of the time limit, also at an estimated cost of £25.50.

New workers to the Slaughter Industry must obtain a temporary CoC which will permit them to work for up to 3 months under the supervision of a person holding a full CoC for that activity before taking an independent assessment that will allow them to obtain a full CoC. Before being able to obtain a temporary CoC the person must register on a training course approved for the purposes of Regulation 1099/2009.

Any workers in remote slaughterhouses in Scotland who require to be assessed for a CoC are likely to incur higher costs in terms of time and travel expenses but this is impossible to quantify. Only a very small number of workers will be involved, however, and affected Food Business Operators may very well seek to avoid the extra expense and the disruption to their businesses by only employing workers who have already been trained.

It is anticipated that training courses and assessment centres will not be set up in Scotland till March 2013 so the following assumptions are based on information provided to Defra by Industry sources that operate north and south of the border, the Food Standards Agency (FSA) and the Animal Health Veterinary Laboratories Agency (AHVLA):

- Estimated number of new CoCs that will be issued in Scotland each year - 20
- Number of training units required for a CoC – Slaughterman 3; Lairage worker 2; Poultry shacklers; 2
- Training hours per unit – 6
- Training cost per hour – Awarding Organisation approved slaughterhouse £26 – Other premises £52
- Assessment cost per day – Awarding Organisation approved slaughterhouse £250; Other premises £400
- Centre approval £350
- Estimated number of slaughterhouses that will be approved as training/assessment centres – approximately 15
- Units assessed per day – 4
- Cost of CoC after passing the assessment - £25.50

**Source: Conversations with Awarding Organisations, Training Organisations and Industry**

Regulation 1099/2009 makes provision for an exemption from the CoC and many other requirements for persons undertaking small scale slaughter of poultry, rabbits and hares, on farm, for the purpose of directly supplying meat by the producer to the final consumer, or to local retail outlets. This exemption will apply where slaughter volumes are below a threshold to be specified by the Commission through comitology procedures. No threshold has been specified to date so the requirement to hold a CoC will apply to all on farm slaughter involving a direct supply.

### **Instructions on maintenance and use of equipment (Article 8)**

It is assumed that there will be no additional costs associated with the requirement to provide instructions on the maintenance and use of equipment,

and to place those instructions on the internet, because such instructions will already be available from all reputable manufacturers.

### **Maintain equipment in accordance with manufacturer's instructions (Article 9)**

The WASK Regulations currently oblige business operators to rectify problems with equipment. It is therefore assumed there will be no additional cost arising from this requirement.

### **Guides to Good Practice (GGPs) (Article 13)**

Regulation 1099/2009 requires Member States to encourage the development and dissemination of GGPs by "organisations of Business Operators". If Business Operators fail to develop guidance the competent authority may develop and publish its own guidance. Where GGPs are prepared Regulation 1099/2009 requires them to be developed, in consultation with non Government organisations, the competent authority and other interested parties. The competent authority is required to assess guidance to ensure it is consistent with Community guidelines. Once validated by the competent authority, guidance must be forwarded to the Commission.

The British Meat Processors Association (BMPA) and the British Poultry Council (BPC) are currently preparing GGPs. They estimate the Industry costs associated with developing guidance for the slaughter of major species (cattle, sheep, pigs and poultry) will be some £50,000. This cost will increase if other organisations decide to develop guidance e.g. for livestock and poultry producers or slaughter of minor species.

The BMPA and BPC have indicated that it is their intention that the GGPs under preparation will cover both the requirements of Regulation 1099/2009 and any provisions introduced through national rules. The guides will be adjusted, if required, to fit the legislative requirements in Scotland.

GGPs will play a key role in the preparation of SOPs. It has been assumed that the cost to Industry in relation to familiarisation with the content of GGPs, and associated staff training, is built into the cost of developing SOPs. Further, where GGPs are available it has been assumed that the staff time associated with the preparation and update of SOPs will be halved. The figures at Tables 1 and 2 provide estimates of the costs associated with the preparation of SOPs with and without GGPs.

