

# COMMERCIAL SLAUGHTER

## **Animal Welfare (Commercial Slaughter) Code of Welfare 2010**

*A code of welfare issued under the Animal Welfare Act 1999*

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National Animal Welfare Advisory Committee

C/- Ministry of Agriculture and Forestry, PO Box 2526, Wellington, 6140

## Preface

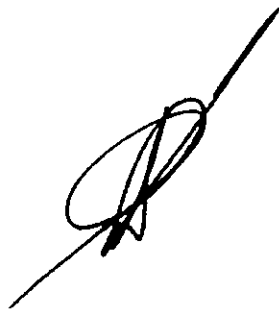
The Animal Welfare Act 1999 came into force on 1 January 2000. It establishes the fundamental obligations relating to the care of animals. These obligations are written in general terms. The detail is found in codes of welfare. Codes set out minimum standards and recommendations relating to all aspects of the care of animals. They are developed following an extensive process of public consultation and are reviewed every 10 years, or sooner if necessary.

I recommend that all those who care for animals become familiar with the relevant codes. This is important because failure to meet a minimum standard in a code could lead to legal action being taken.

I issue codes on the recommendation of the National Animal Welfare Advisory Committee. The members of this committee collectively possess knowledge and experience in veterinary science; agricultural science; animal science; the commercial use of animals; the care, breeding and management of companion animals; ethical standards and conduct in respect of animals; animal welfare advocacy; the public interest in respect of animals; and environmental and conservation management.

The Animal Welfare (Commercial Slaughter) Code of Welfare 2010 is issued by me, by a notice published in the *Gazette* on 27 May 2010, under section 75 of the Animal Welfare Act 1999. This code comes into force on 28 May 2010 and revokes the Animal Welfare (Commercial Slaughter) Code of Welfare 2002.

This code is deemed to be a regulation for the purposes of the Regulations (Disallowance) Act 1989 and is subject to the scrutiny of Parliament's Regulations Review Committee.

A handwritten signature in black ink, appearing to be 'David Carter', written in a cursive style with a long, sweeping line extending upwards and to the right.

Hon David Carter  
Minister of Agriculture

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# 1. Introduction

## 1.1 What is the purpose of this code of welfare?

Commercial slaughter involves the killing of animals to produce animal products where a business transaction takes place. The purpose of this code is to assist those involved in commercial slaughter to identify and address animal welfare requirements. These welfare requirements are based on the following basic principles:

- pre-slaughter handling facilities and procedures that minimise stress;
- the use of competent, well-trained, caring personnel;
- appropriate equipment which is fit for the purpose;
- an effective process which induces immediate insensibility, or an induction to a period of insensibility, without distress; and
- a guarantee of non-recovery from that process until death ensues.

This code sets minimum standards for the care and management of animals being commercially slaughtered. It also includes recommendations for best practice, to encourage standards of care over and above the minimum. Advice is given throughout this code which is designed to encourage owners and operators to strive for a high level of welfare. Explanatory material is provided where appropriate.

## 1.2 Who does this code apply to?

This code applies to the following people, as defined in the Animal Products Act 1999:

- primary processors (as further defined in the Animal Products (Definition of Primary Processor) Notice 2000), dual operator butchers, homekill or recreational catch service providers listed under section 76 of the Animal Products Act;
- any person operating a food business where animals are killed for the purposes of human consumption; and
- pet food operators.

The owner or person in charge of a slaughter premises has overall responsibility for the welfare of the animals at the premises. Stock handlers are responsible for the welfare of animals under their immediate care, but these responsibilities do not detract from the liability of the owner and person in charge of the slaughter premises. Homekill service providers and pet food operators are treated as the person in charge for the stunning and slaughter processes provided for in this code.

## 1.3 What animals does this code apply to?

This code applies to the following animals:

- farmed mammals, birds, finfish (including eels), crustaceans and any other species defined in the Animal Welfare Act 1999 that are slaughtered to produce animal products for trade, whether this is for human or animal consumption, or for rendering or manufacture as fertiliser, or for fur production;
- mammals and birds in a wild state that are caught alive, taken into a person's care and later killed; and

- finfish (including eels), crabs, lobsters or crayfish that are caught from the wild and held in captivity at onshore premises including restaurants, prior to slaughter for sale as food.

The welfare of terrestrial animals is considered from the time at which they are unloaded at slaughter premises to the time at which they are slaughtered. In the case of slaughter on the farm, the period considered is from the time of presentation of the animal to the homekill operator to slaughter. In the case of aquatic animals, the period considered is from capture to slaughter.

This code does not apply to:

- the killing of pest animals;
- the hunting of animals, including trophy hunting on game estates or safari parks;
- recreational and commercial fishing where fish are caught for imminent destruction; or
- on-farm killing of animals for own consumption.

#### **1.4 What happens if I do not follow the minimum standards in this code?**

Failure to meet a minimum standard in this code may be used as evidence to support a prosecution for an offence under the Animal Welfare Act. A person who is charged with an offence against the Animal Welfare Act can defend him or herself by showing that he or she has equalled or exceeded the minimum standards in this code.

The recommendations for best practice in this code have no legal effect and are included to encourage higher standards of animal welfare.

General principles for animal care contained within this code are required to be implemented under a quality assurance programme designed for each facility or operation. The quality assurance programme must address the relevant minimum standards in this code (see section 8, "Quality Assurance Programme", of this code).

#### **1.5 How does this code relate to other codes of welfare?**

Codes of welfare have been developed, or are being developed, for individual species of animals and for the transport of animals. Other codes of welfare should be consulted where appropriate (see Appendix V, "Codes of Welfare", to this code and the Ministry of Agriculture and Forestry website at: [www.biosecurity.govt.nz/animal-welfare/](http://www.biosecurity.govt.nz/animal-welfare/)).

This code is consistent with the World Organisation for Animal Health (OIE) *Guidelines for the slaughter of animals for human consumption*.

## 2. Competence

### *Introduction*

While this code is based on current knowledge and technology available at the time of issue, it does not replace the need for experience and common sense in the handling of animals.

Owners or persons in charge should ensure that their personnel have either the relevant knowledge and training or appropriate supervision to ensure that the health and welfare needs of the animals in their care are met. Personnel should either undergo formal training or be trained on the job by experienced supervisors. Personnel should be appropriately instructed in the care and maintenance of animals and how their actions may affect the animals' welfare. Knowledge of the normal appearance and behaviour of animals is essential for recognising early signs of distress or disease so that prompt action is taken or advice sought. Any contract staff or temporary staff should also be trained and competent in the relevant activity.

### **Minimum Standard No. 1 – Persons in Charge**

**Persons in charge of slaughter premises must ensure that animals are cared for by a sufficient number of personnel who possess the appropriate ability, knowledge and professional competence to maintain the health and welfare of the animals in accordance with the minimum standards in this code.**

### *General Information*

Quality assurance programmes emphasise the importance of training of personnel, and include written procedures for handling and slaughter techniques (see section 8, "Quality Assurance Programme", of this code).

## 2.1 Competence of Stunning and Slaughter Personnel

### *Introduction*

To ensure that the welfare of animals is maintained during stunning and bleeding out and that the process operates at maximum effectiveness, the system of stunning and bleeding out is required to be included in a quality management programme which also includes training, competence and supervision (see section 8, "Quality Assurance Programme", of this code).

### **Minimum Standard No. 2 – Competence of Stunning and Slaughter Personnel**

- (a) Animals must be killed either:**
- (i) by a person competent in the handling and slaughter of that species; or**
  - (ii) when untrained personnel are carrying out stunning and/or bleeding out, under the direct supervision of a person competent in the handling and slaughter of that species.**

- (b) Personnel must be trained to perform the stunning and bleeding out procedures correctly, and trained in the method of applying the apparatus.**
- (c) Stunning and slaughter personnel must be trained to recognise the signs associated with both an effective and an ineffective stun, and must take action to ensure that any animal that receives an ineffective stun is immediately rendered unconscious.**

### 3. Large Mammals

Large mammals include cattle, sheep, goats, pigs, deer, equines and camelids, of all ages, that are farmed or are caught alive and taken into a person's care to be killed. Small mammals such as rabbits, mustelids and possums are dealt with in section 4, "Small Mammals", of this code.

#### 3.1 Facilities for Large Mammals

##### *Introduction*

Overall responsibility for the design, provision, operation and maintenance of suitable facilities and equipment rests with the owner or person in charge of the slaughter premises.

Holding and stunning facilities should be designed to encourage easy and natural movement of animals, bearing in mind the behavioural characteristics of the species concerned. The facilities should be designed to ensure the prevention of injury to animals and to minimise the amount of animal handling and distress. Animals should be provided with protection from the elements to meet the physiological needs of the individual species.

Additional factors to be considered are:

- ease of (and natural) movement of animals
- prevention of means of escape
- the slope of ramps
- design, construction, maintenance and condition of the floor and wall surfaces
- washing facilities
- watering and feeding facilities
- disposal of effluent
- ventilation
- lighting
- races (including those leading to point of slaughter)
- noise.

#### **Minimum Standard No. 3 – Facilities for Large Mammals**

- (a) The design and construction of slaughter premises must be suitable for the species passing through the premises, and facilities must be maintained in such a condition as to minimise the likelihood of distress or injury.
- (b) All animal handling facilities must be operated so that they do not result in injury to animals.
- (c) The lairage must provide adequate shelter from adverse weather conditions and ventilation to protect the welfare of the animals being held for slaughter.
- (d) Facilities where animals are held for more than 4 hours must allow all animals to move freely, stand up and lie down.

- (e) One-way gates and other devices situated in races or ramps to prevent an animal going backwards, must be designed and operated so that they do not trap animals, lead to injury or cause the operator to apply undue pressure on animals to force them to pass through the gate or device.
- (f) The design and slope of ramps must be such as to minimise animals skidding or becoming distressed or injured.
- (g) All animals must have access to water that is palatable and not harmful to health in a quantity sufficient to satisfy their thirst.
- (h) Where animals are washed, the washing facilities must be designed and operated in a manner that causes minimal distress and which does not cause injury.
- (i) Sufficient fixed or portable lighting must be available so that animals can be inspected in their pens at any hour of the day and night.

#### ***Recommended Best Practice***

- (a) The maximum slope of ramps should not exceed 20° for all animals except bobby calves. The maximum slope of ramps should not exceed 12° for bobby calves.
- (b) The width of the ramp should be at least as wide as the exit opening of the transport vehicle.
- (c) Cladding of gates or walls to present a solid visual barrier should be considered where charging at gates or walls is likely to be a problem.
- (d) Where appropriate, gates, posts and buttresses should be padded to minimise injury to animals.

#### ***General Information***

##### *Ramps*

Ramps should have non-slip surfaces or cleats to minimise slipping. The unloading ramp should be level with the floor of the transport vehicle, and the bottom of the ramp should meet the level of the unloading bay platform. Because animals move more readily uphill than downhill, ramps should be horizontal or should slope upwards. If the ramps slope downward, the slope should be as flat as possible. Water should not be applied to the ramp as a means of making the ramp slippery and using it as a chute. The walls should prevent animals from falling or jumping off the ramp, and should be smooth with no projections that may injure animals.

##### *Floors*

Floors should have non-slip surfaces. If gratings are used they should be of an appropriate design for the species and maintained to prevent injury. The arrangement of the grating throughout the holding facilities should be such that any changes in direction of the grating do not cause baulking.

