

Chapter 2.3

Animal Welfare

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1. Introduction

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1.1 Purpose

Council Regulation (EC) No 1099/2009, Article 3(1) states ‘Animals shall be spared any avoidable pain, distress or suffering during their killing and related operations’.

This requirement is the key principle underpinning the guidance which follows in this chapter.

FSS collects data to inform the Scottish Government of trends in animal welfare throughout Scotland.

FSS Operations staff should verify compliance with retained EU and domestic legislation on animal welfare prior to and during slaughter and killing, taking proportionate enforcement action.

Every time animal welfare is compromised and an animal is suffering, enforcement action should be taken. A risk based and proportionate approach to enforcement should not be perceived as supporting bad practices or compromising animal welfare.

Council Regulation (EC) No 1099/2009 only refers to Business Operator (BO) not Food Business Operator (FBO). Throughout this chapter this reference is used where appropriate to ensure the correct use of terminology as used in the regulation.

The hygiene and welfare regulations require the BO to have procedures in place to guarantee that the welfare of each animal is not compromised on farm, during transport and on arrival at the slaughterhouse and the Official Veterinarian (OV) is required to verify compliance with this requirement.

FSS has a service level agreement with Scottish Government to report potential breaches of legislation related to welfare on farms and in transport to the Animal and Plant Health Agency (APHA) and Local Authority (LA) Trading Standards departments. The OV must identify welfare issues in **live/dead** animals and carcasses at post-mortem, which appear to have originated on the farm of provenance or during transport, gather evidence and report the details to the relevant LA and APHA as soon as possible.

Delay in reporting incidents may affect the ability to gather further evidence. The LA Inspector should be given the opportunity to visit the abattoir and collect evidence gathered by the OV.

In every case, the owner of the animal will be given the opportunity to examine the evidence. The owner of the animal will be contacted by the LA or APHA investigating officer. The OV should not interview the owner of the animal as some interviews might need to be carried out under caution by an LA/APHA officer.

The Business Operator (BO) should be informed and asked to contact the owner of the animal (where they are not the owner) informing them that evidence is being gathered for a potential offence under the animal welfare legislation. Only the LA/APHA investigation officer will be giving the owner the opportunity to examine the evidence once it has been securely passed on from FSS to LA/APHA. A robust chain of evidence must be maintained. A record of the evidence transfer should be made in the day book or contemporaneous notebook if the day book is not readily available.

Fitness for human consumption should not be a consideration in the decision to kill an animal on welfare grounds.

Other FSS staff, particularly Official Auxiliaries (OAs), must take an active role in welfare monitoring and record welfare issues in the daybook or personal note book and report them to the OV for action to be taken. If there is animal suffering observed, the OA must take immediate action to prevent further suffering.

1.2 Legislation

EU legislation which applied directly or indirectly to the UK before leaving the EU on 31 December 2020 has been retained in UK law as a form of domestic legislation known as 'retained EU legislation'. This is set out in sections 2 and 3 of the [European Union \(Withdrawal\) Act 2018](#) (c. 16). Section 4 of the 2018 Act ensures that any remaining EU rights and obligations, including directly effective rights within

Key pieces of legislation relating to welfare include:

- [Council Regulation \(EC\) No 1099/2009](#) on the protection of animals at the time of killing
- [The Welfare of Animals at the Time of Killing \(Scotland\) Regulations 2012 SSI 321](#)
- [Council Regulation No 1/2005](#) on the protection of animals during transport and related operations
- [Welfare of Animals \(Transport\) \(Scotland\) Regulations 2006](#)

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- [Animal Health and Welfare \(Scotland\) Act 2006 \(legislation.gov.uk\)](#)
- [The Welfare of Farmed Animals \(Scotland\) Regulations 2010 \(legislation.gov.uk\)](#)
- [Animal welfare - Animal health and welfare - gov.scot \(www.gov.scot\)](#)
- [Welfare of Animals \(Slaughter or Killing\) Regulations 1995 \(as amended\) \(WASK\)](#)
- [Council Directive 2007/43/EC \(the 'Broiler Directive'\)](#)
- [The Mandatory Use of Closed Circuit Television in Slaughterhouses \(Scotland\) Regulations 2020](#)
- [Regulations 853/2004](#), [2017/625](#), [2019/624](#) and [2019/627](#) all refer to duties in relation to animal welfare.

Council Regulation No 1099/2009 Chapter II, Article 13 requires Member States to encourage the development of guides to good practice. These guides have been developed by industry, and will be validated by the Competent Authority (Defra & devolved administrations).

British Meat Processors Association

<http://britishmeatindustry.org/resources/animal-health-and-welfare/>

The Protection of Animals at the Time of Killing (PATK) Guidance for Poultry

http://www.britishpoultry.org.uk/identity-cms/wp-content/uploads/2017/11/2015_11_Poultry_GGP_final.pdf

Other guidance is available such as the guidance developed by [Humane Slaughter Association: Practical Slaughter of Poultry](#) – A guide for the smallholder and small-scale producer.

Further guidance and Scientific Opinion documents can be found on the European Food Safety Authority (EFSA) [website](#).

2. FSS role

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2.1 Inspection duties

FSS has implemented a set of specific animal welfare measures. These include:

- Setting minimum targets (including minimum number of animals) for the frequency of animal welfare checks to be undertaken. Checks will be increased where adverse findings occur. These instructions are contained in A3 posters called “Red meat/Poultry animal welfare verification” and must be displayed in the FSS office in approved premises ([Annexes 8 and 9](#)).
- Posters have been created reflecting the instructions (in above point) to assist inspection teams in recognising effective signs of stunning and promote our animal welfare verification activity. Species specific posters have been introduced in all red and white meat slaughterhouses. These species specific signs of stunning are found on A3 posters called ‘Signs of a properly stunned animal by stunning method’ (Cattle, Sheep and Pigs) and ‘Signs of properly stunned or dead poultry’ ([Annexes 10 and 11](#)).
- New species specific posters (EFSA toolboxes) with indicators for assessing consciousness are displayed in all plants. The posters, on A4 size, are called ‘Species (Bovines, Pigs, Sheep/Goats or Poultry) indicators for assessing consciousness’ ([Annexes 12 to 15](#)).
- Amended animal welfare checks forms (WEL 3/1 for red meat and WEL 3/2 for poultry) have been introduced to allow multiple recordings per day and by all FSS team members. The entire team should contribute to checks and recordings (see Chapter 9 on Forms).
- In-Plant individual animal welfare protocols must be established by the plant teams (see [Annex 5](#)) and all FSS team members are required to read and sign

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the protocol, declaring that they are aware of the animal welfare verification. The protocol should be displayed in the office.

The inspection and verification duties are to be undertaken at the given frequency.

Duty	By	How often
Inspect and verify BO compliance with welfare legislation	OV and OA OAs must report any welfare non-compliance to the OV.	During each killing period and at least several times daily (this will depend on the throughput and risk).
Welfare reports WEL 3/1 (Red Meat) and WEL 3/2 (White Meat) to be completed	OV& OAs	The FSS team should establish clear guidelines on welfare checks and frequency (on representative sample of the animals). This must be recorded on the Animal Welfare Supervision Protocols developed in every plant (see Annex 5)
BO's SOP compliance review SOP guidance: https://www.gov.uk/guidance/red-and-white-meat-slaughterhouses-standard-operating-procedures	OV	Monthly
Confirmation of compliance with welfare legislation, or where non-compliances occur, appropriate enforcement action taken and entry of details in the animal welfare database from OWS (See section 2.2) Guidance of action to take in case of multiple stunning can	OV Data entry into FSS IT system can be delegated to an OA.	Daily

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be found in Annex 16 .		
The communication of inspection results to farmers and private veterinary surgeons.	OV Management of the database may be carried out by an OA.	Same day
Reporting of animal welfare non-compliances to APHA/LA.	OV	Same day (if score 4)
CoC checks	OV	For new staff and as required for all BO staff handling live animals following frequency of checks established in Animal Welfare Supervision Protocols developed for each plant.
Welfare surveillance	OV OA assistance may be required.	As required
CCTV Footage. For further information on the Mandatory use of CCTV go to section 3 .	OV	Daily (To be recorded on WEL 3/1 and WEL 3/2)

- A Welfare file should be maintained in each premises, which should contain:
 - The approval documents showing the species that can be processed and the layout map.
 - A list showing methods of killing that have been used, including back up and religious slaughter (hard copy and/or electronic copy).
 - If partnership/sole trader: BO name, address and contact details or incorporation details (as registered with Companies House or equivalent) including full company name, registered office address (including postcode) and company registration number (always hard copy).
 - AWO names and contact details (for example, e-mails, phone numbers) as applicable (always hard copy). The EU Commission has produced an advisory booklet, which provides an outline of the envisaged role and examples of the checks that an AWO could carry out, available [here](#).

