

Killing or slaughter of animals without prior stunning. Exceptions to European legislation on animal welfare.

1. Introduction

European legislation requires that all animals to be killed for human consumption must be stunned before they are slaughtered, meaning that they should be unconscious when they are killed to avoid suffering. There are, however, some exceptions to this rule, founded on the cultural traditions or religious rites of a number of sectors of the populations.

In this report, we examine these exceptions, which are particularly cruel and cause enormous suffering for the animals. We also explain how products obtained from some of these methods of slaughter enter the food chain without the necessary labelling, meaning that consumers are denied their free choice to reject these products for ethical reasons.

At AVATMA, we support the position of the Federation of Veterinarians of Europe (FVE) and we consider the existence of these exceptions to be totally unacceptable. The welfare and protection of animals must always come before any cultural, artistic or economic consideration, and religious traditions must be reconciled with animal welfare in a way that animals do not suffer.

2. European Regulations and exceptions

The Council of the European Community enacted its first legislation governing animal welfare on 18 November 1974 with the approval of what was considered to be the first legislation in this respect, the **Council Directive 74/577/EEC of 18 November 1974**, concerning the stunning of animals before slaughter.⁽¹⁾

The fact that the first European-wide laws passed were related to this moment in the life (and death) of the animal is consistent with the situation in other geographic areas. Indeed, the results of a questionnaire conducted in 2008 by the World Organisation for Animal Health (OIE) on the status of animal protection legislation and its implementation revealed that this is the factor regarding the welfare of farm animals which is governed by the legislation of most countries (91%).

The political and social debate in Europe regarding the treatment of animals at the time of slaughter had already been considered in the 19th century in Germany, but it wasn't until the United Kingdom, Ireland and Denmark joined the EEC that an agreement was reached to draw up European legislation on animal protection. Thus, in March 1974 the Commission submitted its proposal on stunning, with its preamble stating the importance of legislation in this matter, to avoid any disparity in national legislations that may affect the functioning of the common market. Consequently, the European Community was required to take action to prevent any form of cruelty to animals, deeming it appropriate, in the first phase that this action should focus on preventing cruelty at the moment of slaughter by generalising the use of practices that render the animals unconscious by using appropriate methods before they are killed. Even so, the possibility of granting exceptions in certain cases was acknowledged, mainly in relation to religious rites, emergency killings or slaughter by the farmer for his own consumption.⁽¹⁾

The final definition of “stunning” which had been debated since the first meeting (in October 1973) was as follows: *“stunning is considered to be any procedure involving a mechanical instrument, electricity or anaesthesia with gas, having no repercussion on the food safety of the meat or the offal, that when applied to an animal immerses it in a state of unconsciousness which endures until the moment it is killed, to prevent, in all cases, any unnecessary suffering for the animals.”*

In 2009 the **(EC) Council Regulation no. 1099/2009** was adopted on 24 September governing animal protection at the moment of death, and this regulation governing this matter **has remained in force** since 1 January 2013.⁽¹⁾

3. Slaughter of animals according to certain religious rites

For some years, the slaughter of animals for human consumption has been under intense scrutiny in the countries within our cultural sphere. Although there is concern about health matters, there is a growing desire to stop animal cruelty and to prevent their suffering during the slaughter process. These demands have been reflected in detailed regulations, widely present in Community Law, which strictly lay down how procedures should be followed. This is where the first conflict arises: ritual sacrifice, as performed in some religions⁽²⁾ such as the Jewish, Muslim or Sikh religions, require that the animals be in a perfect state of health at the moment of their sacrifice. Based on this principle, a stunned animal could be deemed to be “ill,” according to some interpretations of the rule, and the consequence of this is that stunning is not applied before the animal is killed.