##### *Gates*

Fences and gates should be designed to allow good flow and to prevent injury, and should not have any projections that may injure animals. Where appropriate, the presence and absence of cladding on gates and barriers should be arranged to encourage movement of animals in the required direction and to minimise the likelihood of gate or barrier charging by animals that are attempting to escape. Gates should be used in a considerate manner, and should not be used to stop animals while they are in motion.

## 3.2 Handling of Large Mammals

### *Introduction*

Minimising stress during pre-slaughter lairage will facilitate handling and improve both handler safety and animal welfare. Excited or agitated animals can seriously injure themselves, other animals or their handlers. Transport stress has been shown to have a detrimental effect on animal physiology, and this may precipitate clinical signs of disease or metabolic stress during the pre-slaughter period.

Animals suffering from disease, injury or other abnormality may experience pain or distress. For this reason, all animals need to be inspected on arrival at slaughter premises, and during the holding period prior to slaughter. Personnel inspecting animals need to be competent at recognising normal and abnormal behaviour. Where animals are distressed, in pain or suffering, action needs to be taken to alleviate or treat this, where practical and as appropriate to the situation.

In situations where it is not practical to treat animals that are in pain or distress within appropriate time frames, the animal should be humanely killed as soon as practicable.

The provision of feed during the pre-slaughter period will be dependent on the length of time until slaughter and the physiological requirements of the animals.

### **Minimum Standard No. 4 – Handling of Large Mammals**

- (a) Animals must be handled and moved in such a manner as to minimise distress.**
- (b) Different species of animals must not be mixed.**
- (c) Horned cattle and animals known to be aggressive must be penned separately if there is insufficient space for pen-mates to escape injury.**
- (d) If problems of aggressive behaviour occur, the animals must be held separately and/or slaughtered as soon as practicable.**
- (e) All animals must be assessed for the presence of distress or suffering caused by physiological state, injury, disease or other abnormality, as soon as possible, but within 8 hours of arrival at the slaughter premises. Injured, diseased or abnormal animals must be treated appropriately to ensure their welfare is protected.**
- (f) Personnel inspecting animals must be competent at recognising normal and abnormal behaviour that indicates distress or suffering due to injury, disease, physiological state or other abnormality.**
- (g) Animals that are unable to stand or bear weight and walk on all four entire limbs must be slaughtered as soon as possible in the situation in which they are found (as distinct from taking them to a slaughtering site) using a humane slaughter method.**
- (h) When animals give birth in the holding pens, the welfare of both dam and offspring must be protected.**
- (i) Lactating dairy cattle with distended udders must be slaughtered within 24 hours of arrival unless milked.**
- (j) Bobby calves and milk lambs must be slaughtered as soon as possible but within 28 hours of being loaded for transport unless fed (see (l)).**

- (k) **Cattle, sheep, goats, pigs, deer, equines and camelids must not be held in lairage for longer than necessary before slaughter and must not be held in lairage for longer than 48 hours before slaughter.**
- (l) **If animals are held in lairage for longer than the periods stated below, they must then be fed at least maintenance rations:**
  - (i) **Bobby calves and milk lambs – 20 hours.**
  - (ii) **Pigs and equines – 24 hours**
  - (iii) **Cattle, sheep, goats, deer and camelids – 36 hours.**
- (m) **If animals are held in holding paddocks, they must be provided with appropriate standards of husbandry for that species.**
- (n) **Dogs must be under control at all times.**
- (o) **Dogs must not be used to move bobby calves, milk lambs, deer, pigs or goats.**
- (p) **All swim washing and high-pressure or high-volume spray washing must be closely monitored at all times to ensure the welfare of the animals.**
- (q) **Any animals that go under or swim in the wrong direction during swim washing must be assisted immediately.**
- (r) **Animals must not be washed more than twice.**
- (s) **When handling animals, no more than the minimum force required is to be used.**
- (t) **Goads must not be used to move animals, except:**
  - (i) **where the safety of the handler is at risk; or**
  - (ii) **when loading a stunning pen; or**
  - (iii) **for very stubborn cattle (but not calves).**
- (u) **Animals must not be prodded in the most sensitive areas including the head, udder, anus, vulva or scrotum.**
- (v) **Animals which are injured, suffering or otherwise unfit for further transport (except newborn animals) must be slaughtered or humanely killed at the slaughter premises.**

***Recommended Best Practice***

- (a) **Animals should be adequately rested prior to slaughter so that signs of injury, disease and physiological abnormality are not masked at the time the animals are assessed.**
- (b) **Horned cattle should not be presented for slaughter at commercial premises.**
- (c) **Bobby calves, milk lambs, lactating animals and animals in advanced pregnancy should be given priority for slaughter.**
- (d) **Where two or more groups of animals have been mixed, they should be observed until settled for signs of injury, aggression or stress so that remedial action can be taken.**
- (e) **Sheep should not be swim washed if the length of their fleece will result in unreasonable or unnecessary distress or injury during the swim wash process.**

- (f) Goats should not be swim washed because of the risk of hypothermia. If goats are washed, their slaughter should not be delayed.
- (g) Cattle should not be left under a cold-water shower for more than one hour unless there is either a substantial risk of overheating during hot weather or a substantial risk of conflict or riding among the animals that could lead to exhaustion or injury.
- (h) Pigs should be kept in stable social groups.
- (i) Goats should not be used on pigs.
- (j) If an aid is required to assist in moving pigs, or to protect the stock handler, backing (moving) boards should be used.
- (k) Dogs should not be used in the forcing pens leading to the slaughter area.

### **General Information**

It is important to select the appropriate group size when moving animals and, if necessary, to divide a pen of animals into smaller groups to make animal movement more manageable.

It is advisable to minimise noise in the animal handling area. In addition, it is important not to stress the animals early in the animal handling procedures. When animals become stressed their behaviour becomes less predictable, they are more difficult to manage and they are more liable to injure themselves, other animals or their handlers.

Animals from different mobs (particularly males and including cryptorchids) should be kept separate. If it is necessary to mix mobs, consideration should be given to the size of the animals, their temperament and the presence or absence of horns.

Measures should be taken to reduce the risk of injury to equines resulting from biting, kicking or slipping, and their shoes should be removed.

To prevent the risk of fighting, unfamiliar stallions should not be mixed in the same pen or yard.

When shooting an equine, it can be helpful to secure the animal with a head collar or bridle. If necessary, a restless horse can be blindfolded.

Nothing in this code prevents the feeding of newborn animals or their removal to another place as long as they are managed to ensure their welfare.

Muzzling of dogs is not always necessary or even best practice, and should be left to the discretion of the dog handler. Dogs could be muzzled if the dog handler considers there is a risk that they will bite other animals; however, this risk needs to be balanced against the welfare impact on working dogs.

### **Washing**

Washing animals in the pre-slaughter period is a major stressor. While the need for washing of some animals is accepted, it should only take place when absolutely necessary, and both climatic conditions and the body condition of the animals should be taken into consideration when the type and length of washing is considered.

NAWAC believes development of improved methods of removing superficial contaminants in a manner that minimises the stress on the animals deserves a high priority. In particular, NAWAC would like to see the replacement of swim washing by less stressful methods. Improvements are

likely to include increased requirements for animals to be presented for slaughter in clean condition with skin free of faecal contamination and wounds.

### **3.3 Restraint for Stunning of Large Mammals**

#### ***Introduction***

Restraint can be stressful and therefore should be minimised in terms of both the force used and the duration. Conversely, animals that are not well restrained may injure themselves when in confined spaces. Correct restraint is necessary to ensure effective and humane stunning.

#### **Minimum Standard No. 5 – Restraint for Stunning of Large Mammals**

- (a) Animals must be presented for stunning in a manner that allows effective stunning.**
- (b) A restraining device must be used if the natural behaviour of the animal and the system of handling do not allow the accurate application of the stunning equipment.**
- (c) The restraining device must be designed and used in a way that avoids excessive stress to the animal.**
- (d) Where a restraining conveyor is used for sheep, goats, calves and pigs in which individuals are separated:**
  - (i) the width and angle of conveyors must suit lines of animals that are being processed; and**
  - (ii) conveyors must be designed and operated to prevent animals from climbing on the backs of animals in front of them.**
- (e) Cattle, deer and equines must be individually restrained in appropriately designed stunning pens or conveyors.**
- (f) Notwithstanding (e), unrestrained cattle, deer and equines, and other large mammals, may be killed by homekill service providers and pet food operators using a firearm.**
- (g) Animals must not be left in any restraining device during regular work breaks.**
- (h) During a breakdown or if the processing line stops, animals must be removed from the restraining device if they become distressed.**
- (i) Large mammals must be unconscious before being shackled.**
- (j) All stunning restraint facilities must be regularly inspected and well maintained.**

#### ***General Information***

Electrical stunning of free-standing pigs is acceptable, provided that, when selecting and positioning a pig for stunning, stress is minimised for that animal and other pigs in the pen and provided that the application of the electrodes is accurate and there are no pre-stun electric shocks.

Other methods that allow rapid and accurate application of stunning equipment, such as individual restraining crates or crushes in the case of sheep, goats, calves, deer and pigs, can be used.

The stunning pen should be designed, or long-handled stunners made available, to enable the stunning of an animal that goes down in the pen.

### 3.4 Stunning of Large Mammals

#### *Introduction*

Commercial slaughter of animals must be carried out by approved methods. Slaughter by severance of blood vessels supplying the brain or heart causes loss of sensibility and subsequent death due to anoxia. Animals killed by this method are conscious and may experience pain or distress for several seconds or minutes prior to death. Therefore, animals need to be rendered insensible by an approved stunning method prior to slaughter, unless the animal is slaughtered by an approved method which renders the animal instantaneously insensitive. The time between rendering the animal insensible and its subsequent slaughter needs to be kept to a minimum.

Humane methods of stunning animals for commercial slaughter have been developed, including mechanical and electrical stunning. There are variations in stun methods and therefore it is important to understand the way each method works to ensure humane and effective stunning.

All stunning methods must result in immediate loss of sensibility in the animal. If the insensibility induced by the stunning method is reversible (i.e. if the animal is able to recover sensibility after a period of time), brain function must be stopped by another means. This may be achieved by severance of major arteries supplying the brain, or by inducing cardiac arrest by applying an electrical current. The period of insensibility needs to continue until death supervenes.

#### **Minimum Standard No. 6 – Stunning of Large Mammals**

- (a) Prior to slaughter, all animals must be stunned so that they are immediately rendered insensible and must be maintained in that state until death supervenes. This includes a method of stunning that results in immediate insensibility and death.**
- (b) Stunning must be applied using one of the following:**
  - (i) a captive bolt firearm; or**
  - (ii) an electrical stunner; or**
  - (iii) a suitable firearm.**
- (c) Equipment used for stunning must be maintained in good condition in accordance with the manufacturer's recommendations.**
- (d) An effective backup stun method must be immediately available in the event that the primary apparatus fails.**
- (e) Repetitive ineffective stunning requiring repeat stunning must be investigated and remedied immediately.**

#### *Note*

*Controlled atmosphere stunning of large mammals is not currently carried out in New Zealand.*

### ***Recommended Best Practice***

Certain reactions are associated with an effective stun, and should be assessed on a periodic basis. Quality control personnel should examine samples of post-stun animals in detail and in accordance with Appendix II, "Signs of an Effective Stun in Farmed Mammals", of this code.