- Either a version-controlled copy of the SOPs if they are not readily available (hard copy and/or electronic copy) or if they are readily available, a note with the relevant contact point (hard copy). Note: *The OV must always verify with the BO that the SOP is the most recent version before taking enforcement action.*
- Copies of the TCoCs and CoCs (always hard copy) for all staff working in the premises, verified by FSS Operations and using version control. This should be updated each time a new member of staff begins to work in the premises together with any updates to the CoCs held.

Note: A check must be made with WATOK@fss.scot that CoCs are valid when new staff commence employment.

- Local LA and APHA contact numbers and e-mails (always hard copy).
- The FSS Animal Welfare protocol.
- FSS aide memoire for the daily welfare checks (always hard copy).
- Blank copies and records of the daily welfare checks (always hard copy).
- Blank copies of the relevant enforcement notices that might need to be served immediately/urgently (always hard copy).
- Letters and notices served (always hard copy).
- Updated local protocols and agreements (hard copy and/or electronic copy).
- Copies of relevant meetings and communications (hard copy and/or electronic copy).

Note: The folder must be organized in such a way that the information is easily identifiable and should document what information is stored electronically and how it can be accessed.

2.2 Verification of animal welfare

The Animal Welfare Checks module in OWS System is the record of the verification programme for animal welfare in slaughterhouses. Data is shared with Scottish Government and other government departments on a regular basis. FSS publish certain details of animal welfare incidents on a quarterly basis.

Select a non-compliance score when entering daily non-compliance (NC) data in OWS animal welfare database.

When recording an animal welfare incident on OWS insert only the following key details:

- Precisely and objectively what the issue was – e.g. lameness, ingrown horn, late pregnancy.
- The severity can be indicated where this clarifies the score given, however by using objective evidence.

- Action taken.
- Reference number (either from OWS Enforcement module or the referral form for cases reported to Trading Standards/APHA) should be added. See [point 2.4](#) for guidance on scoring.

Staff **should not** insert additional information in the description box, **such as CPH number, details of animal, farmer, haulier/, vet, FSS staff names etc.** This information should only be recorded in the boxes specifically designed for that. In addition, OVs should not enter subjective wording or personal opinions in the text box. This detail is still required in the Annex 4 referral to APHA/TS, but it should only be input into this document and not on OWS. Staff should always consider the fact that this detail will get published in the public domain.

Example 1 – Late Stage Pregnancy – Welfare in transport

Bovine found in late stage pregnancy at PMI. CRL measurement 90 cm. $(90+21) \times 2.5 = 277$ days in gestation, approximately xx% percentage of gestation.

Example 2 – On Farm Welfare

Ovine found at AMI with ingrowing horn. Right side horn in-growing and penetrating skin of animal's face. Animal was killed immediately by BO.

Example 3 – Welfare in transport

Porcine animal found collapsed at unloading. No signs of notifiable disease, animal slaughtered in situ and carcass disposed of as ABP. Referred to APHA and Trading Standards.

Example 4 – Welfare at Abattoir

Bovine animal became trapped in broken lairage panel. BO slaughtered it in situ.

The action taken (referred to APHA, level of enforcement etc.) should only be included in the description box if the specific drop-down box for “action taken” cannot accurately cover it, i.e. if more than one action was taken (as per example 3 above).

Note: The unique reference number for the referrals of cases of animal welfare offences in transport/on farm should be allocated in the format: plant number - date - time offence was observed, e.g. for plant 9999 on 01/03/2015 at 08:43 would be 9999 – 01032015 – 0843

2.3 Entry of compliance level in OWS Animal Welfare Database

Compliance data is collected daily at all slaughterhouses, to provide regular reports on animal welfare issues in plants, which subsequently allows trends in animal welfare to be assessed by the Scottish Government, FSS, LAs and APHA.

Non-compliance reporting requires a score to be given for each non-compliance in accordance with the information below.

1) Welfare compliant	Compliant with welfare regulations; the BO is operating fully in compliance with the regulations and their own welfare controls and SOP's.
2) No immediate risk to welfare	Unlikely to compromise animal welfare or an isolated low risk situation that poses no immediate risk to animals.
3) Potential risk to welfare	Potential to compromise animal welfare but where there is no immediate risk to animals. This may lead to a situation that poses a risk to animals, causing pain, distress or suffering.
4) Critical risk to welfare	Poses a serious and imminent risk to animal welfare or where avoidable pain distress or suffering has been caused.

Score	Definition	The OV should apply the score if
1	'1' scores are defined as fully compliant with the legal requirements. No entry is required on the database for a score of '1' as this indicates compliance. The OV will need to confirm compliance in the FSS IT System Animal Welfare Checks database by saving the section.	No contravention of Welfare regulations observed.
2	An isolated low risk situation observed with the requirements of legislation but with no immediate risk of injury, avoidable pain, distress or suffering . There was a technical infringement that does not impact on the welfare of animals.	Lapses in compliance are observed which are rectified immediately on request and no harm occurred. BO compliant and good records.
3	Welfare practices were observed as failing to comply with the requirements of legislation, and a potential risk to animals. There was	Any technical NCs have been noted during the period. These may be subject to the use of enforcement notices.

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	<p>no evidence of animals suffering any avoidable pain, distress or suffering during their killing and related operations. This may lead to a situation that poses a risk to animals, causing pain distress or suffering, which will result in a 4 score.</p> <p>Welfare of animals during transport was suspected to be compromised.</p>	<p>To be recorded in OWS.</p>
4	<p>Welfare practices were observed as failing to comply with legislative requirements, and there was evidence of animals experiencing avoidable pain, distress or suffering during their killing and related operations or a contravention poses a serious and imminent risk to animal welfare. Welfare of animals during transport was seriously compromised with evidence of animals experiencing unnecessary or avoidable pain, distress or suffering. DOA red meat animals will require a 4 score as the cause of death is not determined. These will be referred to the LA.</p>	<p>There have been NCs causing or which could have caused actual harm to animals (whether prosecutable or non-prosecutable) during the period. In every case appropriate enforcement will have been carried out. Transport/on farm incidents will have been referred to the LA/APHA immediately and the Duty Vet in APHA notified by phone.</p> <p>To be recorded in OWS.</p>

Where an incident or accident is considered to be unavoidable, with evidence of animal pain, distress or suffering, but with no fault of the operator, a 4 score should be applied, however there will be no need for enforcement action. This should be clearly explained on the Animal Welfare Checks module by recording “genuine accident”.

If any incident recorded was captured by CCTV, this should be recorded in the description section of the Animal Welfare Checks module. The word “CCTV” should be included in the text.

2.4 Referral to LA/APHA

- All transport cases must be reported to the relevant LA (where the abattoir is located) and the FBO, with APHA One Health Team copied in e-mails: CSCOneHealthWelfare@apha.gov.uk

- All on-farm generated cases must be reported to APHA CSCOneHealthWelfare@apha.gov.uk and the FBO with the relevant LA copied in e-mails, for their information.