The most widespread method of slaughter used in the slaughterhouse is by slitting the throat, severing the blood vessels on both sides of the neck (carotid arteries and jugular veins) with a single cut which does not damage the spine. The trachea, oesophagus and nerve package are also severed **(Images 1 & 2)**

The sacrifice must be completed within 30 seconds of restraining the animal and within 10 seconds after restraining the animal's head. When cutting the main blood vessels, the animal loses consciousness gradually, but during this process, it can experience anxiety, pain and stress. If the cut is performed effectively, the animal will begin to lose consciousness within 10 to 15 seconds, but the absence of signs of

life has to be checked up to 30-40 seconds later in sheep and goats and up to 2-2.5 minutes later in the case of cattle. ⁽³⁾ If the cut is not performed correctly and only the jugular veins are cut, and it may take up to 5 minutes before the animal loses consciousness. ⁽⁴⁾ If both carotids are not severed at the same time the severed arteries may become occluded (aneurism) resulting in pain during and after the cut. Aneurism of the carotid artery around the edges of the cut is a quite common occurrence in cattle. The occlusion occurs a few seconds after the incision and delays the onset of unconsciousness, making it necessary to monitor continuously and systematically all animals slaughtered without prior stunning. ⁽³⁾

As we have seen, already in the first legislation governing animal slaughter (Council Directive 74/577/EEC) an exception was included for religious rites, and this has been maintained to the present day. ⁽¹⁾



Image 1: Islamic slaughtering practice of small ruminants.
Source: Eurocarne no. 225, April 2014



Image 2: Jewish slaughtering practice of chicken.

- In November 1991, the Commission presented its proposal for the regulation relating to animal protection at the moment of slaughter or killing. The European Parliament Environment Committee proposed that meat sold from animals killed without stunning should be labelled, mentioning religious rites sacrifices, but the Commission removed it from the annexes. Finally, in 1993, the **Council Directive 93/119/EC** of 22 December was passed, requiring its transposition by the Member States by 1 January 1995. ⁽¹⁾
- In 2008, the Commission submitted a proposal for legislation that was to replace the 93 Directive. The Economic and Social Committee issued its decision which criticised some aspects of the text, including that which permitted a derogation for religious rites. Following consultation in the European Parliament, in September 2009 the Council adopted the regulation governing animal protection at the time of slaughter, the **(EC) Council Regulation no. 1099/2009** of 24 September, which is the regulation governing this matter that has been in force since January 2013. ⁽¹⁾ Article 3 of this regulation reads: "1. animals shall be spared any avoidable pain, distress or suffering during their killing and related operations. 4. In the case of animals subject to particular methods of slaughter prescribed by religious rites, the

requirements of paragraph 1 shall not apply provided that the slaughter takes place in a slaughterhouse.” This last premise enters into conflict with certain traditional festivities, such as the Muslim lamb sacrifice celebration, *Eid al Adha*, which takes place in several places in this country, during which the animals continue to be killed with no previous stunning process, outside a slaughterhouse (in public roads or on private premises).⁽⁵⁾

Regarding the sale of meat from animals not stunned, without the knowledge of the consumer, although during the negotiations which gave rise to the (EC) Council Regulation no. 1099/2009 of 24 September, this issue arose once again, it wasn't until the (EU) Regulation no. 1169/2011 approved by the European Parliament and the Council on 25 October 2011, governing consumer food information, that the Commission mentioned the need to deal with this matter specifically. Therefore, in its consideration 50, it reads: *“EU consumers show an increasing interest in the implementation of the Union animal welfare rules at the time of slaughter, including whether the animal was stunned before slaughter. In this respect, a study on the opportunity to provide consumers with the relevant information on the stunning of animals should be considered within the context of a future Union strategy for the protection and welfare of animals.”*⁽¹⁾ Subsequently, within the context of the EU 2012-2015 strategy for the protection and welfare of animals, the European Commission included among its measures, a “Study on the possibility of providing consumers with relevant information about the stunning of animals.” The report⁽⁶⁾ on the study's conclusions, published in 2015, indicated that this labelling would lead to “a high risk of stigmatisation of the religious communities, especially in the current political context,” making it therefore, unlikely that the European Commission would submit a proposal for legislation requiring the labelling of meat specifying whether the animal it came from was or was not stunned.⁽¹⁾ It is evident that the political use made of this issue in the past and the social debate in some countries, which has reached the European Court on Human Rights,⁽²⁾ has been an obstacle to the introduction of changes.

