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Rt Hon George Eustice MP, Secretary of State for Environment, Food and Rural Affairs;

Fergus Ewing MSP, Cabinet Secretary for Rural Economy and Tourism;

Rt Hon Arlene Foster MLA, First Minister of Northern Ireland;

Rt Hon Lord Zac Goldsmith, Minister of State (Minister for Pacific and the Environment);

Lesley Griffiths MS, Minister for Environment, Energy and Rural Affairs;

Gordon Lyons MLA, Minister of Agriculture, Environment and Rural Affairs;

Ben Macpherson MSP, Minister for Rural Affairs and the Natural Environment;

Gary Middleton MLA, Acting Junior Minister, Office of the First Minister;

Victoria Prentis MP, Parliamentary Under-Secretary of State for Farming, Fisheries and Food;

Nicola Sturgeon MSP, First Minister of Scotland.

12th February 2021

Dear Ministers,

The UK rears and slaughters up to 77 million fish each year, with Atlantic salmon, trout and other aquatic animal species farmed in significant numbers.

There is growing recognition within the global scientific community that fish, cephalopods and decapods (hereafter referred to as ‘aquatic animals’¹) are able to experience pleasure and pain, like cows, pigs, chickens and other farmed land animals who receive detailed welfare protections at the time of killing.

Despite this, aquatic animals receive very few protections under the law. They do not currently have specific provisions covering them under The Welfare of Farmed Animals at the Time of Killing (WATOK) Regulations 2015², nor are there any statutory codes of practice or official guidance for farmed aquatic animals in the UK.

¹ The term ‘aquatic animals’ throughout this letter refers and applies to fish, cephalopods and decapods.

² S.I. 2015/1782 (England); S.S.I. 2015/161 (Scotland); S.I. 2014/951 (W. 92) (Wales); S.R. 2014/107 (Northern Ireland).

Brexit could bring a new dawn for animals and, given the scale of existing aquaculture operations in the UK, the Government has a unique opportunity to be a leader and a global pioneer for aquatic animal welfare.

We, the undersigned – a collective of concerned animal welfare experts and advocates – call on you to use your position to make a landmark change for farmed aquatic animals. We urge you to pave the way internationally, and reduce the suffering of millions of animals each year, by extending existing legal animal welfare provisions to include specific rules for the welfare of farmed aquatic animals at the time of killing.

Evidence in support of our ask

One of the largest salmon producers in Scotland and Europe, The Scottish Salmon Company, produces 33,000 tonnes of farmed salmon each year – the equivalent of an estimated 15 million individual salmon³. The corporation operates over 50 marine and freshwater sites and supplies to over 20 countries, including to UK consumers.

A recent investigation conducted at a Scottish Salmon Company slaughter facility documented a number of serious welfare issues⁴.

Workers were filmed operating a ‘stun-bleed’ device on a salmon slaughter production line. This device is intended to club the animals’ heads so as to stun them prior to workers cutting their gills with a scalpel. The investigators documented:

- Numerous animals displaying consciousness after failure to stun, evidenced by flapping, wriggling and gasping motions;
- Salmon’s gills cut without prior stunning, causing pain, and / or salmon being re-stunned with a club after their gills were cut, causing blood to spray from their gills (and defeating the purpose of pre-bleed stunning);
- Salmon being clubbed multiple times, in some instances as many as seven times per animal;
- Salmon’s gills torn with workers’ fingers, rather than a scalpel;
- And, on occasion, a large number of animals falling to the floor and being left to suffocate.

Scottish produce is often perceived by consumers as synonymous with ‘higher welfare’ and ‘higher quality’ practices, yet even with stunning machinery in use these processes paint a picture of chaos and confusion without additional parameters in place, such as detailed laws and guidance.

Like The Scottish Salmon Company, our understanding is that a number of Scottish aquaculture operators have already invested in stunning devices within their slaughterhouses. This investigation however brings into question whether the installation of such equipment is in itself serving the intended purpose. If used correctly, animals can be rendered unconscious within seconds, thus reducing their suffering significantly. Legal guidelines are crucial if the

³ Calculated by dividing gross weight by weight per head, then multiplying to include pre-harvest mortality (in kilograms).

⁴ [Investigation conducted by Animal Equality.](#)

technology is to work as intended; the value of stunning equipment is diminished when improperly used.

The science behind our concerns

Fish are particularly vulnerable to skin damage, especially when handled during slaughter processes. Nociceptors for detecting painful stimuli have been identified in fish and are strikingly similar to those found in mammals⁵. The nociceptors are distributed over the head and face of fish as well as across the body and the fins. In one study of salmonids, the amount of pressure required to activate nociceptors in fish was found to be much lower than the threshold for human skin⁶. In a report provided to Animal Equality by Dr Lynne Sneddon, a leading expert in animal biology, it is stated that: *“this means what humans would regard as a light touch would be painful to the fish.”* The ineffective clubbing by slaughterhouse staff captured in this footage would likewise cause considerable pain.