• Urgent cases

Where a serious welfare breach identified in the lairage or at unloading operations that occurred at the premises of origin/market/means of transport:

- contact the LA and/or APHA welfare team in Scotland - Scotland-Welfare@apha.gov.uk (Ayr - 03000 600703, Galashiels - 03000 600711, Inverness - 03000 600709, Inverurie - 03000 600708 and Perth - 03000 600704) as soon as possible to inform them of the incident and provide the welfare reference numbers and ask for instructions on detaining potential evidence. Duty Vets are on call 24/7, 365 days/year. During office hours, the call may be answered by the APHA customer delivery team who either transfer the OV directly to the duty vet or, if the duty vet is in another call, an entry is made on the call log to ensure the call is returned as soon as possible. High risk referrals, which cannot wait for the usual Annex 4 route, must be indicated.

- follow up by 17:00 the next working day with Annex 4 to LA for welfare in transport (WiT) incidents cc-ing CSCOneHealthWelfare@apha.gov.uk and for welfare on farm (WoF) incidents to CSCOneHealthWelfare@apha.gov.uk cc-ing the LA.

For all scores 4 where a timely investigation on farm may be required, initial contact with the LA (and APHA, where necessary) should be by telephone with details of the case and referral confirmed using the [Annex 4](#) notification form. All calls and emails should be logged in the daybook to support the evidential chain. An indication on the need to formally detain specific evidence at abattoir should be sought. APHA/LA might arrange the transport of that evidence for further investigations. If required, the OV should contact the Veterinary Advisor (VA)) to obtain further support for these cases. To be able to take formal action on animal welfare incidents, APHA require details on animal(s) involved in the incident, -livestock type/breed, individual identification, special markings, approximate age, lesions, lesion size, age of lesions etc. Good photographic and written evidence will enable APHA to apply a breach under cross-compliance based on the evidence submitted by the OV.

- **Non-urgent cases**

Reports must be submitted to CSCOneHealthWelfare@apha.gov.uk by 17:00 the next working day.

- For WiT incidents send the Annex 4 to LA with CSC in cc,
- For WoF incidents send the Annex 4 to CSC with LA in cc.

In all cases, record on the [Annex 4 form](#): details of the haulier, including driver name, vehicle registration number, and trailer number, as well as details of the premises of origin, journey start and finish times and any delays.

Referrals to the LA should be made to the local office in the area that the slaughterhouse is located.

All reports must be sent by email to LA/APHA as appropriate, and the VA with operations@fss.scot in cc and a unique identifying number allocated to each case. This should be in the format: plant number - date - time offence was observed, e.g. for plant 9999 on 01/03/2015 at 08:43 would be 9999 – 01032015 – 0843. This number should be used as the title for emails and other correspondence allowing traceability of all messages.

An OV checklist for non-compliances of animal welfare on farm or during transport can be found at [Annex 3](#) which can be of help when going through the process of referral to APHA/LA, completion of Annex 4 and gathering of evidence for the first time.

Note: Collection of evidence will be done by LAs, even if the case is linked to an on-farm suspicion.

- **DOA animals**

All red meat DOA animals should be reported to the LA and APHA as suspected Welfare in Transport incidents. The OV should liaise with the LA/APHA and determine if they will require a post-mortem examination. The OV **should not** carry out a post-mortem examination, because this requires suitable facilities and expertise, should the case result in a prosecution.

In white meat premises, if, after carrying out post-mortem examinations, the OV believes that welfare in transport or on farm has been compromised, this should be reported to the LA with APHA CSC email in cc as a suspected Welfare in Transport incident. The OV should liaise with the LA/APHA and determine if they will require a further post-mortem examination. If this is required, the OV should arrange with the LA/APHA for some birds to be sent to a suitable facility and not carry out further post-mortem examinations.

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As a guide, broiler chickens over **1.5% DOA** should be reported for investigation and other large poultry should be referred where there is **over 2.5% DOA**. Where there are regular occurrences at levels below these, they should also be reported.

Where it is suspected that the stocking density in transport is too high, the details of the vehicle should be recorded together with the number of animals, approximate weights and type (for example, sheared sheep would require less space than those in full wool).

Poultry stocking densities can be calculated from the table below:

Kgs	Min cm ² /kg	Max cm ² /kg
< 1.6 kg	180	200
1.6 – 3 kg	160	160
3 – 5 kg	115	115
> 5 kg	105	105

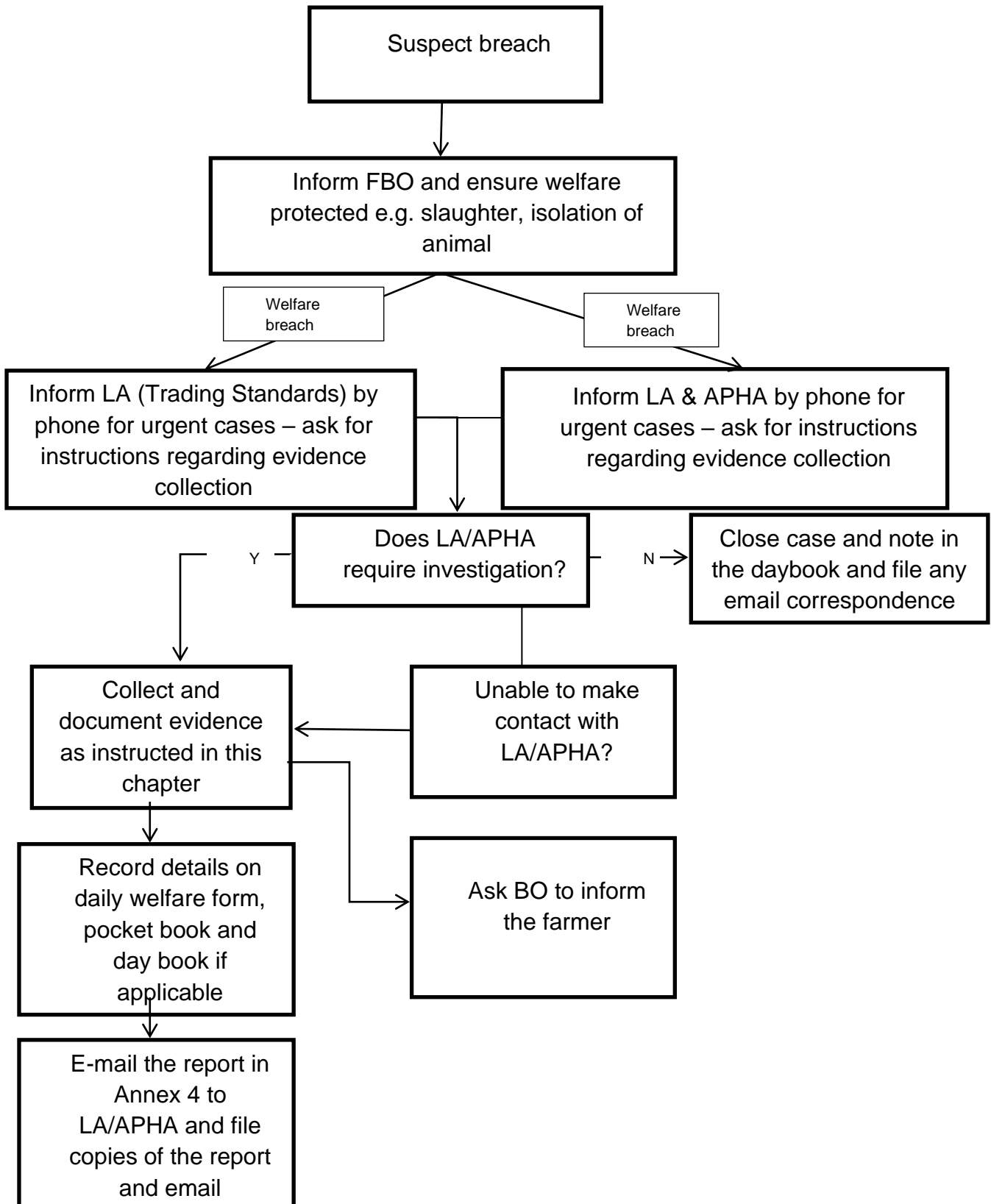
You can find the relevant LA office by using Gov.UK LA postcode search tool at this [link](#).