### ***General Information***

Specifications of equipment will often be those supplied by the manufacturer and, provided these are adequate, it is important that modifications are not made. It is also important that maintenance of such equipment is carried out in a manner which ensures that it continues to operate according to specification. It may be necessary to check the performance by physical means.

Examples which illustrate the importance of these points are:

- modification of the current control of an electrical stunner by an electrician without checking the calibration of the ammeter, resulting in a significant drop in performance
- failure to properly clean a captive bolt firearm regularly, resulting in a significant drop in performance
- a captive bolt firearm which has eventually become so worn that it must be discarded.

Even when a stunning apparatus is properly installed and maintained, it can still be ineffective if operated incorrectly. Specifications on operation should include the way in which it should be applied to the animal and physical aspects of its actual operation. In the case of electrical stunners, this should include specified currents and duration of application; in the case of captive bolt firearms, this should include specified charges to be used for different classes of animal.

Ineffective stunning requiring repeat stunning in excess of 2% (i.e. 2 out of every 100 firings or 100 electrical discharges) needs to be investigated and remedied immediately.

Other methods of stunning to those listed in Minimum Standard 6(b) may, from time to time, be developed and recommended by NAWAC for inclusion in the Code.

### ***Stunning and Slaughter of Animals on the Farm***

The slaughter of large mammals on a farm by a homekill or pet food operator presents some unique difficulties in applying effective stunning prior to slaughter because the available technology is likely to be limited to a firearm or captive bolt firearm. While the use of a firearm to stun some species may present significant risks to the operator, other humans and other animals, captive bolt firearms provide a cost-effective and low risk alternative. Large mammals such as cattle, sheep, goats, pigs, deer, equines and camelids are to be stunned in accordance with Minimum Standard 6 prior to slaughter, and appropriate measures, including effective restraint, will be needed to minimise the risks. If the operator is concerned that the animal cannot be stunned safely in its current location, then it is the responsibility of the owner of the animal to arrange for it to be transported to a place where it can be stunned safely.

#### **3.4.1 Use of Captive Bolt Firearm for Large Mammals**

##### ***Introduction***

There are two types of captive bolt firearms that are used – penetrating and non-penetrating. A penetrating captive bolt enters the skull and comes into contact with brain tissue; a non-penetrative captive bolt employs a "mushroom" percussive head. Both methods provide a concussive blow to the

skull resulting in insensibility because of brain tissue damage, although the damage caused by the penetrating captive bolt will result in less chance of the animal regaining sensibility. Insensibility will be permanent if the animal stops breathing and does not resume breathing. The same criteria for use apply to either method.

### **Minimum Standard No. 7 – Use of Captive Bolt Firearm for Large Mammals**

- (a) When a captive bolt firearm is used, the appropriate model, calibre and cartridge size as recommended by the manufacturer must be selected for the particular animal.**
- (b) The target must be as shown in Appendix I, “Captive Bolt and Free-bullet Firearm Stunning Sites”, to this code.**
- (c) Animals must be effectively stunned and insensible (in accordance with the signs of an effective stun as set out in Appendix II, “Signs of an Effective Stun in Farmed Mammals”, to this code) before the slaughter process can begin.**
- (d) A captive bolt firearm must be cleaned and maintained in accordance with the manufacturer’s instructions to ensure that it functions effectively.**

#### ***Recommended Best Practice***

Captive bolt firearms should be used on a rotational basis, regularly cleaned during use and maintained to ensure that there is no reduction in bolt speed from friction due to carbon accumulation in their chambers. Cartridges should be kept in a dry place.

#### ***General Information***

To ensure compliance with Minimum Standard No. 7, the captive bolt firearm must be applied to the head of the animal at the position shown in Appendix I, “Captive Bolt and Free-bullet Firearm Stunning Sites”, to this code. This will ensure that the brain tissue of the cerebral hemisphere and the brainstem are sufficiently disrupted by the projectile to induce sudden loss of consciousness and subsequent death.

Only penetrating type captive bolt firearms should be used on pigs.

#### **3.4.2 Electrical Stunning of Large Mammals**

A number of electrical stunners and stun conditions have been developed, with a variety of electrodes and electrode placement, and the use of water or saline for conductivity and cooling purposes. Head-only and head-to-body (cardiac arrest) methods have specific variables that need to be understood by the operator.

Electrical stunning methods which induce cardiac arrest at the same time as, or immediately after, loss of consciousness result in permanent insensibility due to failure of blood supply to the brain. With these methods, the risk of an animal recovering sensibility during the slaughter process is minimal, and the animal will die regardless of whether or not blood vessels are severed.

## Minimum Standard No. 8 – Electrical Stunning of Large Mammals

- (a) Electrical stunners must be capable of supplying a regulated current which will induce an immediate stun.
- (b) The apparatus must be fitted with an automatic timing device to determine the duration of the stun and a calibrated meter positioned to enable the operator to observe the amperage and duration of the stun.
- (c) When using head-only reversible stunning, the electrodes must be placed so as to span all or part of the brain of the animal to be stunned.
- (d) Animals must be effectively stunned and insensible (in accordance with the signs of an effective stun as set out in Appendix II, "Signs of an Effective Stun in Farmed Mammals", to this code) before the slaughter process can begin.
- (e) Electrical stunners must generate sufficient power to achieve continuously the minimum current level recommended for stunning.
- (f) The correct current level must be attained within 1 second of the initiation of the stun and must be maintained for at least 1 – 3 seconds.
- (g) Animals must not be so wet as to cause part of the stunning current to flow over the surface of the body instead of through the head, resulting in an ineffective stun.
- (h) Animals must not experience any electric shocks from the stunning equipment before stunning.
- (i) Electrical stunning equipment must be maintained in good condition in accordance with the manufacturer's recommendations.

### **Recommended Best Practice**

- (a) Except for pigs, head-to-body electrical stunning which induces cardiac dysfunction should be used as the preferred method because stun-to-stick intervals are then no longer critical.
- (b) In the event of any system failure, animals should be able to be evacuated from the stunning box without causing undue stress.

### **General Information**

Except for pigs, head-to-body electrode placement includes head-to-back, head-to-chest and head-to-legs.

The OIE recommends that stunning apparatus required for electrical stunning should be provided with sufficient power to achieve continuously the minimum current level recommended for stunning as indicated in the following table. The minimum level should be achieved within 1 second and be maintained for 1–3 seconds.

<b>Species</b>	<b>Minimum Current Levels</b>
Cattle	1.5 amps
Calves	1.0 amp
Pigs	1.25 amps
Sheep and goats	1.0 amp

Lambs	0.7 amps
Deer	1.0 amp (not available from OIE)

#### *Pigs*

A minimum current of 1.3 amps is required for pigs which are stunned with calliper-type electrodes because of the greater likelihood that for some pigs the electrodes will be placed across the neck instead of the head.

### 3.4.3 Use of Firearms for Large Mammals

#### *Introduction*

Firearms provide a method of stunning that results in immediate insensibility and death. Firearms are often used outside slaughter premises by homekill service providers and pet food operators, and may be used in slaughter premises in an emergency (subject to OSH requirements).

#### **Minimum Standard No. 9 – Use of Firearms for Large Mammals**

- (a) When a free-bullet firearm is used, it must be of a calibre and range appropriate for the particular species and class of animal.
- (b) The target must be as shown in Appendix I, “Captive Bolt and Free-bullet Firearm Stunning Sites”, to this code.
- (c) When a firearm is used, the bullet or shot must penetrate the cranial cavity to cause an irreversible state of insensibility before the slaughter process can begin.
- (d) A firearm must be cleaned and maintained to ensure that it functions effectively.

#### *General Information*

Whenever a firearm is used, it is very important that the operator:

- is competent to use the gun
- takes care in ensuring the safety of other animals.

### 3.5 Stunning to Bleeding Out of Large Mammals

#### *Introduction*

Severance of major arteries supplying the brain and heart is an acceptable method of slaughter, provided that the animal has been first rendered insensible to pain by stunning. There are two basic methods of bleeding an animal:

- A transverse incision of the ventral surface of the neck, which severs all soft tissue below the spinal column including the jugular veins and common carotid arteries. With this method, it is important to ensure that both common carotid arteries are severed. If only one of these arteries is severed, the onset of cerebral hypoxia (lack of oxygen to the brain) and insensibility may be delayed. In cattle, particularly calves, the severed ends of the carotid arteries may become blocked, delaying the onset of brain failure. In some cases, the skin is “opened” (incised) separately before the underlying blood vessels are severed.

- A thoracic (chest) stick, which severs the large blood vessels that give rise to the jugular veins and carotid arteries. This method of slaughter is achieved by running a knife down one jugular furrow of the neck and then into the opening of the chest between the first pair of ribs. A successful incision is denoted by an obvious gush of blood, both venous and arterial.

Bleeding times can vary between species, and as a result of operator technique and the effectiveness of the cut performed, the stun technique, and the position of the animal and the effects of gravity. A thoracic stick can be performed shortly after a transverse neck cut. This helps to reduce the opportunity for blood to flow to the brain through the blood vessels in the muscles surrounding the vertebrae of the neck.

The time interval between stunning and bleeding out is particularly important when methods of stunning are employed which are only temporary in nature (e.g. head-only electrical stunning). The operator needs to be aware of the parameters of the particular stunning method that is being applied, to ensure that the insensibility caused by the initial stun is continued until death due to bleeding. The method of stunning and slaughter should be specified in the quality management programme (see section 8, "Quality Assurance Programme", of this code) and the efficiency of the operator monitored.

#### **Minimum Standard No. 10 – Stunning to Bleeding Out of Large Mammals**

- (a) **An animal must not be bled or manipulated ready for bleeding out unless it has been effectively stunned.**
- (b) **The time between stunning and effective bleeding out must be kept to a minimum in all cases.**
- (c) **Slaughter by bleeding (following stunning) must be carried out using one of the following methods:**
  - (i) **the thoracic stick, i.e. the severance of the major arterial and venous blood vessels of the anterior thorax; or**
  - (ii) **a transverse incision in the neck that severs both the carotid arteries.**
- (d) **When head-only reversible electrical stunning is used, the slaughter method must include bilateral severance of carotid arteries within 20 seconds of stunning for sheep, goats, or deer.**
- (e) **In the case of head-only reversible electrically stunned cattle and pigs, the severance of the carotid arteries must be followed by one of the following:**
  - (i) **a heart-stopping electrical current; or**
  - (ii) **a thoracic stick; or**
  - (iii) **a scientifically validated method which ensures that the animal does not recover breathing or sensibility prior to bleeding to death.**

**Both the severance of the carotid arteries and the secondary procedure must be completed within 40 seconds of stunning for adult cattle, within 30 seconds of stunning for bobby calves and vealers, and within 15 seconds of stunning for pigs.**
- (f) **If during the bleeding out process any animal shows signs of regaining sensibility, the stunning and slaughter of other animals must stop immediately and the animal that is showing signs of regaining sensibility must be rendered insensible. No further animals may be stunned until the reason is identified and corrective action, including action to prevent a recurrence, implemented.**

- (g) The sticking incision must be adequate to allow rapid voiding of the blood and to prevent occlusion of blood flow during bleeding out.**
- (h) In the case of heavily pregnant animals being slaughtered, the foetus must not be removed from the uterus sooner than 5 minutes after the maternal neck cut or thoracic stick.**
- (i) Any living foetus removed from the uterus must be killed or prevented from inflating its lungs with air and breathing.**

***Recommended Best Practice***

Foetuses should not be removed from the uterus until at least 15 – 20 minutes after the maternal neck cut or thoracic stick.