It should be noted that matters concerning the consumption of meat by those of religions distinct from that of those who produce it practice is not a recent concern, since it has been a matter of social debate for centuries. It was considered in the legislation of 1394 relating to butchers in Toulouse, and in 1415 for the same businesses in Barcelona, which is why it is surprising that over 500 years later, this issue continues to be a hot topic⁽¹⁾. What does seem at least questionable is that European citizens are forced to eat animal products that, from certain moral standpoints, we should not be obliged to consume, caused by unawareness because official information is not provided on how the animals were slaughtered.⁽²⁾

Furthermore, it is a fact that different schools of thought within the religious groups state that there are no specific prescriptions in the sacred texts referring to the prohibition of stunning before slaughter, and they believe that a stunned animal is perfectly acceptable as the requirement that the animal does not die before being bled or slaughtered is satisfied. A group debating the issue at Cairo University, comprising representatives from the four recognised schools (*Shafi, Hanafi, Maliki* and *Hanbali*) unanimously concluded that there was no religious objection to stunning, and, for example, the World Muslim League, consisting of theologians, scientists and leaders from all around the world, have made it clear since 1986 that stunning the animal through electronarcosis before slaughter does not raise any problems or religiously motivated objections. It should also be noted that even animals stunned with a captive bolt device could be considered within this group, since this device does not kill the animal, as its heart continues beating and can be bled perfectly, as has been shown in all the food chains and meat from animals stunned in this manner. In other words, according to experts in religious matters, any procedure that serves to stun the animal to spare it unnecessary suffering, with the condition that its death occurs at the time of slaughter, is permitted, although the animal would still be alive, but not sufficiently so if left ⁽⁷⁾ (for example, an animal stunned with a captive bolt or other method from which it will not recover with sufficient life if it is subsequently left). Although the custom of not accepting prior stunning prevails, alluding – unjustifiably – to the belief that the animal bleeds better without it and that it dies almost immediately, the acceptance of its use in ritual slaughters would improve animal welfare, as it avoids killing the animal while it is fully conscious and susceptible to pain, and immobilisation in restraining boxes that cause great distress, especially if the animals are inverted.

The **United Nations Food and Agriculture Organisation (FAO)** also indicates in its guidelines on cattle slaughter,⁽⁸⁾ that the animal should be unconscious for a sufficient amount of time to allow the subsequent bleeding to cause a quick death through loss of oxygen to the brain; in other words, death must occur before the animal regains consciousness. This is of relevance because the condition of religious slaughter that the animal must not die before being bled is thus observed.

Regarding the scientific opinion, issued in 2002 by the most important European professional body working for animal health and welfare, the **Federation of Veterinarians of Europe (FVE)**, it believes⁽⁹⁾ that through respect for animals as sentient beings, **the practice of slaughter without prior stunning is unacceptable under any circumstance**, for the following reasons:

- If there is no prior stunning, the time until the animal loses consciousness is prolonged, sometimes for several minutes. During this time, the animals are exposed to unnecessary pain and suffering for several reasons: exposed surface of the wound, aspiration of the blood and in the case of ruminants, of the ruminant contents, and possible asphyxiation after severing the phrenic nerve and the vagus nerve.
- In most cases, slaughter without prior stunning requires the animals' movements to be restrained, which causes additional emotional distress to the animal which is already afraid.

The FVA adds, that while any derogation of the regulation persists, animals slaughtered without stunning must only be permitted in licensed slaughterhouses in the presence of a veterinarian who may halt the slaughter process should they deem it appropriate. Cattle must not be turned or inverted (**Image 3**), and if the slaughter must be carried out without prior stunning, the animals should be stunned immediately after the cut has been performed, which must reach the carotid arteries and the two jugular veins, since repeated cuts increase the probability of causing pain, suffering and distress. In addition, this method of slaughter shall only be permitted on those animals which are to be consumed by the members of the communities which adhere to this practice. The cattle breeders who raised the cattle have a right to know how their animals will be slaughtered, and the food chains and all the by-products obtained in this manner must be properly labelled, indicating whether the animal was stunned prior to slaughter. This labelling regulation established for Europe must also be observed by products imported from countries outside the European Union.⁽⁹⁾



Image 3: Islamic slaughtering practice on cattle, with the animal in the inverted position.
Source: Eurocarne no. 225, April 2014

It should be noted that the Spanish Collegiate Organisation, member of the FVE, has not yet published this opinion on its website in Spanish.

