

THE BATTLE OF THE PENS

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The following pages attempt to demonstrate how the Farm Animal Welfare Council (FAWC) [now called the Farm Animal Welfare Committee] have made a U-turn in their scientific judgment of restraining pens for animals at the time of shechita. The Rotating pen (known as the Weinberg Pen) was made compulsory in 1958 (at the insistence of the RSPCA) with the intention of providing a stress-free and welfare-friendly means of restraint during shechita of bovine animals.

In 1985 FAWC recommended to the UK Government the banning of the Weinberg rotating pen and called for the upright pen (ASPCA or Cincinnati pen).

Below are extracts of the relevant paragraphs from three of FAWC's reports, including their recommendations to Parliament to abolish the Weinberg rotary pen (שחיטה מונחת = *animal in dorsal recumbency*) making it illegal to use such a pen and replacing it with the upright Cincinnati-ASPCA type pen (שחיטה מעומדת = *animal in upright position*)

8. Under the Slaughter of Animals (Prevention of Cruelty) Regulations 1958 no adult bovine may be slaughtered by the Jewish or Muslim method unless it is restrained in a casting pen of the Weinberg, Dyne or North British Rotary type or some other type approved by Ministers. To date Ministers have not issued approvals for any other type. (FAWC Ref Book: 262, 1985)

13. The 1904 Committee, having given consideration to the Jewish method of slaughter used at the time, expressed concern about the operation of casting the animal, usually by means of ropes, and the effort needed to position the animal's head correctly. They considered that the method was difficult, painful and objectionable from a humanitarian point of view, and that the subsequent operation of throat cutting was an uncertain method of producing unconsciousness. They recommended that until some method was devised of rendering the animal unconscious prior to casting, the system should not be permitted in any establishment under Government control. This report was followed in 1908 by a circular issued by the Local Government Board to all Borough, Urban and Rural District Councils, which provided inter alia that the 1904 Committee's recommendations on stunning should be implemented as considered necessary by means of byelaws, but that stunning should not be obligatory where slaughter was carried out by a Jew licensed by the Chief Rabbi provided no unnecessary suffering was inflicted. (FAWC Ref Book: 262, 1985)

16. The requirement for a casting pen in the 1958 Regulations (see paragraph 8) was introduced in order to control practices of restraint which were considered unacceptable on welfare grounds. There is however so far as we know nothing in the religious requirements themselves which indicates that animals must be cast before throat cutting. (FAWC Ref Book: 262, 1985)

Rotary pens*

*Rotary casting pens (Weinberg, North British or Dyne) The rotary casting pen is basically a cattle crush, supported on a set of rollers at each end, which the animal enters from the rear by a ramp. The animal is shut into

the pen with its head protruding through a yoke at the front. At the rear of the casting pen is a door to which is attached a plate enabling the internal dimensions of the pen to be adjusted in accordance with the size of the animal. After this adjustment has been made, the pen is rotated by means of a lever through 180° so that the animal is then on its back. The pen has a braking system which should be used to stop the pen in the correct position. It is capable of being rotated in excess of 180°. Rotation is about the long axis of the animal. The pen is adapted for the slaughter of calves by the use of a steel ramp within the pen which raises the calf sufficiently for its head to fit through the yoke and its back to be held by a restraining plate.

[REPORT ON THE WELFARE OF LIVESTOCK WHEN SLAUGHTERED BY RELIGIOUS METHODS Ref Book: 262, 1985]

56. The design of a typical rotary pen is explained at Appendix F. Although rotary casting pens were introduced to reduce the stress imposed on the animal at the time of slaughter (see paragraphs 13 and 16) (*cited above CK*) we found during the course of visits to slaughterhouses that a major cause for concern has been the use of the rotary casting pen for the slaughter of cattle and calves.

57. The animal is already under considerable stress, having been transported to the slaughterhouse, unloaded and housed in a strange environment. We have seen animals make strenuous efforts to avoid going up the approach ramp into the pen. Any animal suddenly enclosed in a confined space can be expected to show signs of fear and distress as we found with the use of traditional stunning pens/boxes in the course of our earlier review of livestock slaughter (paragraphs 101 and 102 of the Report on Red Meat Animals refer). Our observations during this review showed that the animals were no less frightened when entering a casting pen. The rotation of the pen to place the animal on its back is additionally stressful. Any ruminant placed on its back suffers gross discomfort due to the weight and size of the rumen with its contents pressing upon the diaphragm and thoracic organs. With one exception, the manner of operation of the pens we saw was unsatisfactory, particularly the momentum once the rotation had begun, and the lack of an adequate braking system, which resulted in the pen swinging initially through more than 180° and rocking backwards and forwards before stabilising. Apart from the question of actual infliction of pain we are acutely aware of the terror and discomfort which ensue from the inversion of cattle followed by forcible extension of the neck, often resulting in the animal banging its head on the floor. When the pen is in position, the animal's head is usually restrained by the foot of an operator or by a rope halter; on one occasion because of the violent movement of the animal's head two or three operators were required to hold the head steady before the slaughterman made the incision. On some occasions we witnessed animals being held in this position for longer than we found acceptable because the slaughterman was not always ready to do the cutting. A further disadvantage of rotary pens, although not just a welfare consideration, was the bruising over the sacro-lumbar, and iliac regions seen in some dressed carcasses. This varied from moderate to severe and was entirely consistent with injury incurred by the violent movements made by the animals when suddenly turned on their backs. Such bruising was trimmed away by the Jewish inspectors but was not considered grounds for the rejection of the