## 4. Small Mammals

### *Introduction*

Small mammals include rabbits, hares, wallabies, mustelids and possums that are farmed or are caught alive and taken into a person's care to be killed. Large mammals such as cattle, sheep, goats, pigs, deer, equines and camelids are dealt with in section 3, "Large Mammals".

### 4.1 Facilities and Handling for Small Mammals

#### *Introduction*

Overall responsibility for the design, provision, operation and maintenance of suitable facilities and equipment rests with the owner and the person in charge of the slaughter premises.

Minimising stress during pre-slaughter lairage will facilitate handling and improve both handler safety and animal welfare. Where animals are distressed, in pain or suffering, action needs to be taken to alleviate or treat this, where practical and as appropriate to the situation. In situations where it is not practical to treat animals that are in pain or distress within appropriate time frames, the animal should be humanely killed.

#### **Minimum Standard No. 11 – Facilities and Handling for Small Mammals**

- (a) The design and construction of slaughter premises must be suitable for the species passing through the premises, and facilities must be maintained in such a condition as to minimise the likelihood of distress or injury.
- (b) If animals are moved from their place of rearing to separate slaughter premises, they must have access to an adequate supply of water that is palatable and not harmful to health.
- (c) If animals are held for more than 24 hours, they must be fed at least a maintenance ration.
- (d) All animal handling facilities must be operated so that they do not result in injury to animals.
- (e) Animals must be handled and moved in such a manner as to minimise distress.
- (f) Injured, abnormal or diseased animals must be treated appropriately to ensure their welfare.

### 4.2 Stunning of Small Mammals

#### *Introduction*

Commercial slaughter of animals must be carried out by approved methods. Slaughter by severance of blood vessels supplying the brain or heart causes loss of sensibility and subsequent death due to anoxia. Animals killed by this method are conscious and may experience pain or distress for several seconds or minutes prior to death. Therefore, animals need to be rendered insensible by an approved stunning method prior to slaughter, unless the animal is slaughtered by an approved

method which renders the animal instantaneously insensitive. The time between rendering the animal insensible and its subsequent slaughter needs to be kept to a minimum.

### **Minimum Standard No. 12 – Stunning of Small Mammals**

- (a) Prior to slaughter, all animals must be stunned so that they are immediately rendered insensible and must be maintained in that state until death supervenes. This includes a method of stunning that results in immediate insensibility and death.**
- (b) Equipment used for stunning must be maintained in good working order and repair in accordance with the manufacturer's instructions to ensure that it functions effectively.**
- (c) Stunning must be applied using one of the following:**
  - (i) a penetrating captive bolt firearm; or**
  - (ii) a blow to the frontal region of the head with a heavy object; or**
  - (iii) an electrical stunner.**
- (d) Repetitive ineffective stunning requiring repeat stunning must be investigated and remedied immediately.**
- (e) An effective backup stun method must be immediately available in the event that the primary stun method fails.**

#### **Captive Bolt Firearm**

- (f) When a captive bolt firearm is used, the appropriate model, calibre and cartridge size as recommended by the manufacturer must be selected for the particular animal.**

#### **Electrical Stunning**

- (g) Electrical stunners must be capable of supplying a regulated current which will induce an immediate stun.**
- (h) The apparatus must be fitted with calibrated meters to indicate current at the time of stunning, and an automatic timing device to determine the duration of the stun so that the operator can observe the duration of actual current flow.**
- (i) When using head-only reversible stunning, the electrodes must be placed so as to span all or part of the brain of the animal to be stunned.**
- (j) Electrical stunners must generate sufficient power to achieve continuously the minimum current level required for effective stunning.**
- (k) The correct current level must be attained within 1 second of the initiation of the stun and must be maintained for at least 1 – 2 seconds.**
- (l) When using head-to-body stunning methods, currents designed to cause cardiac dysfunction must not precede the stunning current responsible for causing insensibility.**
- (m) The minimum stunning current that must be used for rabbits and fur-bearing animals is 0.2 amps.**

- (n) **Animals must not be so wet as to cause part of the stunning current to flow over the surface of the body instead of through the head, resulting in an ineffective stun.**
- (o) **Animals must not experience any electric shocks before stunning.**
- (p) **Electrical stunning equipment must be maintained in good condition in accordance with the manufacturer's recommendations.**

#### **General Information**

Ineffective stunning requiring repeat stunning in excess of 2% (i.e. 2 out of every 100 firings or 100 electrical discharges) needs to be investigated and remedied immediately.

Other methods of stunning to those listed in Minimum Standard 12(c) may, from time to time, be developed and recommended by NAWAC for inclusion in the Code.

Rabbits may be stunned using any of the following methods:

- Wall-mounted head-only electrodes, where the rabbit is held upside down with one hand spanning the loin and its head is inserted by hand between the two electrodes and held in position while the current is flowing. This electrical stunning system should only be used with isolated electrical circuits, otherwise there is a risk of current passing through the operator to earth.
- Cartridge or spring-fired captive bolt firearms, which are effective when operated correctly. However, care needs to be taken when placing the gun against the rabbit's head, as the skin over the head is loose and skin slip can spoil the aim.
- Manual concussion where the rabbit is held in one hand by the hind legs and struck on the back of the head with a heavy object held in the other hand.

Neck dislocation may be used for small rabbits, but only after they have been stunned using one of the above methods.

### **4.3 Bleeding Out of Small Mammals**

#### **Introduction**

Severance of major arteries supplying the brain and heart is an acceptable method of slaughter, provided that the animal has been first rendered insensible to pain by stunning.

#### **Minimum Standard No. 13 – Bleeding Out of Small Mammals**

- (a) **An animal must not be bled out or manipulated ready for bleeding out unless it has been effectively stunned.**
- (b) **The time between reversible stunning and effective bleeding out must be kept to a minimum in all cases.**
- (c) **The sticking incision must be adequate to allow rapid voiding of the blood and to prevent occlusion of blood flow during bleeding out.**
- (d) **If bleeding out is done by transverse incision of the neck, both carotid arteries must be severed.**

## 5. Birds

### *Introduction*

There are several species of birds slaughtered commercially. Most are covered under the category of "poultry", but the methods used for these smaller species of birds cannot be applied to the larger ostrich and emu. As a result, this section is divided to recognise the differences, with the major emphasis on "poultry" because this represents the majority of birds commercially slaughtered in New Zealand.

### **Minimum Standard No. 14 – Pre-slaughter Presentation and Handling of Birds**

- (a) Birds must be protected from weather conditions that adversely affect their welfare while they are awaiting slaughter.
- (b) The slaughter premises must be suitably equipped to handle the size of birds to be processed.
- (c) Suitable facilities and arrangements must be in place for the slaughter of sick or injured birds.
- (d) The design and construction of facilities must be suitable for the species passing through the premises, and facilities must be maintained in such a condition as to minimise the likelihood of distress or injury.
- (e) All animal handling facilities must be operated so that they do not result in injury to animals.
- (f) There must be sufficient lighting to permit inspection of birds during unloading and handling prior to slaughter.
- (g) Personnel inspecting animals must be competent at recognising normal and abnormal behaviour that indicates distress or suffering due to injury, disease, physiological state or other abnormality.
- (h) Birds must be handled with care at all stages of the procedure in such a manner that distress is minimised and injury avoided. Containers or crates that contain birds must not be thrown or dropped, and must be moved smoothly during unloading.
- (i) Different species of birds must not be mixed in cages.
- (j) If live birds are held at the slaughter premises for longer than 18 hours, they must be placed in pens or cages with access to water and maintenance rations.
- (k) If they are not slaughtered immediately, birds must be assessed for the presence of injury, abnormality and disease within 6 hours of arrival at the slaughter premises. Injured, abnormal or diseased birds must be treated appropriately to ensure their welfare.
- (l) Ostriches and emus known to be aggressive must be penned separately if there is insufficient space for pen-mates to escape injury.

- (m) If problems of aggressive behaviour occur, the birds must be held separately and/or slaughtered as soon as practicable.
- (n) Birds must not be left alive in shackles during regular work breaks.

#### ***Recommended Best Practice***

- (a) Techniques for the handling of birds should be described in each facility's quality assurance system.
- (b) Poultry, except ducks, should be held by both legs, and care should be taken to prevent flapping wings hitting solid objects.
- (c) Poultry should not be held by the head, neck, end of the wings or tail.

#### ***General Information***

It is likely that suspending a bird upside down from a shackle will cause it some distress. For these reasons, the time between shackling and stunning should be minimised. However, it is also important that the wing flapping which occurs at shackling has subsided by the time each bird reaches the water bath. For example, the "hang-on" period that allows wing flapping to subside in most broilers is 12 seconds and for turkeys is 25 seconds.

The use of breast comforters along the shackle line can greatly reduce flapping and can calm birds.

Blue light can have a calming effect on birds at the hang-on point.

## **5.1 Poultry**

### ***Introduction***

The commercial slaughter of poultry in New Zealand is generally done on a large scale in purpose-built facilities with very large throughput. The majority of birds are only a few weeks old, although older culled breeding and laying birds are also slaughtered.

#### **5.1.1 Stunning and Bleeding Out of Poultry**

#### **Minimum Standard No. 15 – Stunning and Bleeding Out of Poultry**

- (a) Prior to slaughter, all birds must be stunned so that they are immediately rendered insensible and must be maintained in that state until death supervenes.
- (b) Each bird must be bled while it is in a stunned state, and it must not be allowed to regain consciousness during bleeding out.
- (c) Each bird must be dead by the time it enters the scalding tank.
- (d) Birds must not be decapitated if they have not been first stunned.

### 5.1.2 Automated Water Bath Stunning of Poultry

#### Minimum Standard No. 16 – Automated Water Bath Stunning of Poultry

- (a) Each bird must be presented to the electric stunner in a manner which ensures that current passes through the brain.
- (b) A bird must not experience any electric shocks before stunning.
- (c) An undersized or runt bird must not be hung on the line unless it will reach the water level in the water bath stunner and will be stunned.
- (d) There must be sufficient current to stun all birds within the bath effectively, taking into account that the current is not always equally divided between the birds due to differing levels of resistance of individual birds.
- (e) The supervisor of the water bath stunner must be familiar with the current that is necessary to stun different types and sizes of bird, and must adjust the stunner setting as necessary so that all birds are effectively stunned and remain stunned up to the time they die.
- (f) Birds must not be so wet as to cause part of the stunning current to flow over the surface of the body instead of through the head, resulting in an ineffective stun.

#### *Recommended Best Practice*

- (a) Birds should be stunned with a current that results in cardiac arrest.
- (b) If birds are flapping their wings as they enter the water bath stunner or if they show any recoil from the surface of the water when they touch the surface, processing should cease until the problem is corrected.

#### *General Information*

The metal electrode which is submerged in the water bath and provides current to the water needs to span the whole length of the water bath. The electrode which makes contact with the shackles needs to make continuous uninterrupted contact with the shackles while the bird held in those shackles is conveyed through the water bath stunner.

Pre-stun shocks need to be controlled by ensuring that water does not overflow at the entrance to the water bath, and by ensuring that the entry ramp is electrically isolated from the water inside the water bath.