It must be noted that although the European Union continues to authorise this legal exception, **several European countries have already prohibited the slaughter of animals for human consumption without prior stunning: Sweden, Norway, Austria, Estonia, Switzerland, Lithuania, Iceland and Denmark.**^(10, 11, 12, 13) In the Netherlands there was an attempt to prohibit these practices in 2011 through draft legislation submitted by the Animal Party, which was ratified in Parliament⁽¹⁰⁾, but the agreement was submitted for further negotiation, and following a vote in the Senate, these practices were permitted once again a year later.^(13, 14) In the United Kingdom, the British Veterinary Association (BVA) urged the Government in 2015 to put an end to animal slaughter without prior stunning, without exception, based on evidence that this type of practice causes animals to feel pain and endangers the animal's welfare⁽¹⁵⁾. This scientific evidence includes the DIALREL Project⁽¹⁶⁾ funded by the EU which lasted for four years (2006-2010), which concluded that "It can be stated with high probability that animals feel pain during and after the throat cut without prior stunning." This opinion is backed by the *Humane Slaughter Association*, the *Farm Animal Welfare Council* and the Federation of Veterinarians of Europe, and it was also backed the signatures of more than 100,000 British citizens.⁽¹⁵⁾ In Walloon⁽¹⁷⁾ and Flanders⁽¹⁸⁾, the two largest regions of the three that make up Belgium, a law forbidding animal slaughter without prior stunning has just come into force.

However, in other countries, such as Spain, **the slaughter without stunning procedure, considered as exceptions** by current legislation (Law 32/2007 of 7 November, Royal Decree 37/2014 of 24 January), **are becoming the norm**, due to commercial and industry interests in the meat sector. This exception created for religious minorities is increasingly subject to abuse in the slaughterhouse, which consumers are unaware of, since the legislation does not make it compulsory for butchers to inform customers about the method of slaughter. In this respect, a news item published in 2013 ⁽¹⁹⁾ stated that 12% of cattle and sheep (55,000 animals overall) slaughtered each year in Mercazaragoza (Zaragoza wholesale food market) were killed according to Islamic practice, and that this slaughter procedure had multiplied by 15 over the last 3 years at this slaughterhouse. Currently, almost half of calves and lambs in Catalonia are slaughtered in this manner.⁽²⁰⁾ One of the reasons for the growth in this practice in cattle is tradition and purchasing power, since Muslim customers usually buy parts of the animal that other customers do not eat, such as the front legs and other low-quality cuts. These parts often remain unsold when the cattle are slaughtered by the conventional method. Therefore, in order to make maximum use of the animal, they are killed following the Islamic method, and these parts are sold to Muslim butchers, while the rest of the parts, the quality cuts and hind quarters, are sold in conventional butcher's shops.⁽²¹⁾

4. The use of the *puntilla* in bullfights

A *puntilla* is a 10 cm-long knife which is inserted between the occipital area of the animal's brain and the first cervical vertebra (atlas vertebra) so as to destroy the brainstem or medulla oblongata, a nerve structure communicating the spinal cord with the brain. It could be assumed that injury to this important nerve centre, which, among other functions, regulates the heartbeat and breathing, would lead to the almost instant death of the animal. However, this is not so. What it causes is total or partial paralysis and the animal dies through asphyxia while conscious and feeling pain, meaning it is not considered to be a method of causing certain death and results in needless suffering. Scientific studies have shown that 90% of bulls slaughtered in this manner show neurological signs of being conscious, compatible with life during the bleeding.⁽²²⁾

Until 1976 Spanish legislation (**Royal Decree 3263/1976** of 26 November governing the Health-Technical Regulation for Slaughterhouses, Cutting Rooms, Sub-Contractor Centres, Meat and Offal Storage and Distribution) enforced the stunning of animals before slaughter, although in Article 25, it still permitted the use of the *puntilla*. When Spain joined the EEC in 1986, it incorporated into its legislation the aforementioned **Directive 74/577/EEC** of 18 November relating to the stunning animals prior to their slaughter. This directive was transposed into Spanish law through the **Royal Decree**

1614/1987 of 18 December, which derogated the previous RD 3263/1976 of 26 November, which prohibited the use of the *puntilla* in slaughterhouses, as it indicated the authorised stunning methods (firearm with free projectile, electric shock, carbon dioxide) making no mention of the *puntilla*, and thereby prohibiting its use. It should be added that the use of the *puntilla* as a method of stunning in slaughterhouses has not been tolerated by the World Animal Health Organisation (OIE) since 2006.⁽²³⁾

Despite this, in bullfights held in two European countries (Spain and South of France), all the animals, after having been subjected to the action of several instruments of torture (the *divisa*, *puya*, *banderillas* and *estoque*) and sometimes pithing, causing them deep wounds and significant bleeding, are then killed in the bullring with the *puntilla* as the end of the performance. (Images 4A and 4B).