### **Religious slaughter (Articles 4(4) and 15(2))**

Regulation 1099/2009 requires all animals slaughtered in accordance with religious rites to be individually restrained. In addition all ruminants slaughtered in accordance with religious rites must be mechanically restrained. The WASK Regulations already require the mechanical restraint of bovines so the only additional costs associated with these measures relate to the slaughter of non bovine ruminants (sheep and goats) in

slaughterhouses not currently using mechanical restraining methods. It is estimated that mechanical restraint for sheep will cost £15,000 per plant to install. As far as the Scottish Government is aware, no slaughter without pre-stunning currently takes place in Scotland so these measures should have no impact unless the change in waterbath frequencies encourages slaughter without pre-stunning.

Scientific evidence suggests recoverable stunning of poultry should still be possible using the new waterbath currents and frequencies specified in Annex 1 to Regulation 1099/2009. However, there could be increased carcass damage as described and costed under Option 2.

### **Monitoring procedures (Article 16)**

All slaughterhouse operators will need to review existing monitoring arrangements and ensure that they meet the requirements of Regulation 1099/2009. CCTV could be used to provide inconspicuous monitoring in this context but should be considered by Business Operators alongside other methods of inconspicuous monitoring in determining the optimum solution for their individual business.

The one off costs consist of the estimated time that it would take Business Operators to develop suitable monitoring procedures for their business (4 hours (0.5 day) at £26 per hour). The estimated recurring costs cover the reviewing and updating of monitoring procedures (2 hours at £26 per hour and checks on stunning (0.25 hour per day at £13 per hour (8 hours = 1 day; 240 days = 1 year)).

The costs associated with the introduction and conduct of additional monitoring requirements (excluding any costs associated with voluntary installation of additional CCTV equipment) required by Regulation 1099/2009 are estimated to be as follows:

**Table 3 - Introduction of new monitoring procedures in slaughterhouses**

<b>Business Type</b>	<b>One Off Cost</b>	<b>Recurring Cost Per Year</b>	<b>Annual Cost Per Business</b>
Approved Poultry Slaughterhouse	£416	£3,328	£832
Red Meat Slaughterhouse (includes Farmed Game)	£3,848	£30,784	£832
<b>Total cost to business</b>	<b>£4,264</b>	<b>£34,112</b>	
Non Approved Poultry Slaughterhouse*			£832

\* Local Authorities were approached for figures regarding non-approved slaughterhouses; 11 premises were identified but it is likely that there are considerably more

**Sources:** FSA; Defra; Information provided by industry

## **Animal Welfare Officer (AWO) (Article 17)**

Regulation 1099/2009 will require Business Operators to designate an AWO for every slaughterhouse (above a minimum size) who will be required to record details of action taken to improve welfare. Some slaughterhouses in Scotland already employ an AWO where this is required for assurance schemes or contractual purposes. It is estimated that 3 approved Poultry Slaughterhouses and 23 approved Red Meat Slaughterhouses will need AWOs. The additional time required for a Business Operator to introduce an AWO role is estimated to be 12.5% of a full time post (240 days per year; 8 hours a day for an hourly rate of £26).

The one off costs associated with the introduction of AWOs, where one is not already employed, is therefore estimated as follows:

**Table 4 - Animal Welfare Officer requirements**

<b>Business Type</b>	<b>One Off Cost</b>
Approved Poultry Slaughterhouse	£18,720
Red Meat Slaughterhouse	£143,520
<b>Total cost to business</b>	<b>£162,240</b>

**Sources:** FSA; Defra; Information provided by industry

AWOs will need to obtain a CoC that covers every activity for which they are responsible where this is required. It is likely, however, that any existing AWO and any who are newly appointed to the role will already have a WASK slaughter licence that can be exchanged for a CoC. The WASK licence may not cover every activity for which the AWO is responsible and, in this case, training and assessment would be required in respect of the missing activity. It is likely, however, that slaughterhouse operators will choose their most experienced worker to be the AWO and, consequently, the recurring costs associated with training and assessment of AWOs are likely to be negligible.

