

## ANIMAL WELFARE UPDATE

**Report by** Colin Sullivan and Darren Whitby

For further information contact Colin Sullivan (Chief Operating Officer) or Darren Whitby (Head of Animal Welfare)

Email: [Colin.Sullivan@food.gov.uk](mailto:Colin.Sullivan@food.gov.uk) or [Darren.Whitby@food.gov.uk](mailto:Darren.Whitby@food.gov.uk)

### 1. SUMMARY

1.1 This paper provides an update on FSA activities delivered through the '**Deter, Prevent, Detect, Enforce**' animal welfare programme and its objective of making ongoing improvements in slaughterhouses in England and Wales.

1.2 The Board is asked to:

- **Consider** the progress made in delivering the 'Deter, Prevent, Detect, Enforce' welfare agenda
- **Endorse** the approach being adopted as the FSA seeks to improve animal welfare implementation and assurance in slaughterhouses in England and Wales on behalf of the animal welfare policy owning departments
- **Note** the potential policy changes that will impact future delivery of animal welfare policy within slaughterhouses.

### 2. INTRODUCTION

2.1 This paper provides the annual report to the Board on the FSA delivery activity on animal welfare which is on behalf of Defra/Welsh Government as policy holders. The key actions are outlined in our 'Deter, Prevent, Detect, Enforce' animal welfare programme.

2.2 The paper covers:

- Background and context
- Update on the consumer and stakeholder interest
- Highlights of the key deliverables from the Animal Welfare Action Plan
- Update on the current policy and regulatory landscape
- Summary of data on compliance levels
- the impact of Covid-19 in context of animal welfare controls and enforcement
- Forward look to potential policy changes that will impact future FSA animal welfare delivery activity

### **3. EVIDENCE AND DISCUSSION**

#### **Background and context**

- 3.1 Defra and the Welsh Government are the policy holders for animal welfare regarding the controls within businesses which are approved and overseen by the FSA. The FSA delivers these controls on their behalf and leads on enforcement. In Northern Ireland, the Department for Agriculture, Environment and Rural Affairs (DAERA) has the policy and delivery responsibility for animal welfare issues.
- 3.2 Funding for welfare activities carried out on behalf of Defra and the Welsh Government in 2020/21 has remained commensurate with last year. This reflects the work done in recent years to capture accurate data and better quantify the activities being undertaken on behalf of the policy holders, which has seen an uplift in funding of 900% from 5 years ago.
- 3.3 Full responsibility for animal welfare and food safety in slaughterhouses rests with business operators who must meet legislative requirements in terms of slaughterhouse design, layout, equipment and operation. Their slaughterers must be competent, appropriately trained and hold a Certificate of Competence to slaughter all species presented to them. The business operator is responsible for ensuring all animal needs are met and for the welfare of animals in their care.
- 3.4 In 2021 the FSA has continued to actively liaise with livestock and meat industry organisations and has engaged in joint welfare forums (involving Defra/Welsh Government) to develop initiatives for the improvement of animal welfare through all stages of the slaughter process, including transport.
- 3.5 The UK meat industry retains some of the highest welfare standards in the world. As an excellent modern regulator, the FSA maintains an adaptable and effective system of controls in slaughterhouses across England and Wales, verifying compliance and taking proportionate enforcement action where non-compliance is found. This ability to adapt and remain effective has been evident throughout the Covid-19 pandemic.
- 3.6 The animal welfare programme of work is aligned to the Operational Transformation Programme (OTP) which is developing a risk and compliance-based regime, seeking to increase responsibility of business operators in the production of safe food and animal welfare. Consumer confidence in food safety and animal welfare will be improved by developing new assurance protocols, the use of new technology and exploring opportunities for improved data capture/data sharing will generate increased trust in industry.

#### **Consumer and stakeholder interest**

- 3.7 The latest available Public Attitudes Tracker data from November 2019 shows that animal welfare is the third highest wider food issue of concern, with 50% of all respondents recording concern about animal welfare standards when

prompted about different topics. This is an increase of 7% from the last biannual survey and is currently a key topic in the media reporting on potential future trade agreements with the EU and other countries. Food waste and sugar in food are the top two concerns, all three have shown a rise since the last survey with animal welfare being the largest increase.