Contact for APHA Field Service Offices in Scotland is APHA:

APHA.Scotland@apha.gov.uk

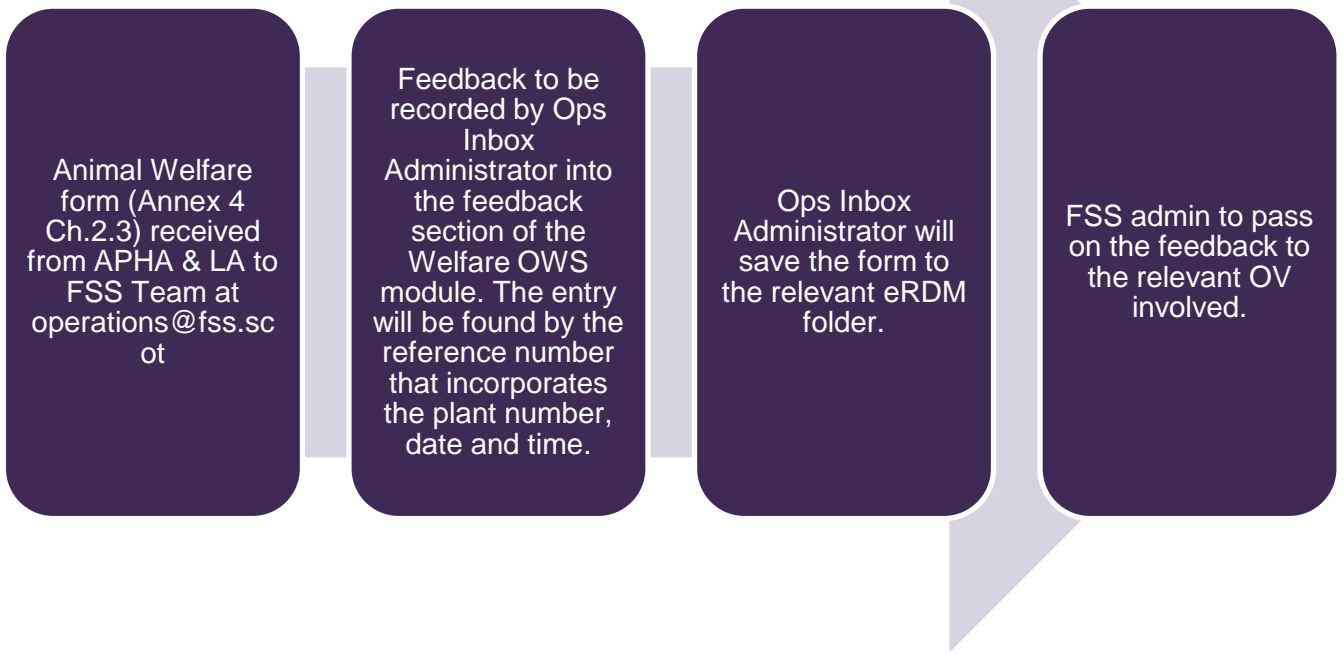
Any other contacts for APHA can be found at this [link](#).

Referral Process

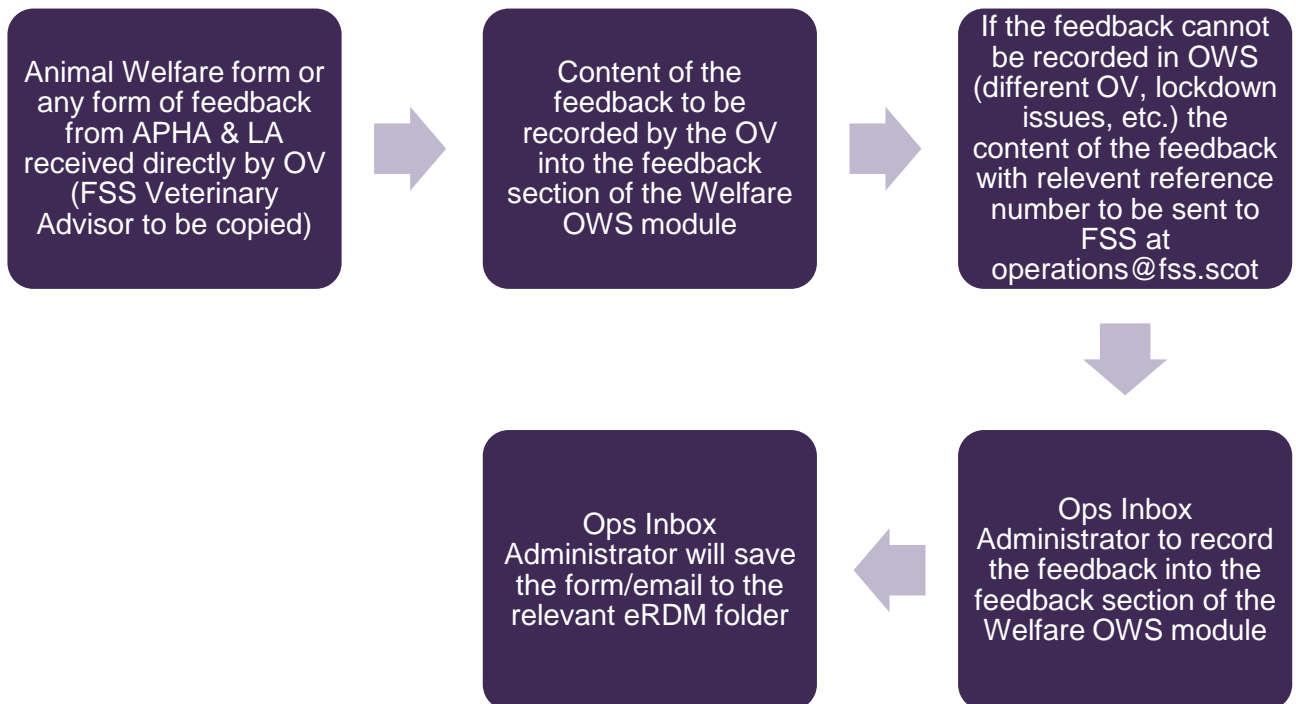


Feedback Process

For Forms/Feedback coming to FSS Ops Inbox



For Forms/Feedback coming to OVs directly



When a welfare incident is suspected, it is important that the appropriate evidence is collected in all cases. Ideally, obtained at the earliest stage of the investigation and should be submitted with the referral. If not possible (due to size of attachments), the OV should clearly list what evidence they have collected and prompt APHA or the LA to get in contact if they wish for that evidence to be sent.

Please refer to OV Check list in [Annex 3](#) as a guide when gathering evidence.

All FSS Evidence bags are tracked so if they are used, make sure this is recorded in the [Evidence Bag Register](#).

The LA Officer (transport issues) or APHA officer (on-farm issues) must be informed about the evidence. The LA/APHA might decide to attend immediately or at a later date to collect the evidence gathered by the FSS team or might instruct the OV that other evidence (such as photos, videos, corroborated statements, etc.) would be sufficient. It would be helpful if the live animal could be seen (without compromising animal welfare) by that inspector.

The OV must gather the following evidence:

- a) Video and photographic evidence of the 'live' animal must clearly show the cause of any welfare or health issue and any identification markers on the animal.
- b) If possible, post slaughter, the body part affected, ideally with the skin still on.
- c) It is useful to record yourself on the video evidence stating date and time of location with details of the case.
- d) Photographs must be annotated with the date, time and name of officer that took them. Additional information on FSS VA or HV contact details will be beneficial to add in order to corroborate the evidence gathered in the future.
- e) Details of the livestock vehicle (name of the driver, haulier, registration number and trailer number) should be recorded.
- f) Details of other livestock arriving from the same holding (numbers and conditions)
- g) Copies of original paperwork including passports and relevant documentation that indicates the identification of the animal, details of the owner and transporter and time of arrival; overall, good history of the case.