## **Changes to permitted stunning / killing methods (Annex 1 to Regulation 1099/2009)**

Regulation 1099/2009 permits the ongoing use of all stunning and killing methods currently in common use. However, specific stunning currents and frequencies for waterbath stunning of poultry have been introduced. Regulation 1099/2009 also prohibits decapitation of poultry and neck dislocation where currently used as a routine slaughter method. This is expected to impact primarily on those seasonal poultry slaughter operations that have no alternative stunning facilities available. No information is available on the number of seasonal poultry slaughter businesses that will be affected but it is assumed that 3 approved slaughterhouses will be affected. Provision of electrical stunning equipment compliant with the new requirements is not expected to cost more than £1,500 per business.

### **Poultry stunning frequencies and currents (Annex 1 to Regulation 1099/2009)**

Regulation 1099/2009 includes a requirement to use 150ma to stun chickens at between 200 and 400Hz and 200ma above 400Hz. Poultry Industry representatives have noted that the required parameters will result in a downgrading loss due to carcass damage of between £0.08 and £0.24 per bird. At current throughput of approximately 55 million birds slaughtered in Scotland per year, the cost to Industry would be between £4.4m and 13.2m per year. However, some Industry members have indicated that they intend to change their systems to gas stunning which would mean that they would not incur any downgrading losses due to carcass damage.

### **Constant current stunning (Annex II para 4.2) – (These measures shall apply from 9 December 2019 for existing businesses)**

This is likely to affect slaughterhouses using the Jarvis box for cattle and the Midas / Valhalla systems for pigs. It is understood that 3 Red Meat Slaughterhouses are currently using the Jarvis box for cattle in Scotland and it has therefore been assumed that these slaughterhouses will be affected by this requirement. The cost of modifications to deliver constant current stunning will be £10,000 per plant. It is understood that no businesses in Scotland use the Midas / Valhalla systems for pigs.

### **Live shackling (Annex II para 5.2) – (These measures shall apply from 9 December 2019 for existing businesses)**

Regulation 1099/2009 requires live shackling of chickens to be limited to a maximum of 1 minute from 2019. It is understood that only 1 slaughterhouse using waterbath stunning in Scotland may need to be modified to achieve this requirement at a cost of £25,000.

### **Breast comforters (Annex II para 5.8) – (These measures shall apply from 9 December 2019 for existing businesses)**

It is assumed that the majority of poultry shackle lines currently in use in the UK already incorporate breast comforters. On this basis no additional costs will arise from this provision.

### **Recording devices (Annex II paras 4, 5.10 & 6.2) – (These measures shall apply from 9 December 2019 for existing businesses)**

All electrical equipment (other than waterbath stunning equipment) will need to be fitted with a device to record key electrical parameters for each animal stunned. Most static electrical stunning equipment e.g. Jarvis box stunners for cattle will include a device to display key electrical parameters. With more modern equipment it should be possible to record electrical parameters although this might not be possible on an animal by animal basis. Recording of electrical parameters for hand held devices is very unlikely to be in routine use at present and it has been assumed that around three quarters of

approved Red Meat Slaughterhouses (around 27) will require the device, with the remaining ones using non-electrical methods of stunning only. To provide this capability all equipment would need to be fitted with a system to record electrical stunning parameters. The Commission estimate that this equipment would cost about £3,200 per device in addition to tongs and a transformer.

Where poultry are stunned electrically using a waterbath stunning system it will be necessary to record the electrical parameters for each waterbath. It has been assumed that all 3 slaughterhouses using such systems in Scotland will need modifications to record electrical parameters. Installing recording equipment is expected to cost £3,500 per waterbath.

### **Construction and layout of slaughterhouses (Annex II)**

It is assumed that all existing slaughterhouses will comply with the remaining construction and layout provisions from 8 December 2019 as the Regulation 1099/2009 provisions are broadly equivalent to current WASK requirements.

### **Operational rules for slaughterhouses (Annex III)**

The operational rules proposed are broadly equivalent to current legislative requirements. It has been assumed, therefore, that there will be no additional costs associated with the proposed measures.