Two alternative approaches can be used in selecting the appropriate stunning current, frequency and waveform for water bath stunners. The first approach is to select a current which induces cardiac arrest at stunning. When using a 50 Hz sinusoidal AC, the average current per bird that will induce cardiac arrest is approximately:

Chickens	120 mA
Ducks	130 mA
Turkeys	150 mA

The second approach is to choose a stunning frequency or waveform that does not produce cardiac arrest at stunning, and to make sure that the birds are rendered unconscious by the stunning process

and that they remain unconscious. One way of achieving this is to check that the birds are adequately stunned and that both carotid arteries are severed at neck cutting.

There are many types of electrical frequency and waveform that can be used for stunning, and it is not possible to specify minimum currents for every frequency and waveform. Instead, there should be routine inspection of the adequacy of the stunning and neck-cutting procedures. The key factor is that the chosen system should not allow birds to regain consciousness.

The current that is being used in the water bath stunner should be continuously displayed using an accurate ammeter and the display should be available for routine monitoring.

The characteristic signs of a stunned state following water bath stunning are an arched neck (dorsoflexion), wings held close to the body and tremoring in the wings with legs rigidly extended. When there is cardiac arrest at stunning these signs are less obvious, as the wings and neck quickly drop once the bird leaves the stunner, and the pupils dilate.

### 5.1.3 Controlled Atmosphere Stunning of Poultry

#### **Minimum Standard No. 17 – Controlled Atmosphere Stunning of Poultry**

- (a) The chamber must be constructed so that the birds can be visually monitored during the procedure.
- (b) Provision of gas into the chamber must result in minimum discomfort to birds.
- (c) The procedure must be sufficient to ensure collapse of every bird within 35 seconds of exposure to the gas, and the birds must remain in the gas for at least a further two minutes following collapse to ensure all birds are dead.
- (d) Solid gases with freezing temperatures must not enter the chamber
- (e) The chamber must be fitted with a system for flushing the gas unit to allow quick and easy access to the birds in the event of a breakdown.
- (f) Operators must be competent and must ensure that the birds are managed carefully and calmly at all stages of the process.
- (g) All equipment used must be well maintained in order to operate efficiently.

#### ***Recommended Best Practice***

- (a) When carrying out controlled atmosphere stunning of poultry the following points should be followed:
  - compressed gases should be vaporised before being released into the chamber
  - gas mixtures should be humidified according to the supplier's specifications
  - the concentration of gas in the chamber should be continuously monitored and displayed to ensure that it is appropriate
  - under no circumstances should birds exposed to gas mixtures be allowed to regain consciousness. If necessary, the exposure time to the gas should be extended.
- (b) Birds' reactions to induction of insensibility should be assessed.

### **General Information**

Stunning with a mixture of inert gases plus up to 30% carbon dioxide to produce an atmosphere with less than 2% oxygen by volume, has welfare advantages over higher concentrations of carbon dioxide in air.

Indicators of distress in birds during exposure to gas include gasping and wing flapping until the point where they fall over (lose posture).

#### **5.1.4 Automated Neck Cutting of Poultry**

##### **Minimum Standard No. 18 – Automated Neck Cutting of Poultry**

- (a) All birds must be effectively bled out before they enter the scalding tank.**
- (b) The chain must be designed and operated to ensure that all birds enter the guide bars to the automatic cutters in an orderly fashion and that they do not pile up at the entry to the guide bars.**
- (c) When automated neck cutters are used there must always be an attendant, stationed before or alongside the bleeding tunnel, responsible for manually cutting the carotid arteries of any birds that were not cut by the automated neck cutter.**

### **General Information**

The optimum interval between stunning and neck cutting is determined by 3 factors:

- It should not be so long that it allows the birds to regain consciousness before they die.
- It should be long enough to allow the supervisor or attendant to assess whether the birds are stunned when they leave the water bath.
- The birds should be given sufficient time to allow their necks to relax and thus feed into the guide bars of the automatic neck cutter. On average, the time to neck relaxation after the end of stunning in birds which do not experience cardiac arrest at stunning is 9 seconds in broilers.

In order to consistently cut both carotid arteries and allow a rapid bleeding out, it may be necessary to cut the whole of the ventral aspect of the neck. This may introduce subsequent complications with the removal of parts of the oesophagus and trachea, but those complications have to be managed in a way that does not compromise the humaneness of the killing procedure.

In birds which are not subjected to cardiac arrest at stunning:

- It is not acceptable to sever the jugular veins without cutting the carotid arteries. Cutting the jugular veins does not provide a quick enough kill in every bird to avoid the recovery of consciousness before death occurs.

In addition, severing the jugular veins using a knife inserted through the back of the mouth (beak cut) should only be used in birds that have already developed cardiac arrest.

### 5.1.5 Hand-held Head-only Stunners for Poultry

#### **Minimum Standard No. 19 – Hand-held Head-only Stunners for Poultry**

- (a) Each bird must be presented to the electric stunner in a manner which ensures that current passes through the brain.
- (b) A bird must not experience any electric shocks before stunning.
- (c) Hand-held head-only stunners must be set to deliver at least 340 mA current.
- (d) The current must be applied for 5 seconds or longer, and both carotid arteries must be cut within 10 seconds of the end of stunning.
- (e) The equipment must be fitted with meters that show the voltage and the current under load, and there must be a mechanism which indicates that the current was applied for the required duration.

#### *Recommended Best Practice*

Birds should be stunned with a current that results in cardiac arrest.

## 5.2 Ostriches and Emus

### *Introduction*

Ostriches and emus may be stunned using electrical stunning applied to the head, mechanical percussive stunning including the use of a mushroom-head captive bolt firearm, or a suitable firearm.

#### **Minimum Standard No. 20 – Ostriches and Emus**

- (a) Prior to slaughter, birds must be stunned so that they are immediately rendered insensible to pain and must be maintained in that state until death supervenes. This includes a method of stunning that results in immediate insensibility and death.
- (b) While an ostrich is hooded it must be kept under close observation and control to prevent it from injuring itself.
- (c) During mechanical percussive stunning the stunner must be applied to the dorsal aspect of the head behind the line joining the rear of each eye.
- (d) All birds must be effectively bled out. The neck must be cut so that both carotid arteries are completely severed, or a thoracic stick performed, within 1 minute of stunning.
- (e) Wing shackles must not be used for suspending or restraining conscious birds.
- (f) Wing shackles must be fitted with a quick-release mechanism in case of difficulties in holding a bird.
- (g) Leg clamps applied prior to stunning must not result in pain or injury.

### ***Recommended Best Practice***

A chest bleeding out (thoracic stick) should be performed after the neck cut.

### ***General Information***

Pre-slaughter handling needs to be quiet and calm under reduced light conditions. Handlers need to be aware that these are inquisitive animals likely to explore their surroundings and the people in contact with them. Birds should be kept in view to avoid surprise contact.

It is not necessary to apply severe restraint for the purpose of stunning. If required, an ostrich can be hooded before it is stunned. Upright panels in the shape of a wedge can be used as a restraining device to allow controlled application of the stunning electrodes or gun. The aim with wing shackles is to minimise skin damage during the convulsions that follow stunning and bleeding out.

Once the convulsive movements have finished, the bird should be moved to the bleeding area before the next bird is admitted into the stunning area.

The use of a penetrating captive bolt firearm may cause an excess amount of reflex movement, so a mushroom-head captive bolt firearm is preferred.

Neck breaking is not used as a method of killing (but may be included with other methods). Decapitation is not best practice at commercial slaughter operations due to contamination with proventriculus contents on inversion of the birds. Severance of the carotid arteries ("carotid slice") is sometimes done as an opening cut, but this can also be a problem with proventriculus regurgitation because it opens the oesophagus.

In the case of restraint for homekill:

- a trailer-mounted crate can be used to restrain one bird at a time; or
- a pair of gates can be formed into a forcing yard and the bird can be backed in; or
- a crook can be used to catch the neck to hold the head against a firm stunning surface; or
- the operator can hold the beak in one hand and shoot the bird with a mushroom-head captive bolt firearm.

## 6. Aquatic Species

### 6.1 Farmed and Wild-captured Finfish (including Eels)

#### *Introduction*

This section applies to finfish which include eels. Minimum Standard No. 21 applies to farmed finfish, and all wild finfish that are caught and held for killing at a later time (such as in a restaurant). This section does not apply to finfish that are caught and immediately killed.

#### **Minimum Standard No. 21 – Farmed and Wild-captured Finfish (including Eels)**

- (a) Fish pumps, brailing equipment, nets and other fish handling equipment must be designed, maintained and used in a manner that minimises harm to the live finfish.
- (b) Where finfish are held in tanks, they must not be overcrowded to the extent that their welfare is compromised.
- (c) Manual concussion must not be used to stun unrestrained finfish.
- (d) Killing methods must result in rapid and irreversible loss of consciousness.
- (e) A person killing finfish using the brain spiking technique must be competent and experienced with the method to ensure that the awl or spike enters the head at the appropriate point.
- (f) Gill arches must not be ripped or severed in unstunned finfish.
- (g) When reversible electrical stunning is used, finfish must be bled by severing the blood vessels in the gill arches or by puncturing the heart before they regain consciousness.
- (h) When emersion is used as a killing method, finfish must be chilled to less than 4°C before they are taken out of the water and then they must be kept at a low temperature.
- (i) From 1 January 2015 eels must be rendered insensible for the duration of the desliming process or killed before they are deslimed.

#### *Note*

Section 73(3) of the Act provides that NAWAC may, in exceptional circumstances, recommend minimum standards that do not fully meet:

- (i) the obligation to ensure that the physical, health and behavioural needs of the animal are met; or
- (ii) the obligations that a person would need to observe in the killing of animals in order to avoid committing an offence of killing the animal in such a manner that the animal suffers unreasonable or unnecessary pain or distress.

NAWAC considers that Minimum Standard 21(i) does not fully comply with section 10 of the Act and is potentially a breach of section 12(c) of the Act. Section 73(4) provides that, in making this recommendation, NAWAC must have regard to, among other things, the feasibility and practicality of effecting a transition from current practices to new practices and any adverse effects that may result

*from such a transition; and the economic effects of any transition from current practices to new practices. Minimum Standard 21(i) allows time for the industry to introduce appropriate stunning technology. NAWAC is aware of research into methods of rendering eels insensible but is not aware of any commercial methods that maintain insensibility during the desliming process.*

### **General Information**

#### **Finfish excluding eels**

Farmed and wild-captured finfish can be killed with an appropriate dose of iso-eugenol or other appropriate euthanasing drug, concussion, brain spiking or electrical stunning.

Although electrical stunning can be effective in stunning finfish, it is not always effective in killing them. Electrical currents need to be defined for each species. Electrical stunning is prone to cause bone fracturing, haemorrhaging and blood spotting.

Restraint before manual concussion can be applied by holding a finfish on an appropriate non-slip surface, or by securing the finfish in a funnel or wedge, or by suspending the finfish by one or both of its gill covers.

Brain spiking is an appropriate method of killing restrained finfish. The brain spiking technique should be learnt from an operator who is experienced with the method, as there is an appropriate entry point in the head for the awl or spike. The purpose is to pith the animal by macerating the brainstem.