- 3.8 From April 2020 to March 2021, seven Freedom of Information requests related to welfare matters were received and dealt with by the FSA welfare team, this represents almost 5% of all FSA requests and 54% of all requests related to field operational activities. Around 71% of all welfare-related requests involved enforcement and non-compliance data. The welfare team has recently expanded the publication of enforcement and non-compliance data as open data on Food.gov. During the same period one Parliamentary Question was answered by the animal welfare team.
- 3.9 During 2020/2021 period the FSA was made aware of one instance of undercover filming by an animal welfare activist group. Welfare non-compliances of varying degrees of severity were identified through the available footage (from both the activist groups and Food Business Operator). A range of enforcement action was taken, that required the business operator to make changes to processes and management controls. Several Certificates of Competence were suspended until operative retraining had taken place.
- 3.10 The FSA took robust, prompt and proportionate enforcement action, ensuring immediate prevention of any further adverse impact on animal welfare.

### **Progress on the Animal Welfare Action Plan**

- 3.11 The 'Deter, Prevent, Detect, Enforce' Programme is delivered through the animal welfare action plan. The action plan is monitored by a steering group comprising representatives from FSA and other government departments, who review outstanding actions and approve new activities. In 2020/21 we have:

Strengthened **verification and compliance** by:

- Developing the scope of our fourth Animal Welfare themed audit
- Enhancing animal welfare verification documentation
- Supporting industry during Covid-19 through the development of exceptional circumstances guidance

Improved **accountability and collaboration** through:

- The expansion of joint working groups with industry and representatives
- Building closer working relationships and consultation across the supply chain to improve animal welfare standards
- Successful implementation of Annex II of Regulation (EC) No 1099/2009
- Negotiating with Defra and Welsh Government on the funding for delivery of our animal welfare controls

Improving **education and awareness** by:

- Enhancing guidance relating to the suspension, revocation, and retraining of Certificate of Competence (CoC) holders
- Producing industry communications and best practice guidance relating to captive-bolt stunning, field lairages requirements, and water provision for animals

Improved quality of our **analysis and reporting** through:

- Strengthening of monitoring and reporting on animal welfare standards
- Continued enhancements to the animal welfare database
- Publication of animal welfare non-compliance statistics

The programme within the coming year will seek to drive forward improvement activities in all areas, but with an emphasis on improving education, data systems and reporting.

- We will deliver further guidance and training for farm and transport non-compliance referrals to Animal Health and Plant Agency (APHA) and Local Authorities, particularly relating to evidence gathering and the referral process.
- We will enhance the FSA non-compliance database to facilitate improved data transfer between FSA, APHA and Local Authorities through the use of shared repositories.
- We will provide APHA and Local Authorities with direct access to a portion of the enforcement database to enable them provide feedback on the status of any referrals made to them; this will be particularly useful in understanding what enforcement or rectification measures were taken previously by APHA and Local Authorities where repeat farm and transport incidents occur.

3.12 There has been improved collaboration with industry in recent years and we will look to continue and strengthen those relationships.

### **The policy and regulatory landscape**

3.13 Beyond 31 December 2020 the European Union (Withdrawal) Act 2018 allowed the requirements of EU animal welfare regulation to be incorporated into domestic law, and to continue to apply in GB. EU Legislation continued to apply directly in Northern Ireland under the NI protocol.

3.14 Defra conducted a statutory Post Implementation Review the Welfare of Animals at the Time of Killing (England) Regulations 2015 (WATOK), this was published in January 2021. This may lead to policy and regulatory changes in 2021/22 and beyond.

- 3.15 The availability of CCTV in England has supported improvements to the identification of non-compliances and provision of evidence to support welfare training, and where required, undertake enforcement activities.
- 3.16 The Welsh Government has committed to require CCTV in all slaughterhouses during this Government's term. Larger slaughterhouses in Wales, which process the majority of animals, already have CCTV and adhere to the voluntary joint protocol adopted in 2017 between FSA and Industry to enable OVs access to CCTV footage. Welsh Government have also provided supported to small and medium sized slaughterhouses via the Food Business Investment Scheme to, amongst other things, install and upgrade CCTV systems.
- 3.17 The situation in Northern Ireland remains unchanged regarding the use of CCTV. Over 99% of animals processed in Northern Ireland are slaughtered under CCTV coverage and there are no plans to make the installation of CCTV in slaughterhouses compulsory.
- 3.18 Scottish Government have implemented mandatory CCTV in all slaughterhouses, this included provisions for grants for the Scottish island slaughterhouses. The regulations came into force from 1 July 2021.
- 3.19 Annex II – Regulation (EC) No.1099/2009, Article 29 contained a transitional provision to Article 14 (1), delaying the implementation of the requirements of Annex II until 9 December 2019 for installations and equipment in use before 1 January 2013. Due to a major supplier of stunning equipment misinterpreting the Annex II requirements the red meat industry faced significant challenges in securing and installing compliant stunning equipment. This was further exacerbated by the Covid-19 pandemic causing supply chain pressures. The FSA worked closely with the industry to ensure production continued and animal welfare standards were maintained. All slaughterhouses were compliant by the end of September 2020.