#### **4.3.1. Savings**

As there are some differences in scope between Regulation 1099/2009 and the WASK Regulations, repealing the WASK Regulations will:

- Allow a third party to slaughter an animal outside a slaughterhouse for the owner's private consumption, allow a person to operate a gas chamber outside a slaughterhouse and permit killing of animals by a knacker, without a CoC;
- Allow persons under 18 to apply for a CoC;
- Restrict consideration of previous offences for CoC purposes to last three years;
- Leave most aspects of religious slaughter unregulated removing the prohibition on inversion of cattle, the minimum period between neck cut and subsequent movement, the requirements relating to the condition of the knife and the role of the Rabbinical Commission;
- Remove the requirement that slaughter without stunning must be undertaken by a Jew or Muslim for the food of Jews or Muslims; and
- Allow religious slaughter of poultry, rabbits and hares outside a slaughterhouse by their owner for private domestic consumption.

This could allow some persons to obtain a CoC who would not otherwise have been considered a fit and proper person to hold a WASK slaughter licence which may impact negatively on welfare but is not expected to have any measurable financial impact. Regulation 1099/2009 removes the current WASK prohibition on inversion of cattle, the requirements relating to the

condition of the knife and the role of the Rabbinical Commission which could all impact negatively on the welfare of the animals involved but are unlikely to lead to any measurable cost savings. By allowing religious slaughter of poultry, rabbits and hares outside a slaughterhouse by their owner for private domestic consumption, Regulation 1099/2009 would have a further negative impact on welfare. These measures reduce welfare protection and can be considered as a welfare “cost” as a result.

The financial cost savings resulting from the more limited scope of Regulation 1099/2009 compared with the WASK Regulations are assessed in the following paragraphs.

### **Certificates of Competence (CoC)**

Permitting persons under 18 to hold a CoC could lead to some cost savings as pay rates for younger slaughterhouse workers relative to older slaughterhouse workers tend to be lower. However, any cost savings will be minimal. Restricting consideration of previous offences for CoC purposes to the last three years could allow some persons to obtain a CoC who would not otherwise have been considered a fit and proper person to hold a WASK slaughter licence. This is not expected to have any measurable financial impact.

The CoC requirements in Regulation 1099/2009 are narrower than the current WASK requirements. Under this Option the current WASK requirements are not maintained. As a consequence, the following groups required to hold a WASK licence will not be required to hold a CoC under Regulation 1099/2009:

- Persons slaughtering an animal outside a slaughterhouse for the owner’s private consumption;
- Knackermen killing animals other than with a free bullet;
- Persons operating a gas chamber outside a slaughterhouse.

The cost savings associated with not maintaining the current scope of CoCs is estimated to be as follows:

**Table 5 – Savings from not maintaining current scope of WASK licence arrangements**

<b>Business Type</b>	<b>Annual Saving Per Business</b>
Third party slaughtering for private consumption*	£9
Premises Killing other than for Human Consumption	£26
On farm gas chamber operator*	£55

\*No information is available regarding the number of businesses that would be affected

**Sources:** FSA; Defra; Information provided by industry

## **Religious slaughter**

Removing the prohibition on inversion of cattle, the requirements relating to the condition of the knife and the role of the Rabbinical Commission are unlikely to lead to any measurable cost savings. Allowing religious slaughter of poultry, rabbits and hares outside a slaughterhouse by their owner for private domestic consumption would not lead to any cost savings. Removing the requirement that religious slaughter must be undertaken by a Jew or Muslim for the food of Jews or Muslims is not expected to have any specific cost implications.

## **National Rules**

The Scottish Government's formal consultation paper on the implementation and enforcement of Regulation 1099/2009 lists 118 detailed provisions from the WASK Regulations considered to provide more extensive welfare protection than Regulation 1099/2009. These provisions can be viewed at Annex 2 in the consultation paper at:

<http://www.scotland.gov.uk/Publications/2012/08/9239/0>

Repealing the WASK Regulations under this Option will mean the loss of these detailed provisions and consideration has been given to any cost savings that their removal may provide.

## **Comparing the WASK Regulations and Regulation 1099/2009**

When the WASK Regulations and Regulation 1099/2009 are compared, there is very little difference in the overarching welfare requirements Business Operators must achieve in relation to those activities where both pieces of legislation apply. The WASK Regulations require persons engaged in the movement, lairaging, restraint, stunning, slaughter or killing of animals to ensure they do not cause or permit any animal to sustain any avoidable excitement, pain or suffering. The Regulations then go on to prescribe operational and structural rules for almost every aspect of the slaughter process, leaving Business Operators very little discretion as to how they meet this overarching requirement.