Carbon dioxide-impregnated water causes distress before the narcotic action takes effect in finfish, so on its own is not a recommended method of stunning. When carbon dioxide-impregnated water is preceded by exposure to registered products containing iso-eugenol, however, it produces a deep anaesthesia in a very calm manner. The finfish can then be lifted from the water and killed by cutting their gills before placing them in ice.

Signs of welfare compromise may include changes in ventilation rate, changes in swimming and other behaviour patterns, and injury.

#### **Eels**

Electrical stunning can be an effective method of stunning eels and rendering them insensible prior to killing them. Electrical currents need to be defined for each species. Low current electrical stunning is recommended to prevent bone fracturing, haemorrhaging and blood spotting.

Eels can be stunned with an appropriate dose of iso-eugenol or other appropriate euthanasing drug prior to killing them.

As it is extremely difficult to restrain live eels effectively, manual concussion and brain spiking are not appropriate methods for killing eels.

Currently, successful desliming of eels using salt or similar chemicals requires the eels to be alive during the process but exposes them to a long period of stress (an hour or more) before death ensues. However, NAWAC adheres to the principle that animals should be rendered insensible before any painful or aversive procedure is commenced.

## 6.2 Crabs, Rock Lobsters (Crayfish) and Freshwater Crayfish (Koura)

### *Introduction*

Minimum Standard No. 22 applies to both commercially farmed and wild-caught crabs, rock lobsters (crayfish) and freshwater crayfish (Koura) in seafood processing premises, commercial fishing vessels, seafood shops and restaurants. This section does not apply to crabs, rock lobsters (crayfish) or freshwater crayfish (Koura) that are caught and immediately killed at the point of capture.

### **Minimum Standard No. 22 – Crabs, Rock Lobsters (Crayfish) and Freshwater Crayfish (koura)**

- (a) Crabs and rock lobsters (crayfish) held in a tank containing water must be supplied with natural or artificial seawater that is fresh, filtered and aerated.
- (b) Freshwater crayfish (Koura) held in a tank containing water must be supplied with natural water that is fresh, filtered and aerated.
- (c) Where crabs, rock lobsters and crayfish are held in tanks, they must not be overcrowded to the extent that their welfare is compromised.
- (d) A person carrying out slaughter must be competent and experienced in the slaughter technique.
- (e) Crabs, rock lobsters and crayfish must either:
  - (i) have been chilled to 4°C or less at the time they are killed; or
  - (ii) have been electrically stunned before they are killed; or
  - (iii) be otherwise insensible before they are killed.

### *Recommended Best Practice*

The optimum water temperature range for displaying crabs, rock lobsters (crayfish) and freshwater crayfish (Koura) is between 10 and 14°C.

### *General Information*

Crustaceans are cold-blooded animals. When their temperature is reduced (4°C or less) their activity slows and eventually they become insensible. Live crustaceans that are reduced in temperature until no movement occurs on handling – ie the tail is limp for rock lobster (crayfish) and freshwater crayfish (Koura) or there is no movement in the pincers for crabs – can then be further processed.

Live crustaceans may be stored in tanks or refrigerated in chillers or cabinets.

Signs of welfare compromise may include changes in vitality, ventilation rate, and physical damage or injury.

## **7. Slaughter Outside of Slaughter Premises by Homekill Service Providers and Pet Food Operators**

### ***Introduction***

Those minimum standards in this code that are relevant apply equally to all animals killed outside of slaughter premises (e.g. on the farm) by a homekill service provider or a pet food operator (hereafter called homekill operators). However, the circumstances for slaughter are likely to vary from site to site and there may be some uncertainty as to when the obligations of the owner or person in charge as defined in the Animal Welfare Act are transferred to the homekill operator.

In being contracted to provide the service, the homekill operator assumes the responsibility and obligations of the person in charge for the stunning and slaughter processes provided for in this code. Up to the point of slaughter, the owner or person in charge of the animal and, depending on circumstances, the homekill operator are responsible for the welfare of the animals. The homekill operator should give clear directions to the owner or person in charge of the animal, or their employee, regarding the form and degree of restraint of the animals they require before undertaking the stunning and slaughter processes and assuming responsibility for the welfare of the animals. The homekill operator should decline to proceed with the stunning and slaughter processes until their requirements have been met.

### **Minimum Standard No. 23 – Slaughter Outside of Slaughter Premises by Homekill Service Providers and Pet Food Operators**

**Homekill service providers and pet food operators carrying out commercial slaughter of animals outside of slaughter premises must comply with the following Minimum Standards of this code:**

**Minimum Standard No. 2 (a) to (c)**

**Minimum Standard No. 3 (b), (d), (e), (f)**

**Minimum Standard No. 4 (a), (b), (c), (d), (f), (g), (t), (u), (v)**

**Minimum Standard No. 5 (a), (b), (c), (e), (f), (j)**

**Minimum Standard No. 6 (a) to (e)**

**Minimum Standard No. 7 (a) to (d)**

**Minimum Standard No. 9 (a) to (d)**

**Minimum Standard No. 10 (a), (b), (c), (f), (g), (h), (i)**

**Minimum Standard No. 14 (e), (g), (l), (m)**

**Minimum Standard No. 20 (a) to (g)**

## 8. Quality Assurance Programme

### *Introduction*

To ensure that standards of animal welfare and husbandry are maintained, each slaughter premises will need to implement a quality assurance programme that provides written procedures.

The elements of the quality assurance programme will provide for the minimum standards and, where possible, the recommendations for best practice of this code.

Such a programme should be based on written specifications of the process, and should be monitored. The programme should include information on action to be taken if the process does not operate according to specification.

Specifications should cover the equipment used, its operation, its maintenance and the effects to be monitored. The quality assurance programme should also specify criteria to be checked, the frequency of inspection and by whom, and action to be taken if faults occur. Such criteria should include verification that handling, stunning and bleeding out procedures are being performed competently.

Operators may find it helpful to adopt or adapt an industry-generic quality assurance programme.

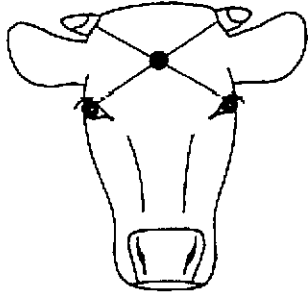
While the quality assurance programme should be based on the general principles of Standard AS/NZ 9001 or similar, it is not essential that the quality assurance programme be certified under the JASANZ (Joint Accreditation Standards for Australia and New Zealand) certification scheme.

### **Minimum Standard No. 24 – Quality Assurance Programme**

- (a) All commercial slaughter premises processing mammals and birds (except those operated by dual operator butchers) must have a fully documented and auditable quality assurance programme that ensures compliance with the minimum standards required by this code of welfare.**
- (b) The documented programme must identify the:**
  - (i) positions of individual persons who are responsible for carrying out specified tasks; and**
  - (ii) methods and procedures the owner or operator of the premises will implement to achieve specified tasks; and**
  - (iii) system and frequency of checks on facilities and equipment; and**
  - (iv) training, competence and supervision of persons carrying out specified tasks; and**
  - (v) procedure for recording numbers and circumstances for all animal deaths and injuries prior to slaughter and the corrective actions (if any) taken; and**
  - (vi) corrective actions that will be taken in the event of non-compliance with the requirements of the programme.**
- (c) The documented programme must be independently verified using performance-based audits on at least an annual basis. Corrective actions must be completed as required by the audits.**

## Appendix I: Captive Bolt and Free-bullet Firearm Stunning Sites

### Cattle



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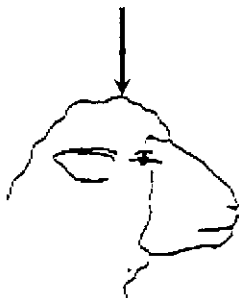
The optimum position for cattle is at the intersection of two imaginary lines drawn from the rear of the eyes to the opposite horn buds.

### Sheep



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The optimum free-bullet firearm position for hornless sheep and goats is on the midline.



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The optimum position for captive bolt stunning of hornless sheep is on the highest point of the head, and on the mid-line, aiming straight down.

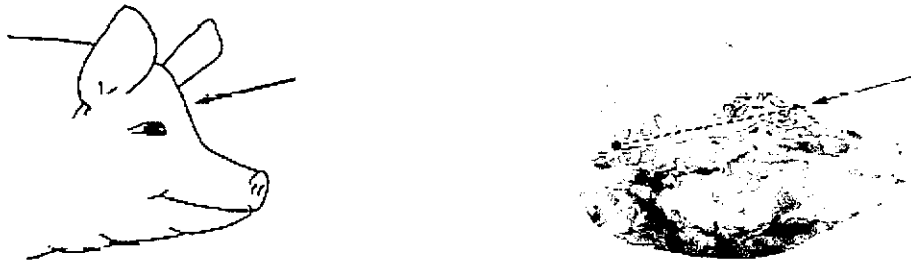
### Goats



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The optimum free-bullet firearm position for heavily horned sheep and horned goats, and for all goats for captive-bolt stunning, is behind the poll, aiming towards the angle of the jaw.

### Pigs



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The optimum position for pigs is on the midline just above eye level, with the shot directed down the line of the spinal cord.

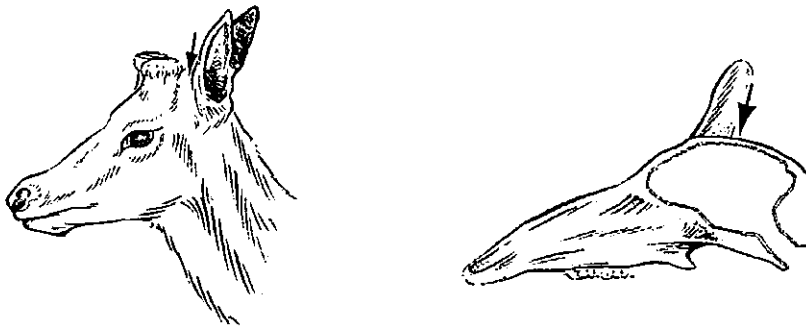
### Equines



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The optimum position for equines is at right angles to the frontal surface, well above the point where imaginary lines from eye to ear cross.

**Deer**



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The optimum position for deer is slightly lateral to the intersection of two lines drawn from the ear to the opposing antler base (or its equivalent position in a female), angled slightly forward.

Figure source: Based on Humane Slaughter Association (2005) Guidance Notes No. 3: Humane Killing of Livestock Using Firearms. Published by the Humane Slaughter Association, The Old School, Brewhouse Hill, Wheathampstead, Hertfordshire AL4 8AN, UK. [www.hsa.org.uk](http://www.hsa.org.uk).

## Appendix II: Signs of an Effective Stun in Farmed Mammals

### *Percussive Stun (Penetrating and Non-Penetrating)*

- Immediate collapse
- Tonic (rigid) immobility for 10 – 15 seconds
- Immediate loss of normal rhythmic breathing
- Immediate loss of corneal reflex

### *Head-Only Electrical Stun*

There are three phases to the physical seizures:

- Immediate rigid immobility with either extension or rigid flexion of the front legs, and cessation of respiration and normal reflexes. This phase persists for 15 – 25 seconds.
- Clonic convulsions with uncoordinated kicking or paddling movements, and return of respiration and some reflexes. Possible vocalisation in calves. This phase persists for 20 – 40 seconds.
- If the animal is not slaughtered, signs of the phase of recovery as exhibited by voluntary head righting should not occur before 40 seconds after the stun.