This exception is backed by Article 13 of the **Treaty on the Functioning of the European Union**⁽²⁴⁾ where it is textually stated that “*In formulating and implementing the Union's agriculture, fisheries, transport, internal market, research and technological development and space policies of the Union and the Member States shall, since animals are sentient beings, pay full regard to the welfare requirements of animals, while respecting the legislative or administrative provisions and customs of the Member States relating in particular to religious rites, cultural traditions and regional heritage.*” Likewise, both Article 1.2 of the Directive 93/119/EC of 22 December relating to animal protection at the time of slaughter or killing (and its transposition to the Spanish legal framework through the RD 54/1995 of 20 January), and Article 1.3 of the **current (EC) Council Regulation no. 1099/2009** of 24 September, state that these regulations do not apply to animals killed during cultural or sporting manifestations.



Image 4 (A & B): Moment of slaughter with the *puntilla* at the end of the bullfight.

That this exception exists for the case of bullfights means it permits the legal suffering and painful death of fighting bulls. A study conducted of the analysis of 28 videos of bullfights in Spain⁽²⁵⁾ confirmed that the *puntilla* does not result in the immediate death of the bulls killed in a bullfight. It was observed that 85% of them showed behavioural signs of distress, such as voluntary movements of the head, signs of asphyxia or disproportionate opening of the eyeball⁽²⁶⁾ after its use. In some cases, this agony can last for more than two minutes.

After having been subjected to the suffering of the bullfight, the carcasses of these animal then enter the food chain for human consumption, despite them satisfying all the conditions to be declared unsuitable for this purpose, according to the requirements laid down by the European Union, owing to the fatigue, injuries,

bleeding and the unhygienic conditions in the bullring and the septicaemia that can result from these injuries. In fact, in addition to being a contaminated product ⁽²⁷⁾, this meat is classified as DFD (dark, firm and dry), meaning the meat originates from an animal that is stressed, injured or ill before its slaughter, as indicated by the **United Nations Food and Agriculture Organisation (FAO)**.⁽⁸⁾ Although this meat, due to its particular nature and characteristics, cannot be labelled with the customary health label, like the other practices excused for cultural or traditional reasons, the EU does not require that it comply with the regulations with the same degree of stringency. It therefore does not prevent Spain from selling it with a different health label for its consumption. Additionally, and pursuant to **Royal Decree 260/2002** of 8 March **which establishes the conditions applicable to the production and sale of meat from fighting bulls**, this may only be sold fresh (refrigerated or frozen) and may not be used for mincemeat or processed of use in other meat products or other products of animal origin. The sale of meat from fighting bulls is permitted in retail butchers provided it is clearly identified as such on the counter and labelled as “Fighting Bull Meat,” and it must be kept completely separate from other meat and products sold in the same establishment.

According to official figures, in 2016 alone, more than 5,000 bulls suffered this maltreatment in bullfights in Spain and the South of France. This does not take account of the young animals which participate and die in *becerradas* (fights with young bulls) in Spain. To this figure we need to add the animals not counted, those killed on the cattle farms during the training of young bullfighters, in bullfighting schools and in bullfights for fans held behind closed doors. In addition, thousands of cattle, despite being slaughtered in slaughterhouses, suffer injuries to their muscles prior to this caused by what is known as *tentaderos* (fights to test the bulls’ bravery).

5. The killing of pilot whales in the Faroe Islands

The Faroe Islands is an archipelago of 18 islands constituting an autonomous country of the Kingdom of Denmark, although they are governed by many of its laws. Although Denmark is a member of the European Union, the Islands do not belong to the EU, and are therefore not required to adhere to European legislation on official controls.