Regulation 1099/2009 adopts an outcome led approach and amplifies and extends the overarching welfare requirement. It states that animals must be spared any avoidable pain, distress or suffering during their killing and related operations. However, it goes on to amplify this by requiring Business Operators to take measures to ensure that animals:

- are provided with physical comfort and protection, in particular by being kept clean in adequate thermal conditions and prevented from falling or slipping;
- are protected from injury;
- are handled and housed taking into consideration their normal behaviour;

- do not show signs of avoidable pain or fear or exhibit abnormal behaviour;
- do not suffer from prolonged withdrawal of feed or water;
- are prevented from avoidable interaction with other animals that could harm their welfare.

Regulation 1099/2009 goes on to establish a framework for Business Operators to work within to ensure these requirements are met but, although there is an element of prescription, Regulation 1099/2009 provides a measure of flexibility for Business Operators to determine how these requirements are met at an individual business level through SOPs. As a result, Regulation 1099/2009 actually requires a slightly higher overarching standard of welfare to be achieved than the WASK Regulations but allows more flexibility in how that is achieved.

The national rules are all designed to spare an animal any avoidable pain, distress or suffering and, in general, relate either to the way the animal is handled, to its standard of accommodation or to equipment to protect its welfare. If these particular rules were removed the animal handler could decide to handle the animal in some different way or the Business Operator could use different equipment but the welfare outcome still has to be achieved. Consequently, it is unlikely that the loss of prescriptive national rules will lead to any cost savings compared with Option 1 and could, in fact, lead to cost increases while different approaches to ensure welfare outcomes are achieved, are developed by Business Operators.

## Option 2 – Summary of Costs

The following tables summarise the costs associated with this Option.

**Table 6 - Option 2- Summary of one off costs**

Costs from 1 January 2013	Total for Approved Poultry Slaughterhouse Industry	Total for Red Meat Slaughterhouse Industry	Total for Whole Industry
SOP/ Checks on Stunning	£2,179	£20,156	<b>£22,335</b>
Monitoring Procedures	£416	£3,848	<b>£4,264</b>
Animal Welfare Officer	£18,720	£143,520	<b>£162,240</b>
Waterbath Currents and Frequencies	£4,500	£0	<b>£4,500</b>
<b>Total A</b>	<b>25,815</b>	<b>£167,524</b>	<b>£193,339</b>
Costs from 9 December 2019			
Recording Devices	£10,500	£86,400	£96,900
Constant Current Stunning	£0	£30,000	£30,000
Live Shackling Time	£25,000	£0	£25,000
Breast Comforters	£0	£0	£0
Construction and layout	£0	£0	£0
<b>Total B</b>	<b>£35,500</b>	<b>£116,400</b>	<b>£151,900</b>
<b>Total A + B</b>	<b>£61,315</b>	<b>£283,924</b>	<b>£345,239</b>

**Table 7 - Option 2 - Summary of recurring costs**

<b>Costs from 1 January 2013</b>	<b>Total for Approved Poultry Slaughterhouse Industry</b>	<b>Total for Red Meat Slaughterhouse Industry</b>	<b>Total for Whole Industry</b>
SOP/ Checks on Stunning	£3,536	£32,708	<b>£36,244</b>
Monitoring Procedures	£3,328	£30,784	<b>£34,112</b>
Animal Welfare Officer	£0	£0	<b>£0</b>
Waterbath Currents and Frequencies	£8,800,000*	£0	<b>£8,800,000</b> *
<b>Total</b>	<b>£8,806,864*</b>	<b>£63,492</b>	<b>£8,870,356</b> *
<b>Costs from 9 December 2019</b>			
Recording Devices	£0	£0	£0
Constant Current Stunning	£0	£0	£0
Live Shackling Time	£0	£0	£0
Breast Comforters	£0	£0	£0
Construction and layout	£0	£0	£0
<b>Total</b>	<b>£0</b>	<b>£0</b>	<b>£0</b>

\* The potential, recurring cost to Industry could be between £4.4m and 13.2m per year (mid point taken) in relation to carcass damage, plus costs for stunning and monitoring procedures. However, there is no expectation that the Industry will accept a financial loss of this magnitude. Rather, systems will be changed to gas stunning (some Industry members have already indicated that they intend to move to gas) which would mean that Food Business Operators would not incur any downgrading losses due to carcass damage whatsoever. It is estimated, therefore, that the total recurring cost to Industry, minus carcass damage, will be £70,356.