In addition, the method of cutting the animals’ gills is also problematic. In a report provided to Animal Equality by animal welfare specialist, Mark Borthwick, it is noted that: in sheep *“cutting the carotid artery causes brain death in 20 seconds”* whereas, in fish, it can take *“between 148-440 seconds for brain activity to cease”*⁷ – potentially resulting in suffering for over seven minutes if aquatic animals are not stunned or are improperly stunned. The extended pain that aquatic animals experience during this process, if improperly stunned, is scientifically documented.

The World Organisation for Animal Health’s ‘Aquatic Animal Health Code’ (OIE, 2010) – to which the UK is subscribed – states that *“effective stunning should be verified by the absence of consciousness”*⁸. In the footage evidence obtained, it is apparent that these standards are not being met. A large number of fish displaying persistent movement behaviours suggests that effective stunning is not being correctly verified by staff and that the machines are not being operated properly⁹.

Although there are several private codes of practice and assurance schemes related to aquatic animal welfare, these voluntary schemes are insufficient to adequately protect the welfare of aquatic animals at slaughter. For example, The Scottish Salmon Company states publicly that it

⁵ Sneddon 2002; 2003; 2015; 2018; 2019; Sneddon et al. 2003; Ashley et al. 2006; 2007; Mettam et al. 2012.

⁶ Sneddon 2002; 2003; Sneddon et al. 2003; Ashley et al. 2006; 2007; Mettam et al. 2012.

⁷ European Food Safety Authority (EFSA). "Opinion of the Scientific Panel on Animal Health and Welfare (AHAW) on a request from the Commission related to welfare aspects of the main systems of stunning and killing the main commercial species of animals." *EFSA Journal* 2.7 (2004): 45. & Robb, D.H.F., Wotton, S.B., McKinstry, J.L., Sorensen, N.K. & Kestin, S.C. (2000) Commercial slaughter methods used on Atlantic salmon: determination of the onset of brain failure by electroencephalography. *Veterinary Record*, 147, 298–303.

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https://www.oie.int/fileadmin/Home/eng/Health_standards/aahc/2010/en_chapitre_welfare_stunning_killing.htm 7.3.6.1(c).

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https://www.oie.int/fileadmin/Home/eng/Health_standards/aahc/2010/en_chapitre_welfare_stunning_killing.htm 7.3.6.1(b).

is 'committed to the highest standards of animal husbandry in all our operations, adhering to the independently audited Code of Good Practice for Scottish Finfish Aquaculture'¹⁰, yet the documented suffering persists. If The Scottish Salmon Company – and other corporations using similar devices and procedures – is sincere in its desire to provide basic consideration for aquatic animals at the time of slaughter, more must be done.

By implementing specific legislation for aquatic animals at the time of slaughter, the UK would be positioning itself as a global leader in aquatic animal welfare - and pioneering a movement for others to follow - whilst eliminating some of the most severe pain experienced by farmed aquatic animals at the time of killing.

Legislative ask and request for consultation

In 2009, the European Union published Council Regulation (EC) No 1099/2009 on which The Welfare of Animals at the Time of Killing Regulations¹¹ are based. At that point in time the Council opted not to include aquatic animals in the Regulation's specific provisions, explaining:

"Fish present substantial physiological differences from terrestrial animals and farmed fish are slaughtered and killed in a very different context, in particular as regards the inspection process. Furthermore, research on the stunning of fish is far less developed than for other farmed species. Separate standards should be established on the protection of fish at killing"¹².

This decision was taken, despite the considerable and comprehensive scientific opinion shared in the Farm Animal Welfare Committee (FAWC) 1996 report on the welfare of farmed fish¹³.

In the decade since the 2009 Council Regulation was published, the science of aquatic animal welfare has further advanced exponentially. For example, research on the effective stunning of fish is now sufficiently developed to highlight that without successful stunning, these animals will experience avoidable pain, distress and suffering during their killing, which WATOK protects against legally.

To transform this expert knowledge and body of research into detailed legal standards, we urge each of the UK devolved governments to amend existing Welfare of Animals at the Time of Killing regulations as follows:

- Set forth minimum welfare standards for each of the key pre-slaughter stages for aquatic animals, including feed withdrawal, crowding, handling and removal from water, and

¹⁰ Scottish Salmon Co., *Pride of Our Salmon*, <https://www.scottishsalmon.com/ourresponsibilities/pride>.

¹¹ S.I. 2015/1782 (England); S.S.I. 2012/321, as amended (Scotland); S.I. 2014/951 (W. 92) (Wales); S.R. 2014/107 (Northern Ireland).

¹² Council Regulation (EC) No 1099/2009 of 24 September 2009 on the protection of animals at the time of killing (OJ No L 303/1), para. 11.