The date until which the evidence will be retained should be completed on the referral form (Annex 4) and communicated by phone or email to LA/APHA. This should be agreed with LA/APHA and should allow reasonable time for the LA to collect evidence where suitable storage facilities are available. If large items need to be retained as evidence, contact your Operations Manager who will be able to locate premises with more suitable storage facilities. It is also advisable to contact the FSS VA, as more support for evidence storage can be provided.

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If no evidence is stored, this should be clearly stated on the referral form (Annex 4).

The OV must provide the LA officer with a clear, professional opinion of the case. There may be a request for a witness statement. This should be produced without delay and must be clear, detailed and unambiguous. This written statement may need to be provided as a witness statement under the Animal Welfare Act at a later date. The OV in this event is a witness of fact (not an 'expert') asked by the court to analyse evidence and give an opinion on their observations in relation to their professional role. If the OV's opinion is that the animal has been caused 'unnecessary or avoidable suffering' this should be stated in the initial written report submitted to the LA (EC 1099/2009 uses the word 'avoidable' but in other legislation the word 'unnecessary' is used). The statement needs to tell the factual points of the events in a chronological order:

- a) Identify the person making the statement and their qualifications, experience and job profile.
- b) Clearly state what the issue/ concern is and when applicable state that the animal 'has been caused unnecessary or avoidable pain, distress or suffering', plus reasons why. Without this statement there is no offence. The wording used should reflect the legislative requirement.
- c) If veterinary terminology is used, this needs to be explained in layman's terms.
- d) Include any video footage/photographs taken and refer to this in the statement.
- e) Include any ante/post-mortem report and exhibit this as an item in the statement.

LA/APHA conclusions of the investigation or any further action should be sent back to operations@fss.scot as stated on the notification form (see feedback process).

When examining a lame animal it is useful to record the degree of lameness using a category or scoring system. . When using a scoring or category system, whether it is in notes, daybook entries or reports, it is important to mention the system used for reference.

The descriptions below are an example of how to categorise lameness.

Category 1	Visibly lame but can keep up with the group
Category 2	Unable to keep up with the group
Category 3	Requires assistance to rise; non-weight bearing on one or more legs
Category 4	Requires assistance to rise; non-weight bearing on one or more legs; reluctant to walk; halted movement; unable to climb steep ramps
Category 5	Unable to rise or remain standing; extreme discomfort or vocalisation with assisted movement

Other widely used category or scoring mobility systems (such as [ADHB mobility score system](#)) may be used when referenced.

2.5 Procedures for heavily pregnant animals

Regulation No 1/2005 on the protection of animals during transport and related operations Annex I, Chapter 1, Paragraph 2(c) states:

“Animals that are injured, or that present physiological weaknesses or pathological processes shall not be considered fit for transport and in particular if: they are pregnant females for whom 90 % or more of the expected gestation period has already passed or females who have given birth in the previous week”.

FSS responsibility

When it is suspected that a heavily pregnant animal has been transported, the OV must record this on the Annex 4 form and OWS as score 3 for last state of pregnancy and score 4 if the animal has given birth on site or any other signs of distress/pain are observed. In determining if the animal is in a state of late pregnancy, the OV should take into account the following:

Slaughter

When uterine, placental or foetal tissues, including foetal blood, are not to be collected as part of the post-slaughter processing of pregnant animals, all fetuses should be left inside the unopened uterus until they are dead. This is especially important if the fetuses are apparently mature, i.e. close to birth at the end of a full-length pregnancy.

It is best practice that fetuses should not be removed from the uterus until at least 15-20 minutes after the maternal neck or chest cut. Foetal death or irreversible brain damage will usually have occurred by 15-20 minutes after slaughter of the dam. In some cases the foetus may show obvious signs of recovery and even commence breathing. In such cases the foetus should immediately be humanely killed.

When uterine, placental or foetal tissues are to be collected, arrangements must be made to ensure that the foetus is humanely killed as soon as possible.

Post-mortem examination - potential signs of heavily pregnant animal:

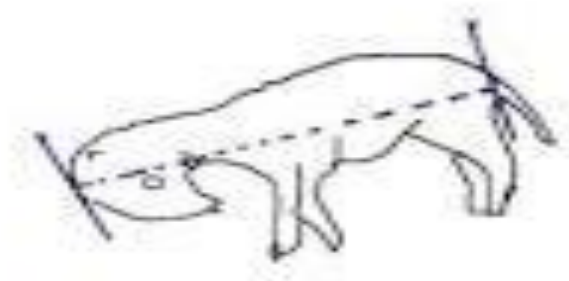
- enlarged uterus
- foetus will be obviously close-to-term:
Showing hair formation over the entire body, eyelashes, open eyes and teeth in cattle, sheep and goats; in cattle, there will usually be ‘golden slippers’ present on the feet

The foetus, after removal from the uterus, must be examined by the OV before a decision is made on the stage of pregnancy.

Estimating gestation

Typical duration of pregnancy in common species	
Species	Duration
Solipeds	330 – 342 days
Cattle	279 – 292 days
Goats	145 – 155 days
Sheep	144 – 151 days
Pigs (Sows)	112 – 115 days

The OV should take measurements of the Crown to Rump Length (CRL) in centimetres. The CRL is measured between the occipital bone and the first vertebra of the tail to be able to estimate the gestational period.



The stage of gestation can be calculated using the following SRUC published formula:

Days of gestation = 2.5 x (*CRL+21)

***CRL = top of head to buttocks length (in centimetres)**

This formula is applicable to all animal species.

Evidence gathering

Photographs or video capture of the dam and the parts of the foetus identified as being indicative of late pregnancy must be obtained. Use a ruler or similar to show scale/size.

Freeze a fore and hind limb as evidence for further investigation. Freezing the mammary gland and blood samples from the dam and foetus will provide additional evidence and allow DNA checks, although that may not be feasible in practice.

Biosecurity Implications

Additional PPE should be worn by the Food Business Operatives during the collection of samples and evidence gathering. Take into consideration potential hazards, toxoplasmosis, enzootic abortion, Brucellosis, Leptospira and Q fever.

Any person likely to have contact with a female that is or might be pregnant must consider the risks posed by handling foetal material and if necessary, arrange for a colleague to gather evidence under supervision.

3. Mandatory use of CCTV

[3.1 Legislation](#)

[3.2 FSS and FBO roles](#)

[3.3 Appeals](#)

3.1 Legislation

[The Mandatory use of closed circuit television in slaughterhouses \(Scotland\) Regulations 2020](#) came into force on the 1st of July 2021.

It lays down rules on the installation, operation and retention of CCTV systems, images and information.

Guidance on The Mandatory Use of CCTV (Scotland) Regulations 2020 can be found [here](#).

Note: If a slaughterhouse had previously voluntarily installed CCTV, their existing equipment must meet the same requirements as the newly installed equipment.