### **Option 3**

As with Option 2, this Option involves introducing all the directly applicable obligations in Regulation 1099/2009 so the one off and recurring costs identified for Option 2 would be exactly the same. As with Option 1 (and unlike Option 2) all the national rules contained in the WASK Regulations that go beyond the requirements of Regulation 1099/2009 will remain in force so, as measured against Option 1, no additional costs will be incurred with regard to the retention of national rules. Any savings identified in Option 2 by the removal of national rules will not be achieved under this Option but it should be noted that the savings were not significant and were achieved at the cost of lowered welfare standards.

### **Option 4**

Choosing this Option would have the same effects as Option 3. In addition, new, stricter rules could potentially be introduced to increase welfare protection in one or more of the categories of religious slaughter, slaughter outside a slaughterhouse and/or the slaughter of farmed game. Any additional rules could have cost implications for the Industry but, until new, stricter rules have actually been identified, it is impossible to assess any potential associated costs.

## **5. Competition Assessment**

The new requirements being implemented by Regulation 1099/2009 will have no impact on domestic competition issues since they apply equally to each Devolved Administration. In addition, the retention in Scotland of all national rules will not create any competition issues because it is not the intention of the other Devolved Administrations to lower their welfare standards.

With regard to other EU Member States, the preferred Option may actually have a positive impact on competition. The benefits of maintaining more stringent welfare protection may enhance Scotland's reputation as a producer of high quality, ethical meat and related products and potentially could increase demand for Scottish produce.

## **6. Small Businesses**

Some slaughterhouses will be small businesses, particularly seasonal poultry slaughterhouse operators. In addition, many livestock producers will be small businesses or micro businesses. Options 2 to 4 will not have a disproportionate impact on small businesses but it will impact on them. Since the additional requirements and associated costs of the preferred Option are being imposed by a European Regulation, this impact cannot be avoided without risk of infraction. However, there is a specific exemption in the Regulation from the AWO requirement for slaughterhouses with low throughput levels.

## **7. Test run of business forms**

The new Regulations will not introduce any statutory business forms.

## **8. Legal Aid Impact Test**

The Legal Aid Board have advised that there should be no impact on legal aid expenditure as the Regulation is aimed at food businesses involved in slaughter and also some food and livestock producers.

## **9. Enforcement, sanctions and monitoring**

Since Regulation 1099/2009 is directly applicable in UK law, to ensure Business Operators comply with the obligations of Regulation 1099/2009 it is necessary for Member States to make domestic Regulations to establish an effective enforcement regime with proportionate, dissuasive and effective penalties and sanctions.

For the majority of cases the preferred approach involves the use of administrative sanctions (i.e. enforcement notices) underpinned in every case by criminal penalties. However, an overarching criminal offence is required. This will be used to deal with the deliberate, reckless or negligent infliction of pain, suffering and distress on animals during slaughter operations which is significantly serious enough to warrant enforcement by a criminal offence.

Administrative penalties alone would not offer the same level of deterrent that criminal sanctions offer.

Enforcement and monitoring of slaughterhouse activities will be undertaken by the Food Standards Agency. On farm enforcement and monitoring will be the responsibility of the Animal Health Veterinary Laboratories Agency.

## **10. Implementation and delivery plan**

Council Regulation 1099/2009 is directly applicable and will become law in Scotland and the rest of the UK on 1 January 2013. Domestic legislation to implement and enforce the requirements of the Regulation will come into force on the same date.