One of its traditions, which has been repeated each year since 1584, is the hunting of pilot whales and dolphins, known as “*grindadrap*” by the Faroese. This massacre usually begins in the month of June (although the busiest season, owing to the conditions at sea, prolongs until July and August). It is viewed by the inhabitants as a festival and also, according to them, as a source of needed food. However, the Faroese today (whose per capita income is one of the highest in Europe) do not need to kill cetaceans, since Denmark provide them with abundant foodstuffs. In addition, the WHO does not recommend the consumption of cetaceans because their flesh contains high levels of mercury ⁽²⁹⁾ and other toxins which have been dumped into the oceans over the years by man.

The fact is that, **according to European law governing cetaceans, this killing is illegal**. The **Berne Convention** of 19 September 1979⁽³⁰⁾, in its articles 6 and 10 specifically

prohibits the killing of marine mammals. Additionally, pilot whales are a “strictly protected” species by the convention on the conservation of European wildlife.

The traditional “*grindadráp*” begins when a group of any of the six cetacean species that can be hunted is spotted from any of the Faroe Islands. If the conditions at sea are favourable, the Faroese sail out in their boats loaded with stones, hooks, knives and rods. The vessels form a semicircle and throw stones, forming columns of bubbles which the pilot whales’ echolocation system interprets as a wall. The aim is to steer the cetaceans towards the beach where they meet a slow and painful death caused by crude weapons and with no stunning of any kind ⁽³¹⁾, during which both their physical and emotional suffering is particularly intense.

Their **physical suffering** occurs at three specific moments during the slaughter:

- When the hook is inserted into the spiracle (blowhole) to drag them out of the water (Image 5). The pilot whales that do not beach directly are led by force by the insertion of a hook into the spiracle which is tied to a rope, which the hunters pull on from the shore in order to bring the animal onto the beach. The spiracle, the cetaceans’ blowhole, is a particularly delicate organ, with many sensitive nerve endings. By inserting a hook into it and pulling on them, dragging the two or three tonnes of weight of their bodies, causes them intense pain, witnessed by the high pitched sounds of distress the animals emit.
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- Image 5:** The killing of pilot whales in the Faroe Islands. Insertion of a hook into to blowhole of one of the animals.
- Application of the pithing technique to produce paralysis. Once the pilot whales are on the shore, the hunters wade into the water armed with a metal pole with the end in the form of a lance with which they try to sever the spinal cord between the C1 and C2 cervical vertebrae in order to paralyse them. An analysis of the images documenting this operation on the pilot whales ⁽³²⁾ by professional veterinarians concluded that the suffering of these animals is intolerable. It is difficult through this procedure to sever the spinal cord completely at once due to the large size of the animal, the difficulty in performing the task with enough precision due to the pilot whale constantly moving as it tries to escape and also because of the arrangement of the cervical vertebrae with very little space separating them. What occurs is that the person using the weapon has to insert and withdraw it several times before reaching the spinal cord, or one of the vertebrae is destroyed before the spinal cord is severed, and sometimes it is not completely severed.

- Cutting the muscles, nerves and the mass of blood vessels in the pilot whale's thick neck with a knife (Image 6) in order to make it bleed to death, causes enormously painful injuries and lethal haemorrhaging which colour the sea water red. In practice, the fully conscious pilot whales suffer a long and painful death which can last from 30 seconds up to 4 minutes, which is unthinkable in any slaughterhouse in the European Union for any other mammal, since the prior stunning of the animals before slaughter is compulsory (barring the exceptions described above).



Image 6: The killing of pilot whales in the Faroe Islands. Carcasses of the dead animals after the hunt. A deep cut can be observed on the back of their necks.

In addition to the physical suffering, the animals also experience considerable **emotional distress**. This isn't limited to the time when they are beached on the shore until their death, but also includes the many minutes (and sometimes hours) of prior harassment, distress, fear and desperation. From the moment they enter the North Atlantic they are pursued and tormented with sounds and their delicate hearing system suffers the consequences of these noises, causing them significant stress. They are aware of their fate at all times. What is more, before they die, they are forced to see and hear how their fellow pilot whales and members of their family group are killed. For an animal with a level of social cohesion higher than that of humans, this is something absolutely intolerable.

Overall, since records began, more than 265,000 of these small cetaceans have been killed under these terrible conditions in the Faroe Islands.