3.2 FSS and FBO duties

FSS Duty	FBO Duty
<p>OV to routinely view the CCTV footage stored from any day or time in the last 90 days, when the slaughterhouse was operating, to check past slaughterhouse processes and practices. If they are aware of an animal welfare incident, they may also target that specific occurrence.</p> <p>As a guide, the OV will observe footage up to 15 minutes per day, but actual duration will vary depending</p>	<p>Ensure that Closed Circuit Television (CCTV) equipment is installed in slaughterhouses. This must provide a complete and clear view of all areas where live animals are present e.g. where they are unloaded, kept, handled, stunned and killed, up to the point and including where the assessment for absence of life is carried out and be constantly</p>

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<p>upon circumstances. Plant protocols must be in place to reflect this accordingly.</p>	<p>recording when animals are present.</p> <p>Reference: Section 3 of Mandatory use of CCTV in Slaughterhouses (Scotland) Regulations 2020</p>
<p>The OV has powers to inspect, seize and enforce.</p> <p>OV is allowed by law to:</p> <ul style="list-style-type: none"> • inspect the CCTV system and any images and information recorded by it. • copy images and information. • seize CCTV system equipment, if needed, including computers and other equipment installed as part of the CCTV system. <p>This should only be required in exceptional circumstances, if it is essential to access images that cannot be viewed or copied in any other way and the FBO is not cooperating.</p> <p>All enforcement action should be proportionate and in line with the hierarchy of enforcement at Chapter 7 of the SMOC.</p> <p>An inspector may issue a written CCTV Enforcement Notice (ENF 11/38 (S)) requiring the BO and/or their staff to take specific actions, which may include timescales to rectify contraventions of the CCTV Regulation.</p> <p>A Completion Note will be issued once the actions have been taken by the FBO (ENF 11/39 (S) in Chapter 9).</p>	<p>Retain CCTV recordings for 90 days</p> <p>Reference: Section 4 of Mandatory use of CCTV in Slaughterhouses (Scotland) Regulations 2020</p> <p>Give FSS Official Veterinarians (OVs) access to these facilities in order to provide effective monitoring and verify animal welfare standards.</p> <p>Identify slaughterhouse staff, such as the Animal Welfare Officer, to have a working knowledge of the storing, processing and transmitting capabilities of the CCTV system</p> <p>Have all necessary access codes and passwords available to facilitate access to the stored CCTV images and information for the OV.</p> <p>The CCTV system must be capable of storing, processing and transmitting (for example moving to removable storage devices or showing on a television monitor) images and information of the same quality as the original recording</p> <p>Sourcing and installing their own CCTV equipment and for assessing whether the location and focus of the cameras can provide a complete and clear image of killing and related operations in all areas of the slaughterhouse where live animals are present.</p>

<p>OV should keep a copy of signed camera site plan in premises welfare file and forward a copy to Approvals@fss.scot</p> <p>Protect personal data on any footage or equipment taken.</p> <p>Provide a written receipt (ENF 11-37 (S) in Chapter 9) when any part of CCTV system is taken, identifying such parts and return the items when no longer required.</p>	<p>Consult the planned installation with OV and have a version controlled site plan in place with all cameras location marked</p> <p>Keep the CCTV cameras:</p> <ul style="list-style-type: none"><input type="checkbox"/> in good working order<input type="checkbox"/> clean<input type="checkbox"/> regularly maintained <p>Make back up equipment available.</p>
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3.3 Appeals

A person may appeal against a decision:

- To serve a CCTV Enforcement Notice
- Not to issue a CCTV Completion Notice

Details on how to appeal will be provided as part of the CCTV Enforcement Notice or the CCTV Refusal to Issue a Completion Notice.

A CCTV Enforcement Notice will not be suspended pending the appeal, unless the First Tier Tribunal orders otherwise.

An appeal must be made to the Sheriff Clerk within 28 days of the issue of an enforcement notice.

4. Certificates of Competence

[4.1 Food Standards Scotland Certificate of Competence guidance and forms](#)

[4.2 Types of Certificates of Competence](#)

[4.3 Suspension or revocation](#)

[4.4 Appeal Process](#)

4.1 Food Standards Scotland Certificate of Competence guidance and forms

All information regarding the process for temporary and full certificate of competence, as well as the forms, the activities and the FSS Guidance on Certificates of Competence (CoCs) can be found [here](#).

4.2 Types of Certificates of Competence

Type	Purpose
Temporary CoC	This will allow a person, while in training, to carry out those tasks requiring a CoC, under the permanent supervision of a full CoC holder for the tasks and activities being undertaken or under the OV supervision. Temporary CoCs should be issued by the OV provided the applicant has registered with a training body for a CoC or has chosen FSS for the final assessment and the TCoC will act as proof of registration. For on farm and game establishments where an individual

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	<p>requires a TCoC, a request should be made to watok@fss.scot. Two forms of ID will be required upon request of TCoC.</p> <p>A temporary CoC can only be issued for 3 months and will not be renewable for the same species/operations. In exceptional circumstances, a temporary CoC can be extended if evidence is supplied to show that the failure to complete training was beyond the control of the individual. The applicant should submit a request to FSS at watok@fss.scot. Further guidance on application procedures is available on the FSS website.</p> <p>Conversion of a temporary CoC to a full CoC will involve the applicant obtaining a qualification certificate, following successful assessment. On receipt of a copy of the qualification certificate, a recent photo and payment of a fee, a full CoC will be issued by FSS.</p>
Qualification Certificate	This is issued by the awarding body (SQA or FDQ in the case of FSS) when the candidate has been assessed and found competent. A qualification certificate is required to obtain a full CoC.
Certificate of Competence	This will allow a person to carry out those tasks specified on the CoC without supervision. Guidance is available for this purpose on the FSS website in the link above.
WASK Licence	This allows a person to carry out the tasks specified on the licence until the licence is converted to a CoC. Conversion is undertaken by FSS. Although the majority of WASK licences have been converted to CoCs in Scotland, Scottish Government continues to recognise the qualification and still allow for the exchange to take place. However, this should be prioritised by the WASK holders, as the legislation quoted on these has been replaced.
WATOK Licence	Issued only in England and Wales. Not valid for slaughterhouse activities. This allows a person to carry out those tasks specified on the licence outside of a slaughterhouse only. It is assessed by APHA.

NOTE: All OV's in FSS approved establishments who are approached by BOs for extensions to TCoCs in the first instance should direct the BO to formally submit such requests to the WATOK@fss.scot mailbox, copied in to the area FSS VA, explaining the reasons behind the request.

Extensions are requested via email to WATOK@fss.scot and WATOK informs the relevant VA requesting an extension if this can be granted based on the reasons

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provided by the BO. WATOK then instructs the BO to complete the application and send it to WATOK.

When scanning applications, OVs should ensure that all pages are included, including data privacy statement.

Also, they should ensure all applicant details are fully completed in clear legible writing, to including full postal address, email address, if candidate already holds a CoC the CoC reference number and plant approval number. Ideally, these details should be completed electronically.

For candidates that are already in possession of CoC issued via an approved assessment centre, there is no requirement for them to complete the mandatory unit, if unsure contact watok@fss.scot.

There are five declarations required for a TCoC, requiring a 'Yes' or 'No' tick; the applicant is asked to confirm that:

- they have not been convicted of a welfare offence in the last 3 years;
- they have not been previously refused a licence or CoC;
- they have not had a licence or CoC previously suspended or revoked;
- the information that they have provided for the TCoC is accurate and true;
- they have not held another TCoC in respect of the same activities and been assessed and found to be incompetent;
- they have registered on an approved training course (inserting the name of FSS or alternative training body eg: SQA/FDQ approved centre) providing evidence to the OV.

Where an applicant cannot confirm a specific declaration, this will not definitely exclude them from a TCoC. In this case the applicant must discuss their individual situation with the OV.

TCoCs & learning contracts should be sent to watok@fss.scot as separate documents. Candidate photos should show the face and shoulders clearly, against a plain light background, with no hats etc., these photos should be similar quality to passport photos.

The learning contract has to be fully completed by candidate including full postal address, email contact details and signed off by candidate's line manager before submission. Learning contracts are required to be submitted along with TCoC at time of issue. The candidate disclaimer has to be filled in the same day of the assessment, as that acts as confirmation that the candidate has read the Candidate

Induction and understands the steps, policies and procedures associated with the assessment.

When scanning assessment packs to be sent to watok@fss.scot, assessors/OVs should save them in PDF format. All OVs have an FSS iPhone, and it is possible to download a free photographic scanner to convert a photo to a pdf. A candidate disclaimer should also be completed on the day of the assessment and this should be sent to FSS WATOK mailbox.