*Note:*

1. Abnormal vocalisation synchronised with respiration can occur following stunning and is not necessarily a sign of consciousness. However, vocalisation may be a sign of ineffective stunning.
2. In red deer after head-only electrical stunning, the initial phase of the epileptiform seizure, characterised by rigid immobility and rigid muscle spasm, is present for a very short duration. Vocalisation may often occur at this stage.

Violent kicking movements of all four legs usually occurs for 30 – 45 seconds.

Fallow deer show similar signs to other animals following head-only electrical stunning.

### *Head-to-Body Electrical Stun*

The first two phases of an epileptiform seizure as described for head-only electrical stunning should occur. However, the degree and duration of clonic convulsions in the second phase is often reduced.

Normal cardiac activity will immediately cease. In smaller animals such as sheep, goats and calves, this can be detected by palpation of the lower anterior chest wall. In cattle, pigs and deer, such manual detection of whether or not the heart is beating is more difficult. In these species, a lack of cardiac activity can be assessed by a lack of pulsatile blood flow from the severed arteries.

*Note:*

1. Abnormal vocalisation synchronised with respiration can occur following stunning and is not necessarily a sign of consciousness. However, vocalisation may be a sign of ineffective stunning.
2. Intermittent breathing movements and corneal reflexes may occur after the tonic phase in sheep and cattle in the presence of an effective stun.
3. When using head-to-body stunning methods, currents designed to cause cardiac dysfunction must not precede the stunning current responsible for causing insensibility.

## Appendix III: Interpretation and Definitions

<b>Act</b>	The Animal Welfare Act 1999.
<b>animal</b>	<p>As defined in the Act:</p> <p>“(a) Means any live member of the animal kingdom that is –</p> <ul style="list-style-type: none"> <li>(i) A mammal; or</li> <li>(ii) A bird; or</li> <li>(iii) A reptile; or</li> <li>(iv) An amphibian; or</li> <li>(v) A fish (bony or cartilaginous); or</li> <li>(vi) Any octopus, squid, crab, lobster, or crayfish (including freshwater crayfish); or</li> <li>(vii) Any other member of the animal kingdom which is declared from time to time by the Governor-General, by Order in Council, to be an animal for the purposes of the Act; and</li> </ul> <p>(b) Includes any mammalian foetus, or any avian or reptilian pre-hatched young, that is in the last half of its period of gestation or development; and</p> <p>(c) Includes any marsupial pouch young; but</p> <p>(d) Does not include –</p> <ul style="list-style-type: none"> <li>(i) A human being; or</li> <li>(ii) Except as provided in paragraph above, any animal in the pre-natal, pre-hatched, larval, or other such developmental stage.” </li></ul>
<b>available technology</b>	NAWAC takes to mean technologies which are used practically to care for and manage animals, for example, existing chemicals, drugs, instruments, devices and facilities.
<b>bleeding out</b>	The act of causing blood loss sufficient to cause death.
<b>bobby calf</b>	A calf for which milk is its primary source of nutrition and is destined for slaughter before weaning.
<b>brailing equipment</b>	Used to lift fish aboard a catching vessel.
<b>camelids</b>	For the purposes of this code, means <i>Lama</i> species (including alpacas and llamas).
<b>captive bolt firearm</b>	A firearm operated by explosive charge or by compressed air or spring powered, firing a penetrating captive bolt or non-penetrating “mushroom” percussive head.
<b>cardiac arrest</b>	Cessation of effective heart action.
<b>commercial slaughter</b>	The killing of animals to produce animal products where a business transaction takes place or for the purpose of a business, reward or trade.

<b>competent</b>	Proficient in a specific task, as demonstrated by having satisfied the requirements of any relevant qualification or possessing practical skills acquired by experience.
<b>controlled atmosphere stunning</b>	Stunning using a gas or a mixture of gases.
<b>cryptorchid</b>	An animal in which one or both testes have not normally descended from the abdominal cavity to the scrotum, and the colloquial term for short-scrotum males.
<b>dual operator butcher</b>	A retail butcher who operates as a homekill or recreational catch service provider at the same premises or place as the butcher processes or trades in animal product.
<b>emersion</b>	For the purposes of this code, means removal of a fish from water.
<b>equine</b>	Includes a horse, pony, mule, ass, hinny and donkey.
<b>finfish</b>	Includes all species of finfish of the classes Agnatha, Chondrichthyes and Osteichthyes (this includes eels), at any stage of their life cycle.
<b>firearm</b>	A free-bullet firearm or shotgun.
<b>fish pump</b>	A pump used for transferring fish from one point to another.
<b>foetus</b>	Unborn mammal in the last half of its period of gestation or development.
<b>goad</b>	An object, including an electric prodder, used to prod an animal to make it move.
<b>good practice</b>	NAWAC takes to mean a standard of care that has a general level of acceptance among knowledgeable practitioners and experts in the field; is based on good sense and sound judgement; is practical and thorough; has robust experiential or scientific foundations; and prevents unreasonable or unnecessary harm to, or promotes the interests of, the animals to which it is applied. Good practice also takes account of the evolution of attitudes about animals and their care.
<b>holding paddock</b>	An area of land used to supplement the lairage available at slaughter premises.
<b>homekill service provider</b>	A person who provides slaughter and/or processing services to animal owners and their employees where the resulting animal products are for the owners' or employees' own consumption.
<b>horned cattle</b>	For the purposes of this code, means cattle that have not been disbudded, or have not had their horns removed or significantly modified to reduce risk to other animals or handlers.
<b>ill-treat</b>	As defined in the Act: "in relation to an animal, means causing the animal to suffer, by any act or omission, pain or distress that in its kind or degree, or in its object, or in the circumstances in which it is inflicted, is unreasonable or unnecessary."
<b>lairage</b>	Pens for holding animals awaiting slaughter at slaughter premises.
<b>maintenance rations</b>	The amount and quality of food required to maintain an adult animal.

<b>milk lamb</b>	A lamb for which milk is its primary source of nutrition and is destined for slaughter before weaning.
<b>minimum standards</b>	Minimum standards provide the details of specific actions people need to take in order to meet the obligations in the Act. They are identified in the text by a heading, and generally use the word “must” or similar. They are highlighted in boxes within the text.
<b>mustelids</b>	For the purposes of this code, means ferrets, stoats and weasels.
<b>OIE</b>	World Organisation for Animal Health
<b>owner</b>	As defined in the Act: “in relation to an animal, includes the parent or guardian of a person under the age of 16 years who – <ul style="list-style-type: none"> <li>(a) Owns the animal; and</li> <li>(b) Is a member of the parent’s or guardian’s household living with and dependent on the parent or guardian.”</li> </ul>
<b>person in charge</b>	As defined in the Act: “in relation to an animal, includes a person who has an animal in that person’s possession or custody, or under that person’s care, control, or supervision.”
<b>pest</b>	As defined in the Act: “means – <ul style="list-style-type: none"> <li>(a) Any animal in a wild state that, subject to subsection (2), the Minister of Conservation declares, by notice in the Gazette, to be a pest for the purposes of this Act:</li> <li>(b) Any member of the family Mustelidae (except where held under a licence under regulations made under the Wildlife Act 1953):</li> <li>(c) Any feral cat:</li> <li>(d) Any feral dog:</li> <li>(e) Any feral rodent:</li> <li>(f) Any feral rabbit:</li> <li>(g) Any feral hare:</li> <li>(h) Any grass carp:</li> <li>(i) Any Koi or European carp:</li> <li>(j) Any silver carp:</li> <li>(k) Any mosquito fish:</li> <li>(l) Any animal in a wild state that is a pest or unwanted organism within the meaning of the Biosecurity Act 1993.”</li> </ul>
<b>pet food operator</b>	A person who slaughters farmed mammals for the purpose of processing them as pet food for trade.
<b>physiological state</b>	Relates to the functioning of the body, its organs and body systems.

<b>poultry</b>	Includes chickens, ducks and turkeys; and, for the purposes of this code, includes other small birds such as partridges, pheasants, quail, guineafowl and geese.
<b>proventriculus</b>	The elongated glandular stomach of birds.
<b>recommended best practice</b>	<p>NAWAC takes to mean the best practice agreed at a particular time, following consideration of scientific information, accumulated experience and public submissions on this code. It is usually a higher standard of practice than the minimum standard, except where the minimum standard is best practice. It is a practice that can be varied as new information comes to light. Recommendations for best practice will be particularly appropriate where it is desirable to promote or encourage better care for animals than is provided as a minimum standard.</p> <p>Recommended best practices are identified in the text by a heading, and generally use the word "should".</p>
<b>scientific knowledge</b>	NAWAC takes to mean knowledge within animal-based scientific disciplines, especially those that deal with nutritional, environmental, health, behavioural and cognitive/neural functions, which are relevant to understanding the physical, health and behavioural needs of animals. Such knowledge is not haphazard or anecdotal; it is generated by rigorous and systematic application of the scientific method, and the results are objectively and critically reviewed before acceptance.
<b>slaughter</b>	Killing of animals to produce animal products. It may be used interchangeably with "killing".
<b>slaughter premises</b>	Premises designed and operated for the purpose of, or for purposes that include, slaughtering animals.
<b>stun</b>	Render an animal insensible. Includes the use of reversible methods (eg electrical) and irreversible methods (eg free bullet firearm).

## Appendix IV: Legislative Requirements

The Animal Welfare Act 1999 (the Act) imposes obligations on every person who owns or is in charge of an animal. This code has been issued pursuant to section 75 of the Act and will provide guidance on how to comply with the legislative requirements. However, this code does not provide an exhaustive list of the Act's requirements, and owners and those in charge of animals should note that they must comply with the minimum standards in this code *and* the general provisions in the Act. A copy of the Act is accessible at: <http://www.legislation.govt.nz>.

### **Contents of Codes**

Section 69 of the Act provides that a code of welfare may relate to one or more of the following:

- a species of animal
- animals used for purposes specified in the code
- animal establishments of a kind specified in the code
- types of entertainment specified in the code (being types of entertainment in which animals are used)
- the transport of animals
- the procedures and equipment used in the management, care or killing of animals or in the carrying out of surgical procedures on animals.

In deciding to issue a code of welfare, the Minister must be satisfied as to the following matters set out in section 73(1) of the Act:

- that the proposed standards are the minimum necessary to ensure that the purposes of the Act will be met
- that the recommendations for best practice (if any) are appropriate.

Despite the provisions of section 73(1), section 73(3) of the Act allows NAWAC, in exceptional circumstances, to recommend minimum standards and recommendations for best practice that do not fully meet the obligations of:

- sections 10 and 11 – obligations in relation to physical, health and behavioural needs of animals
- section 12(c) – killing an animal
- section 21(1)(b) – restriction on performance of surgical procedures
- section 22(2) – providing comfortable and secure accommodation for the transport of animals
- section 23(1) and (2) – transport of animals
- section 29(a) – ill-treating an animal.

In making a recommendation under section 73(3), section 73(4) requires NAWAC to have regard to:

- the feasibility and practicality of effecting a transition from current practices to new practices and any adverse effects that may result from such a transition
- the requirements of religious practices or cultural practices or both
- the economic effects of any transition from current practices to new practices.

This code provides for the physical, health and behavioural needs (as defined in section 4 of the Act) of animals being presented for slaughter. These needs include:

- proper and sufficient food and water
- adequate shelter
- opportunity to display normal patterns of behaviour
- physical handling in a manner which minimises the likelihood of unreasonable or unnecessary pain or distress
- protection from, and rapid diagnosis of, any significant injury or disease,

being a need which, in each case, is appropriate to the species, environment and circumstances of the animal.