In addition to implementing and enforcing Regulation 1099/2009, the new domestic Regulations will retain national rules applicable in slaughterhouses that go beyond the requirements of Regulation 1099/2009. This will ensure that high standards of animal welfare are maintained while the results of the formal consultation are being analysed. This strategy will also provide sufficient time for proper consideration and further consultation with stakeholders if it is considered that adjustments to national rules may be required. In this event, amending legislation will be taken forward. There is no time limit with regard to the possible introduction of new, stricter rules in the areas of religious slaughter, slaughter outside a slaughterhouse and/or the slaughter of farmed game so there is flexibility here to consider any suggestions during 2013 and 2014.

Key stakeholders have been identified and consultation has taken place. Information by letter will be sent out to stakeholders who are more widely affected by the new legislative requirements and guidance on the new requirements will be placed on the Scottish Government website as soon as possible.

### **10.1. Post-implementation review**

Consultation with stakeholders will be ongoing so that feedback with regard to the impact and effectiveness of the new requirements can be kept under review. Stakeholder input will also be required when national rules receive further consideration.

The Government Agencies responsible for enforcement (the Food Standards Agency and the Animal Health Veterinary Laboratories Agency) will provide ongoing monitoring regarding the effectiveness of the Regulations and will report regularly on all matters to the Scottish Government.

## **11. Summary and recommendation**

**Option 1** has no benefits but does have a great many risks. Doing nothing would not stop Regulation 1099/2009 coming into effect on 1 January 2013. The Regulation requires Member States to lay down rules on penalties and to

take all measures to ensure they are implemented. However, under this Option no domestic legislation would be introduced to ensure that the obligations in the new Regulation were complied with so infraction proceedings could be expected. Without enforcement provision, it is extremely unlikely that the new welfare requirements in Regulation 1099/2009 would be implemented by stakeholders. The WASK Regulations would still be in force so it is more likely that the industry would simply continue to adhere to this legislation, thus maintaining the status quo. Consequently, Option 1 is neither desirable nor recommended and is only being used to provide a baseline against which the other Options are assessed.

**Options 2 to 4** - The coming into effect of Regulation 1099/2009 will impose additional costs on the Industry. Since nothing can be done to prevent Regulation 1099/2009 coming into effect and since the costs, which have been examined under Option 2 will be the same for Options 2 to 4, there is little point in using these costs as a basis for comparison.

**Option 2** has the greatest number of risks, some of which are substantial. In particular, a considerable lowering of welfare standards would result which would be detrimental for animal welfare at the time of killing and a source of serious concern to veterinary organisations, welfare groups and the Scottish public. Since the WASK Regulations are more prescriptive than Regulation 1099/2009, the repeal of these Regulations would make the enforcement of welfare requirements more difficult and subjective. As enforcement in slaughterhouses is already a source of contention for welfare groups this would probably attract additional criticism. This Option is not recommended.

**Option 3** has the least number of risks. Current welfare standards would be maintained at no additional cost to the Industry. Retaining all existing national rules meantime will also permit the Scottish Government to revisit the issue, if necessary, after the results of the formal consultation have been properly analysed. If there is very good reason why a national rule should be removed, this could be done by amending legislation. This would not work in reverse, however, since any existing national rules that were dropped at this point could not be reintroduced at a later date. Accordingly, this is the best Option to adopt in the circumstances and is recommended.

**Option 4** has the most benefits since, in addition to the benefits of Option 3, it could result in increased welfare protection in relation to religious slaughter, slaughter outside a slaughterhouse and/or the slaughter of farmed game. The costs and benefits associated with any new, stricter rules would, however, have to be carefully considered before any decision could be made as to their viability. Any suggestions for new, stricter rules received by way of a consultation response or from any other source will, therefore, receive proper consideration at a later date and, if adopted, will be the subject of amending legislation. Consequently, this Option is not recommended at this time.

## 12. Declaration and publication

I have read the impact assessment and I am satisfied that (a) it represents a fair and reasonable view of the expected costs, benefits and impact of the policy, and (b) that the benefits justify the costs. I am satisfied that business impact has been assessed with the support of businesses in Scotland.

**Signed:** \_\_\_\_\_

**Date:** \_\_\_\_\_

Richard Lochhead MSP  
Cabinet Secretary for Rural Affairs and the Environment

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