When completing timesheet for on farm CoC assessments record time as explained in the OWS TS [guidance](#).

4.3 Suspension or revocation

Where an individual has caused pain, distress or suffering to an animal in their care then the OV should always consider immediate suspension of their CoC.

In the case of a score of 4, suspension should always be considered. Only in cases where there is clear evidence that it is not the fault of the individual, or a result of the actions of the individual, would suspension not be appropriate.

Evidence of breaches should be gathered immediately to allow a full investigation and to justify a possible suspension.

In the case of suspension, the OV must inform the BO and the CoC holder verbally about suspension with immediate effect and record it in the daybook and then issue the CoC holder with a letter (signed and dated) explaining why the CoC is suspended (the observed issues that led to the suspension and the relevant breaches of the legislation), from what date, the length of time that the CoC will be suspended for, how the suspension can be lifted and the right of appeal.

Where the OV considers that competence could be improved and that a period of retraining is applicable, it may be more appropriate to give written advice or serve a welfare enforcement notice, as the CoC holder cannot undergo practical training if the CoC is suspended.

If the CoC has already been suspended and following the investigations the OV considers retraining would address the issues, then the most appropriate method specified below should be implemented:

- if only theoretical retraining is required by the OV, the recommendation for reinstating the CoC can be sent to FSS before or after this retraining has been satisfactorily completed. However, if the retraining has already been completed, the case to recommend reinstating the CoC will be stronger.
- If practical retraining is necessary, the OV recommendation to the FSS welfare panel should be clear in this regard. The full CoC will be revoked and

a TCoC will be issued, to allow for this supervised retraining to take place which durations is a total of not more than 3 months.

Following the practical retraining, the plant OV should re-assess the operative for the activities in question. They can follow the same format and assessment packs as a formal assessment in order to collect the evidence; however, this is not mandatory. Once the satisfactory assessment has been carried out and evidence submitted to FSS, a CoC application should be submitted as per the normal protocol and FSS will issue a new CoC (with a new reference number).

Alternatively, if this retraining is not adequately delivered and concerns related to the operative's competency still exist, the new CoC will not be issued.

A template letter for CoC suspension or revocation is at [Annex 2](#).

It is recommended that the initial suspension should last for as long it takes to collect evidence for a final report or a referral for revocation and/or investigation. The wording of the letter in this case should include the following statement:

'The suspension will last for the duration of the investigation that is currently taking place and which may result in further action'.

In addition, the guidance in the following section must be followed and the letter must include:

- date, time and location of incident
- details of CoC holder (name and CoC number)
- details of the incident and what legislative requirements were breached
- the reason for the suspension (stating which parts of the legislation have been breached the OV's opinion on the pain, suffering or distress caused by the CoC holder's actions)
- the period of the suspension or the required measures the CoC holder needs to meet for the suspension to be lifted
- their right of appeal by making written representations
- how to make representations and the time within which to do so (which must not be less than 28 days from the date of the notice)
- where to address the written representations (dependant on location of working at time offence was committed)

Any formal letters sent to notify slaughter men of the suspension/revocation of CoCs must be copied to FSS Operations, who will provide feedback to Defra or the Scottish or Welsh Government, as appropriate. This will ensure that if an appeal is received, they are aware of the action taken by FSS. The OV must also copy the suspension letter to the BO, the VA and watok@fss.scot.

A letter template is enclosed at [Annex 2](#).

The OV should consider a recommendation for CoC revocation if they are of the opinion that the holder of the CoC:

- is no longer a fit and proper person
- is no longer competent to carry out the activities which the CoC or licence authorises
- has failed to comply with either the Council Regulation No 1099/2009 or WATOK
- has been convicted of an offence under any animal welfare legislation

Where an OV considers a breach of welfare legislation has caused avoidable pain, distress and suffering and is of suitable seriousness that the CoC should be revoked, a recommendation for CoC revocation should be made. They should contact the FSS VA to inform them of the decision to recommend the revocation of the CoC. This will especially be the case where the OV consider a referral for investigation to be necessary.

The OV should gather all the evidence supporting their statement and the recommendation for revocation and submit it to the FSS VA :

- physical evidence (where possible) and/or video/photographic evidence
- CCTV footage (where possible)
- witness statements if available
- copy of personal notebook and/ or daybook entries

The case will be reviewed by a decision panel involving the FSS VA, Head Veterinarian, Head of Operational Delivery (or Head of Field Operations) and a member of the Policy team. After examining all the evidence, the panel will communicate the decision to the OV within 14 days as long as the panel feel there is sufficient information in the report. If the panel agrees with the OV's recommendation for revocation of the CoC, the revocation letter will be sent by the OV to the CoC holder and by also informing the BO.

The formal revocation letter ([Annex 2](#)) should detail:

- date, time and location of incident;
- details of CoC holder (name and CoC number);
- the reason for the revocation (stating which parts of the legislation have been breached);
- details of the incident and what legislative requirements were breached;

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- the OV's opinion on the pain, suffering or distress caused by the CoC holder's actions;
- their right of appeal by making written representations;
- how to make representations and the time within which to do so (which must not be less than 28 days from the date of the notice);
- where to address the written representations (dependant on location of working at time offence was committed), if the decision taken by the panel is different to the one recommended by the OV to revoke the CoC, an explanation for this must be shared with the Scottish Government.

All letters sent to the CoC holder must be by registered post and be copied to watok@fss.scot, the FSS VA , and the Scottish Government (via the SLA manager).

The BO must be informed in writing of the revocation and asked to permanently remove the CoC holder from operations requiring a CoC.

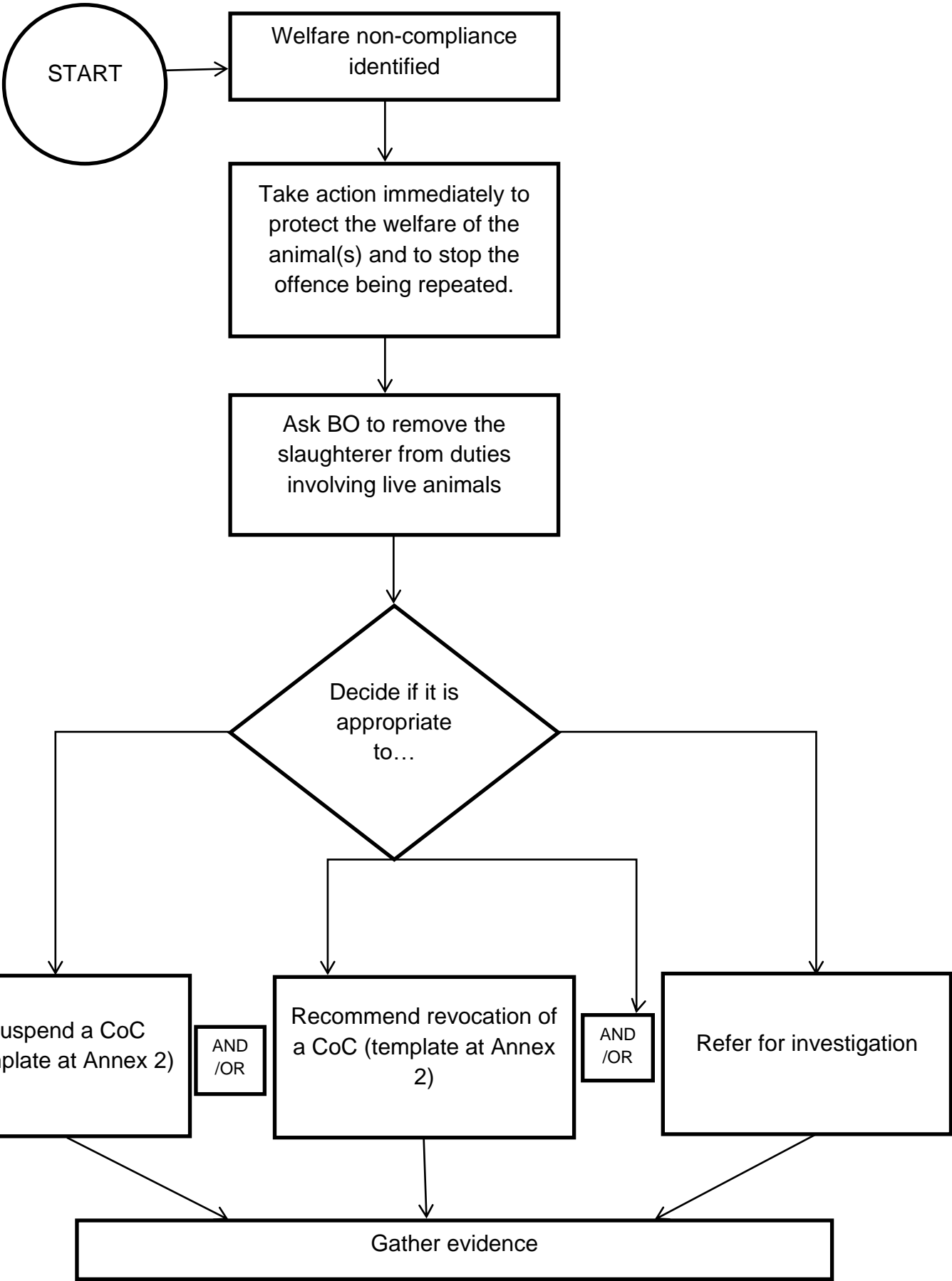
Following a CoC suspension, the OV might consider appropriate after further examining the available evidence that the CoC can be returned to the holder. The OV must collect all the relevant evidence and inform the FSS VA of his/her recommendation to reinstate the CoC, using the reinstatement letter template ([Annex 17](#))