This code also takes account of:

- good practice
- scientific knowledge
- available technology.

#### ***Legal Obligations of Owners and Persons in Charge of Animals***

The owner or person in charge of an animal has overall responsibility for the welfare of the animal in his or her care. The legal obligations set out below are not an exhaustive list of the obligations in the Act.

(a) The owner or person in charge of an animal must:

- (i) ensure that the physical, health and behavioural needs of the animal are met in a manner that is in accordance with both good practice and scientific knowledge
- (ii) where practicable, ensure that an animal that is ill or injured receives treatment that will alleviate any unreasonable or unnecessary pain or distress being suffered by the animal or that it is killed humanely.

(b) The owner or person in charge of an animal must not without reasonable excuse:

- (i) keep an animal alive when it is in such a condition that it is suffering unreasonable or unnecessary pain or distress
- (ii) sell, attempt to sell or offer for sale, otherwise than for the express purpose of being killed, an animal, when it is suffering unreasonable or unnecessary pain or distress
- (iii) desert an animal in circumstances in which no provision is made to meet its physical, health and behavioural needs.

(c) No person may:

- (i) ill-treat an animal
- (ii) release an animal that has been kept in captivity, in circumstances in which the animal is likely to suffer unreasonable or unnecessary pain or distress
- (iii) perform any significant surgical procedure on an animal unless that person is a veterinarian, or a veterinary student under the direct supervision of a veterinarian, or a person approved by a veterinarian

- (iv) perform on an animal a surgical procedure that is not a significant surgical procedure (as defined by the Act) in such a manner that the animal suffers unreasonable or unnecessary pain or distress
- (v) kill an animal in such a manner that the animal suffers unreasonable or unnecessary pain or distress.

### **Regulations Review Committee of Parliament**

Codes of welfare are deemed to be regulations for the purposes of the Regulations (Disallowance) Act 1989. As such, they are subject to the scrutiny of the Regulations Review Committee of Parliament.

Any person or organisation aggrieved at the operation of a code of welfare has the right to make a complaint to the Regulations Review Committee, Parliament Buildings, Wellington.

This is a parliamentary select committee charged with examining regulations against a set of criteria and drawing to the attention of the House of Representatives any regulation that does not meet the criteria. Grounds for reporting to the House include:

- the regulation trespasses unduly on personal rights and freedoms;
- the regulation is not made in accordance with the general objects and intentions of the statute under which it is made; or
- the regulation was not made in compliance with the particular notice and consultation procedures prescribed by statute.

Any person or organisation wishing to make a complaint should refer to the publication *Making a Complaint to the Regulations Review Committee*, which can be obtained from the website:

<http://www.clerk.parliament.govt.nz>, or by writing to: Clerk of the Committee, Regulations Review Committee, Parliament Buildings, Wellington.

### **Strict Liability**

In the prosecution of certain offences under the Animal Welfare Act 1999 committed after 19 December 2002, evidence that a relevant code of welfare was in existence at the time of the alleged offence and that a relevant minimum standard established by that code was not complied with is rebuttable evidence that the person charged with the offence failed to comply with, or contravened, the provision of the Animal Welfare Act to which the offence relates. (See sections 13(1A), 24(1) and 30(1A) of the Animal Welfare Act 1999, as amended by the Animal Welfare Amendment Act 2002.)

### **Defences**

It is a defence in the prosecution of certain offences under the Animal Welfare Act 1999 if the defendant proves that there was in existence at the time of the alleged offence a relevant code of welfare and that the minimum standards established by the code of welfare were in all respects equalled or exceeded. (See sections 13(2)(c), 24(2)(b) and 30(2)(c).)

If a defendant in a prosecution intends to rely on the defence under section 13(2)(c) or 30(2)(c), the defendant must, within seven days after the service of the summons, or within such further time as the Court may allow, deliver to the prosecutor a written notice. The notice must state that the defendant intends to rely on section 13(2) or 30(2) as the case may be, and must specify the relevant code of welfare that was in existence at the time of the alleged offence, and the facts that show that the minimum standards established by that code of welfare were in all respects equalled or exceeded. This notice may be dispensed with if the Court gives leave. (See sections 13(3) and 30(3).)

**The strict liability provisions and the defence of equalling or exceeding the minimum standards established by a code of welfare apply to the following offences:**

***Failing to Provide***

Section 12(a): A person commits an offence who, being the owner of, or a person in charge of, an animal, fails to comply, in relation to the animal, with section 10 (which provides that the owner of an animal, and every person in charge of an animal, must ensure that the physical, health and behavioural needs of the animal are met in a manner that is in accordance with both good practice and scientific knowledge).

***Suffering Animals***

Section 12(b): A person commits an offence who, being the owner of, or a person in charge of, an animal, fails, in the case of an animal that is ill or injured, to comply, in relation to the animal, with section 11 (which provides that the owner of an animal that is ill or injured, and every person in charge of such an animal, must, where practicable, ensure that the animal receives treatment that alleviates any unreasonable or unnecessary pain or distress being suffered by the animal).

Section 12(c): A person commits an offence who, being the owner of, or a person in charge of, an animal, kills the animal in such a manner that the animal suffers unreasonable or unnecessary pain or distress.

***Surgical Procedures***

Section 21(1)(b): A person commits an offence who, without reasonable excuse, acts in contravention of or fails to comply with section 15(4) (which provides that no person may, in performing on an animal a surgical procedure that is not a significant surgical procedure, perform that surgical procedure in such a manner that the animal suffers unreasonable or unnecessary pain or distress).

***Transport***

Section 22(2): A person commits an offence who fails, without reasonable excuse, to comply with any provision of section 22(1) (which provides that every person in charge of a vehicle or an aircraft, and the master of or, if there is no master, the person in charge of, a ship, being a vehicle, aircraft or ship in or on which an animal is being transported, must ensure that the welfare of the animal is properly attended to, and that, in particular, the animal is provided with reasonably comfortable and secure accommodation and is supplied with proper and sufficient food and water).

Section 23(1): A person commits an offence who, without reasonable excuse, confines or transports an animal in a manner or position that causes the animal unreasonable or unnecessary pain or distress.

Section 23(2): A person commits an offence who, being the owner of, or the person in charge of, an animal, permits that animal, without reasonable excuse, to be driven or led on a road, or to be ridden, or to be transported in or on a vehicle, an aircraft, or a ship while the condition or health of the animal is such as to render it unfit to be so driven, led, ridden or transported.

***Ill-treatment***

Section 29(a): A person commits an offence who ill-treats an animal.

***Inspection of Premises***

Section 127(1): Inspectors appointed under the Animal Welfare Act 1999 have the power to enter any land or premises (with the exceptions of dwellings and marae), or any vehicle, aircraft or vessel, at any reasonable time, for the purpose of inspecting any animal.

Animal Welfare Inspectors are appointed by the Minister and include officers from MAF, the Police and approved organisations (e.g. Royal New Zealand SPCA).

## **Appendix V: Codes of Welfare**

### ***Process for Code Development***

The Act established the National Animal Welfare Advisory Committee (NAWAC) and provided for the issue of codes of welfare with legal effect. One of the responsibilities of NAWAC is to advise the Minister of Agriculture (the Minister) on the content of codes of welfare following a process of public consultation.

A draft code may be developed by anyone, including NAWAC or the Minister. It is then submitted to NAWAC. Provided the draft meets criteria in the Act for clarity and compliance with the purposes of the Act, and provided representatives of persons likely to be affected by the code have been adequately consulted, NAWAC publicly notifies the code and calls for submissions. NAWAC is then responsible for recommending the form and content of the code to the Minister after having regard to the submissions received, good practice and scientific knowledge, available technology and any other relevant matters.

NAWAC may recommend standards that do not fully meet the obligations in the Act if certain criteria specified in the Act are met.

The Minister issues the code by notice in the *Gazette*.

The original draft of this code was written by a writing group convened by NAWAC which included representation from the New Zealand Veterinary Association, Royal New Zealand SPCA and Federated Farmers. As required by the Act, NAWAC publicly notified the draft code of welfare on 11 November 2002. Due to the extensive changes made to the draft by NAWAC following a review of the submissions received, NAWAC decided to publicly notify the draft code for a second time on 12 January 2006.

### ***Revision of the Code***

This code is based on the knowledge and technology available at the time of publication, and may be reviewed in the light of future advances and knowledge. Consequently, NAWAC will review this code when deemed necessary. In any event, this code will be reviewed no later than 28 May 2020 (being 10 years from the date on which this code was issued by the Minister).

Comments on this code are always welcome and should be addressed to: The Secretary, National Animal Welfare Advisory Committee, PO Box 2526, Wellington 6140.

Further information can be obtained from the website: <http://www.biosecurity.govt.nz/animal-welfare>.

### ***Codes of Welfare***

- Animal Welfare (Broiler Chickens: Fully Housed) Code of Welfare 2003
- Animal Welfare (Rodeos) Code of Welfare 2003
- Animal Welfare (Pigs) Code of Welfare 2005
- Animal Welfare (Layer Hens) Code of Welfare 2005
- Animal Welfare (Zoos) Code of Welfare 2005
- Animal Welfare (Circuses) Code of Welfare 2005
- Animal Welfare (Painful Husbandry Procedures) Code of Welfare 2005
- Animal Welfare (Companion Cats) Code of Welfare 2007
- Animal Welfare (Deer) Code of Welfare 2007
- Animal Welfare (Dairy Cattle) Code of Welfare 2010

### **Codes of Recommendations and Minimum Standards**

- Sea Transport of Sheep from New Zealand, September 1991
- Welfare of Sheep, July 1996
- Welfare of Deer During the Removal of Antlers, July 1992, amended August 1994, August 1997
- Welfare of Horses, February 1993
- Care of Animals in Boarding Establishments, August 1993
- Sale of Companion Animals, September 1994
- Welfare of Animals Transported within New Zealand, November 1994, amended June 1996, August 1998
- Welfare of Animals at Saleyards, May 1995
- Emergency Slaughter of Farm Livestock, December 1996
- Welfare of Dogs, May 1998
- Welfare of Ostrich and Emu, September 1999

### **Guidelines**

- Welfare of Stock from which Blood is Harvested for Commercial and Research Purposes, March 2009
- Welfare of Yearling Fallow Deer During the Use of Rubber Rings to Prevent Antler/Pedicle Growth, September 1997
- Welfare of Red and Wapiti Yearling Stags During the Use of Rubber Rings to Induce Analgesia for the Removal of Spiker Velvet, September 1998

<p>Codes and Guidelines may be obtained from:</p> <p><i>Executive Co-ordinator Animal Welfare MAF Biosecurity New Zealand Ministry of Agriculture and Forestry PO Box 2526 WELLINGTON 6140 Tel: 04 894 0366 email: <a href="mailto:animalwelfare@maf.govt.nz">animalwelfare@maf.govt.nz</a></i></p>	<p>Or can be inspected at:</p> <p><i>Animal Welfare Ministry of Agriculture and Forestry Pastoral House Reception Level 10 25 The Terrace WELLINGTON 6011</i></p>
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Codes and Guidelines are available on MAF's website.

The web page address is: <http://www.biosecurity.govt.nz/animal-welfare>.