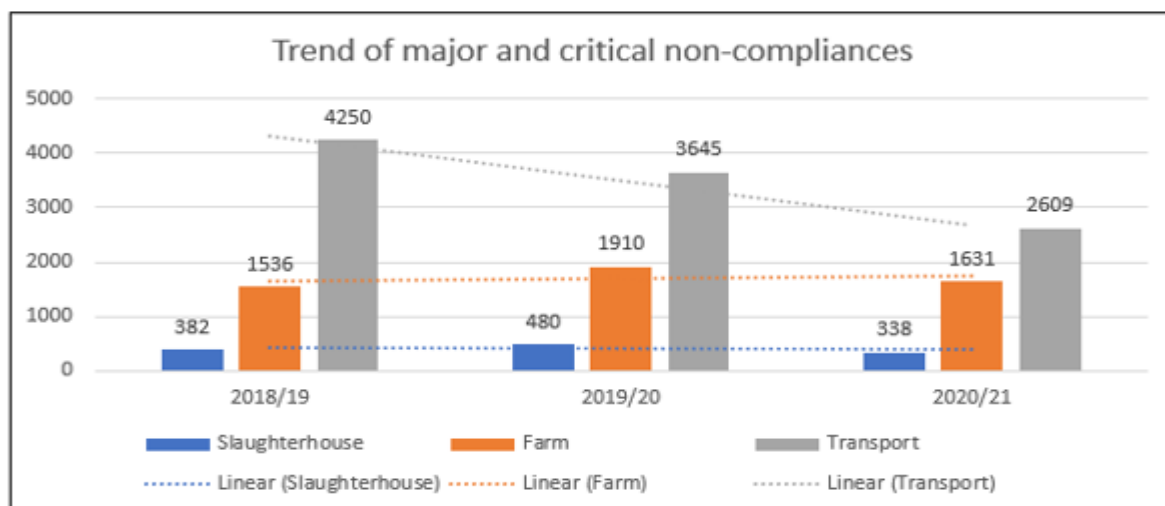
### **Summary of data on compliance levels (data stories, Annex 1)**

- 3.20 In 2020/21 there were 1,038,234,124 animals processed in slaughterhouses. 1,038,194,198 were process in compliance with animal welfare regulations. This equates to over 99.99% of all animals processed without any impact to their welfare.
- 3.21 In 2020/21 there has been a reduction in major and critical non-compliances in the slaughterhouse, on farm and in transport when compared to the previous year. Table 1 below sets out the data which can be summarised as follows:
- Slaughterhouse; 338 non-compliances. 11.5% reduction from 2018/19 (382). 29.6% reduction from 2019/20 (480)
  - Farm; 1631 non-compliances. 6.2% increase from 2018/19 (1536). 14.6% reduction from 2019/20 (1910)

- Transport; 2609 non-compliances. 38.6% reduction from 2018/19 (4250). 28.4% reduction from 2019/20 (3645)

Table showing the number of major and critical non-compliances by year

	2018/19	2019/20	2020/21
Slaughterhouse	382	* 480	338
Farm	1536	1910	1631
Transport	4250	3645	2609



**Table 1** – Major and critical non-compliances by year. \* In 2019/20 there were 98 major and critical slaughterhouse non-compliances directly attributable to breaches of new regulations (CCTV and Annex II), without which there were 382 non-compliances in 2019/20

- 3.22 In addition to direct observation, CCTV plays an important role to aid assurance of animal welfare. FSA staff are required to monitor both live and historical CCTV footage on a regular basis every operational day. In addition, they are required to regularly check non-operational periods. Protocols are in place to allocate viewing responsibility to all members of the team, with at least 15 minutes of footage to be viewed by each person, and to record the time and period of footage viewed.
- 3.23 Enforcement data indicates that at least 10% of slaughterhouse non-compliances are identified either by live or retrospective CCTV viewing. CCTV is routinely used as evidence to support enforcement action.
- 3.24 CCTV continues to play an active role in suspension and revocation of Certificates of Competence (CoC). There were 39 CoCs suspended or revoked in 2020/21 of which 13 utilised CCTV to support determination of the outcome, this equates to 33% of all suspensions and revocations.
- 3.25 CCTV provides valuable evidence to support the actions of CoC holders where uncertainty over performance existed. This has supported Food Business Operators (FBOs) and Official Veterinarians (OVs) with the option to resolve

issues and identify potential training needs without suspension of the CoC holder.