The decision panel will examine the available evidence and will inform the OV of their decision. If the panel will agree with the CoC reinstatement, the OV will write to the CoC holder and return the CoC.

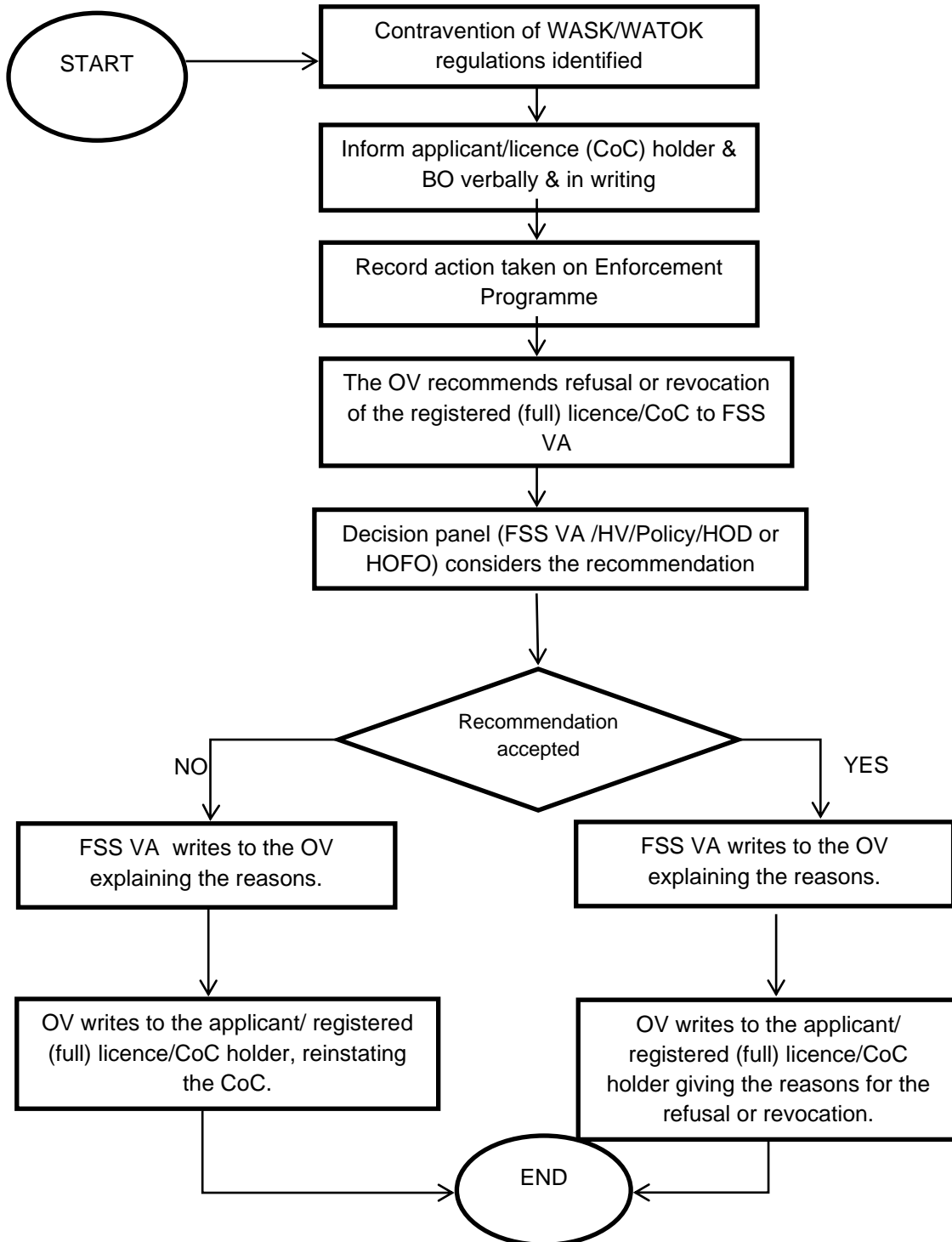
If the decision panel consider it is not appropriate to reinstate the CoC, the OV will need to provide further evidence if they continue to advocate reinstatement. If the evidence is still considered insufficient, and the panel considers that the CoC holder does not meet the requirements for holding a CoC, the CoC will be revoked.

When the person making an application for a temporary CoC has failed to answer all the relevant questions on the application form, or has declared a previous welfare offence, watok@fss.scot. should be copied into the written communication between the OV and VA.

The evidence will be reviewed by the decision panel who will request further evidence if they feel it necessary. The OV should notify the person that they have a right to appeal a refusal to grant a temporary CoC. The FSS VA will notify the OV of the panel's decision and the OV will be responsible for informing the applicant of this decision.



4.4 Revocation process



5. Useful links

- Red and white meat slaughterhouses: standard operating procedures:
<https://www.gov.uk/guidance/red-and-white-meat-slaughterhouses-standard-operating-procedures>
- EFSA journals: toolboxes of welfare indicators for developing monitoring procedures at slaughterhouses for various species:
 - [Bovines](#)
 - [Sheep and goats](#)
 - [Pigs](#)
 - [Poultry](#)
- [Poultry welfare off the farm - GOV.UK \(www.gov.uk\)](#)

6. Annexes

Annex 1	Examples of Certificate of Competence; photo ID card
Annex 2	Suspension and revocation letter template
Annex 3	OV checklist for non-compliance of animal welfare on farm or during transport
Annex 4	LA/APHA notification form: welfare incidents
Annex 5	Animal Welfare Verification Protocol pro-forma
Annex 6	Aide Memoire – welfare checks in red meat
Annex 7	Aide Memoire – welfare checks in poultry
Annex 8	Red meat animal welfare verification
Annex 9	Poultry animal welfare verification
Annex 10	Signs of stunning Cattle Sheep and Pigs
Annex 11	Signs of stunning Poultry
Annex 12	Bovines welfare indicator
Annex 13	Pigs welfare indicators

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- Annex 14 Sheep and goats welfare indicators
- Annex 15 Poultry welfare indicators
- Annex 16 Multiple Stunning Decision Tree
- Annex 17 COC Reinstatement letter