6. One legal exception now abolished: the traditional killing of the pig

In a large part of Spain, the traditional killing of pigs at home was practiced from November to March for many years. This "pig killing festival" has its origins in families supplying pork meat privately after slaughtering one or two pigs in the winter to replenish their larders for the rest of the year, making sausages and other cured products prepared according to tradition that can be stored for long periods. However, this practice is now far from being a daily occurrence and animal killing, especially of pigs, has been consigned to the past, although it still continues under exceptional circumstances in some rural areas ⁽³³⁾.

Traditionally, the animal was killed without any form of prior stunning. Its limbs would have been restrained by several people and the butcher would sever its neck with a knife (Image 7). The pig would suffer a slow death until it had bled to death completely, during



Image 7. Traditional killing of the pig in Spain. *Photographer: Ruth Behar.*

which it would not stop screaming and wriggling.

As mentioned above, the **Council Directive 74/577/EEC** of 18 November 1974 makes the stunning of animals before slaughter compulsory, although it acknowledges the possibility of granting a number of derogations in certain cases, one of which was the killing of cattle for the farmer's own consumption ⁽¹⁾. When Spain joined the EEC, this Directive was incorporated into Spanish law through the **Royal Decree 1614/1987** of 18 December which laid down the regulations governing the stunning of animals before slaughter, but it did not govern the requirements outside the slaughterhouses.⁽³¹⁾

It wasn't until the approval of the Council Directive 93/119/EC of 22 December 1993, and its incorporation in the Spanish legal framework with Royal Decree 54/1995 of 20 January when, despite allowing the continued traditional slaughter outside slaughterhouses, it laid down the obligation to stun the pig before inserting the knife, thus sparing it the pain and suffering that the former practice inflicted on the animal.⁽³⁴⁾

However, although the law has required this prior stunning since the 1990s, almost two decades later (2011), the press reported thousands of cases of pigs that continued to be slaughtered without stunning, in defiance of the European law.⁽²⁵⁾ The legislation in force today, Royal Decree 37/2014 of 24 January, which sets out specific provisions for the application of the current **(EC) Council Regulation no. 1099/2009** of 24 September, in relation to animal welfare at the time of slaughter, it is not yet being stringently enforced,⁽³⁶⁾ even though, thanks to the growing public awareness, the violation of this law is frequently reported to the authorities.^(37, 38, 39)

Although there is still a long way to go before the law is enforced across the whole country, in the case of the domestic killing of pigs, it has enforced this "tradition" to legally abide by the principles of animal welfare required by European legislation - as should always be the case, without exception.

7. Conclusions

It is completely unacceptable that in a supposedly advanced society, such is Europe, legal exceptions still exist that permit the avoidable suffering of animals, supported by the traditions and rites of various groups of the population. Animal welfare must always come before any cultural, artistic or economic consideration and religious traditions must be reconciled with animal welfare in a way that animals do not suffer.

The European Union must eliminate all these exceptions from its legislation, just as it has done with others that existed up until fairly recently **regarding protecting the welfare of animals at the time of their slaughter. In the case of animals killed according to religious ritualistic practices, products obtained in this way must be properly labelled as such**, so that the public can exercise their right to free choice, and so that they are not forced to consume certain products due to their unawareness of how the animal was killed.

The report is signed by:

- Virginia Iniesta Orozco. Vice-president of AVATMA
- Natalia Jaraba Carrillo. Member of AVATMA and collegiate member no. 4387 – Madrid
- Alfonso Senovilla Labrador. Member of AVATMA and collegiate member no. 1110 – Toledo
- Laura Almarcha Duesa. Spokesperson for AVATMA in Catalonia and collegiate member no. 1857 – Barcelona
- Lina Sáez de Antoni. AVATMA Secretary
- José Enrique Zaldívar Laguía. President of AVATMA

Representing the 496 veterinarians forming part of AVATMA.

With the support of:

- **Compassion in World Farming (CIWF)** –international animal welfare organization
- **The Caring Vets:** association of Dutch veterinarians taking a stand on Animal Welfare, based on the Veterinary Code of Conduct
- **TVT** (*Vorsitzender der Tierärztlichen Vereinigung für Tierschutz e.V.*): German Veterinary Association for Animal Welfare



Tierärztliche Vereinigung
für **Tierschutz** e.V.



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