### **Impact on animal welfare in slaughterhouses during Covid-19 pandemic**

- 3.26 During the Covid-19 pandemic the meat industry faced a range of significant challenges throughout the supply chain with particular pressure on resourcing. Animal welfare standards and controls have remained a high priority throughout this period for both the industry and regulators with significant collaboration to overcome potential issues in changing production demand, working patterns and social distancing requirements.
- 3.27 FSA Field Operations faced challenges on resource availability through the period with the potential to impact on slaughter operations. This was a concern for pig and poultry processing due to the nature of the supply chain and animal welfare challenges materialising on farms through backlogs.
- 3.28 Robust contingency planning and co-operation with back up support from across the FSA and APHA enabled operations to continue virtually unaffected. This resulted in no notable animal welfare or food supply issues materialising as a result of FSA delivery challenges.
- 3.29 The FSA ceased all non-urgent assurance functions during the pandemic and restricted slaughterhouse attendance to core function teams (OV/Meat Hygiene Inspectors). This resulted in the suspension of all Good and Generally Satisfactory FBO audits and inspections from the Welfare Assurance Team (WAT). Both functions have now resumed and steadily returning to normal levels although ongoing resource challenges may impact a full resumption of activities in this area.
- 3.30 Routine welfare monitoring remained in place with an emphasis on the use of CCTV in slaughterhouses where social distancing would have created difficulties.
- 3.31 The analysis of non-compliance data indicates that there was a 29.6% reduction in the number of major and critical animal welfare non-compliances in 2020/21 compared to the previous year. The 2019/20 data contained a significant number (98) of extraordinary non-compliances (CCTV and Annex II) as a result of the regulations being implemented or enforced in that period. Removing those from the dataset shows a more realistic decrease of 11.5%.
- 3.32 With a number of factors involved it is difficult to definitively isolate the impact of Covid-19 on animal welfare non-compliances in slaughterhouses. It can be assumed that reduced attendance and assurance functions has contributed to the reduction in non-compliances but this must be set against reduced throughput levels, improvements delivered through the animal welfare action plan, and general improvements in animal welfare standards in the meat industry. Further analysis will need to be conducted in future years to give a more balanced picture. Data on non-compliances during Covid-19 is further explored in **Annex 1**.

### Forward look to 2021 and beyond

- 3.33 Following an internal review of our processes for verifying and achieving compliance, we will be updating our operational instructions to reflect how we deliver enforcement in accordance with retained Regulation 2017/625 which is part of the OCR (Official Controls Regulations) package. This is part of our wider review of changes in existing controls following the implementation of OCR. We are discussing any impacts on welfare legislation with Defra and Welsh Government.
- 3.34 Defra conducted a statutory Post Implementation Review the Welfare of Animals at the Time of Killing (England) Regulations 2015 (WATOK). There are a number of observations and recommendations that, if implemented, will impact on the meat industry and the delivery of animal welfare controls. The FSA animal welfare team will work closely with Defra, Welsh Government and Industry to understand the delivery requirements of any new measures to ensure minimal impact whilst continuing to safeguard animal welfare.
- 3.35 In December 2020 Defra and Welsh Government consulted on improvements to animal welfare in transport which aligns to the UK government manifesto commitment to end excessively long journeys for slaughter and fattening. The Government has announced it will ban live exports of livestock (but not poultry) for slaughter or fattening and proposes to make other changes to improve animal welfare in transport. The FSA animal welfare team will work closely with Defra, Welsh Government and APHA to support the introduction of any measures.
- 3.36 Welsh Government have included mandating CCTV in slaughterhouses in the recently published Welsh Programme for Government. Though there is currently no confirmed scope or timeline we can expect that it will in some way mirror The Mandatory Use of Closed-Circuit Television in Slaughterhouses (England) Regulations 2018. The FSA animal welfare team continue to work closely with Welsh Government.

## 4. CONCLUSIONS

- 4.1 This paper sets out an update on activities in England and Wales under our ongoing programme to 'Deter, Prevent, Detect, Enforce' animal welfare breaches on behalf of Defra and Welsh Government.
- 4.2 The Board is asked to:
- **Consider** the progress made in delivering the 'Deter, Prevent, Detect, Enforce' welfare agenda



- **Endorse** the approach being adopted as the FSA seeks to improve animal welfare implementation and assurance in slaughterhouses in England and Wales on behalf of policy owning departments
- **Note** the potential policy changes that will impact future delivery of animal welfare policy within slaughterhouses.

## **ANNEXES**

### **Annex 1**

Data stories for 2020-21