¹³ <https://www.gov.uk/government/publications/fawc-report-on-the-welfare-of-farmed-fish>

transportation to slaughter equipment. We support the British Veterinary Association's recommendations with respect to each of these stages¹⁴.

- Include operational and technical provisions for aquatic animal slaughterhouses in Schedule 1¹⁵.
- Include provisions for emergency killing methods for aquatic animals in facilities other than slaughterhouses, e.g. euthanasia of sick or injured individuals.
- To avoid any room for doubt, clearly specify effective stunning prior to, or concurrent with, cutting / bleeding, such that the animal is painlessly rendered insensible and unaware of being killed. The loss of consciousness and sensibility must be maintained until the death of the animal and it is critical that stunning must be fully contiguous with slaughter; there must be no time period in between where the animal can potentially regain consciousness.
- Set out in detail the required methods of stunning and slaughter for commonly farmed aquatic species (where and once known), as is done for terrestrial species¹⁶. Just as pigs and chickens have different physiologies and thus require different parameters for effective stunning, different species of farmed aquatic animals likewise vary in important physiological ways. A one-size-fits-all set of technological specifications for stunning and slaughter would be inappropriate.
- Include certificate and licencing requirements for persons involved in carrying out aquatic animal killing operations, to be granted only upon evidence that the applicant has sufficient training and knowledge of the provisions of all relevant legislation and guidance.
- Include a rigorous enforcement regime to ensure compliance with the rules, such as regular inspections by a public body.

For some species, such as Atlantic salmon and rainbow trout (which comprise the majority of the aquatic animals farmed in the UK), the appropriate specifications for stunning and slaughter are already well-established¹⁷. For other species, the development of species-appropriate specifications for stunning and slaughter will require extensive input from species-specific welfare experts. The relevant ministries should therefore include the undersigned parties in a consultation to determine the appropriate stunning methods and related specifications for each species regulated.

To ensure the verification of compliance with these protections, the devolved governments should not only update legal standards and rules, but also oversee implementation. The law should include official controls by competent authorities at slaughter establishments, as is the case in law for terrestrial animals. Official controls should include ante-mortem inspection carried out by an official veterinarian (OV) with proven expertise in the welfare of the species

¹⁴ British Veterinary Association, *Policy Position on the Welfare of Animals at Slaughter* (2020), p. 32-34.

¹⁵ WATOK (England) Regulations, S.I. 2015/1782, Schedule 1; WATOK (Scotland) Regulations, S.S.I. 2012/321, Schedule 1; WATOK (Wales) Regulations, S.I. 2014/951 (W. 95), Schedule 1; WATOK (Northern Ireland) Regulations, S.R. 2014/107, Schedule 1.

¹⁶ WATOK (England) Regulations, S.I. 2015/1782, reg. 30(1)(g) and Schedule 5; WATOK (Scotland) Regulations, S.S.I. 2012/321, reg. 22(1)(c) and Schedule 2; WATOK (Wales) Regulations, S.I. 2014/951 (W. 95), reg. 30(1)(g) and Schedule 5; WATOK (Northern Ireland) Regulations, S.R. 2014/107, reg. 23(1)(f) and Schedule 5 (each transposing into domestic law Council Regulation (EC) No 1099/2009 of 24 September 2009 on the protection of animals at the time of killing (OJ No L 303), art. 4(1) and Annex I ('List of Stunning Methods and Related Specifications').

¹⁷ <https://www.efsa.europa.eu/en/topics/topic/fish-welfare>.

inspected. In addition, an animal welfare officer (AWO) with proven expertise and training in the welfare of the species inspected must be present during the killing to ensure welfare during slaughter is maintained in line with legislation¹⁸.

In addition to, and in support of the above, we incorporate into this request Recommendations 21–22 and 49–54 of the British Veterinary Association, as laid out in their Policy Statement¹⁹ (published August 2020), which specifically calls on UK Governments to develop protections for the welfare of aquatic animals at the time of killing.

Prioritising aquatic animal welfare

Current aquatic animal slaughter methods across the UK would be unacceptable under existing slaughter standards for any other species of animal killed for human consumption in the UK. This legal inconsistency cannot continue.

The United Kingdom is proudly viewed as a global leader in animal welfare legislation. By extending these same considerations to farmed aquatic animals the UK can spare millions of animals from extreme suffering at slaughter and strengthen Britain's position on the world stage.

Several countries internationally have already adopted increased legal protections for aquatic animals, including Norway, New Zealand, Germany, the Czech Republic and the Netherlands. Please, take this opportunity to join these countries, lead the way forward and treat this matter with the urgency and attention that it deserves.

Yours sincerely,

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¹⁸ *ibid.*, transposing into domestic law Council Regulation (EC) No 1099/2009 (2009.09.28), art. 17(1) to (5).

¹⁹

<https://www.bva.co.uk/news-and-blog/news-article/vets-push-for-change-on-the-welfare-of-animals-at-slaughter/>

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