carcase as 'non-Kosher'. This bruising was not seen in animals slaughtered in the upright position.

58. When the rotary casting pen is adapted for the slaughter of calves, the calves are not held firmly enough and were sometimes seen to get one or both front legs through the yoke along with the head and neck. It is also possible for calves to work themselves around into the upright position after the pen has been rotated; one which we saw in a Jewish slaughterhouse was in fact slaughtered in that position and the carcase was not rejected for being 'non-Kosher'.

59. We are very concerned that the rotary-type casting pen which was introduced with the purpose of contributing to the welfare of the animal seems in the light of experience and subsequent knowledge, to be having quite the contrary effect. Indeed, we are dissatisfied on welfare grounds about the whole concept of inversion of the animal. This is unnatural and adds to the existing distress being experienced by the animal from being in uncongenial, noisy and unfamiliar surroundings. This distress is further compounded by having its head restrained on the ground, often by the foot of an operator.

Operation of the Cincinnati pen

60. In the course of our review we visited Northern Ireland to see the ASPCA (Cincinnati) restraining pen in which the animal is slaughtered in an upright position. The use of such pens for religious slaughter is not permitted in Great Britain (see paragraph 8) but several pens, based on the Cincinnati design, are used for Muslim slaughter in Northern Ireland and we were very impressed with the manner of their operation. It was evident that the design of the approach race, which at the premises we visited was curved, was an important feature and facilitated the entry of the animals into the pen. Detailed information on this pen is given at Appendix F.

61. In all cases the animals were held upright in the pen and in such a way that the head and neck were held firmly. The slaughterman appeared to have no more difficulty carrying out the incision with the animal in this position than with the animal inverted in the rotary pen, although it was obvious that correct positioning of the chin-lift in order to extend the neck into the optimum position is very important. Moreover the slaughterman should be at such a height to enable him to make the incision with ease.

62. We observed that the combined effects of the belly plate which takes the weight of the animal beneath its brisket and the backplate which moves it forward so that the head is properly positioned in the chin-lift are such that, following the incision, the animal is fully supported as it collapses and does not fall on to the wound so long as it remains in the pen. We must emphasise that the presence of the belly plate is absolutely vital for this process. In addition, the head-stop above the poll of the animal is absolutely essential to prevent overextension of the neck by the chin-lift.

63. We monitored the period of time from incision of the throat to shackling and hoisting of the animals seen. This varied from 17 seconds to 30 seconds, the majority falling in the 17-18 second range.

64. Although we did not see calves slaughtered in the Cincinnati pen, we understand that a range of adjustments can be made to accept animals of differing sizes.

Presentation for slaughter

Cattle

(a) We have referred in paragraphs 57 and 59 to the terror and discomfort which ensue from the inversion of cattle in the rotary pen. Following our observations of animals slaughtered in the upright position whilst restrained in the ASPCA-type pen we are convinced that this imposes much less discomfort and stress upon the animal. Indeed, in our Report on Red Meat Animals, we have suggested that such a pen is desirable for all forms of stunning (paragraph 108 of that Report refers). **We therefore recommend that the law be amended to permit the use of a pen which restrains the animal in a standing position provided that the design of the pen, which must be approved by Ministers, incorporates effective restraint and support for the animal. We recommend that with immediate effect all new installations should incorporate such a pen and in any event that the use of rotary pens should be prohibited at the end of the next two years.**

(b) **We further recommend that no animal should be permitted to be placed into a restraining pen until the slaughterman is in position and ready to carry out the incision (see paragraph 57).**

(c) **A captive bolt pistol or some other mechanical stunning device ready for immediate use, must be kept available in a position close to the restraining pen for use in case of emergency. (FAWC Ref Book: 262, 1985)**

Consequently, FAWC recommended the introduction of the upright pen as being in the best interest of animal welfare. The UK government accepted the recommendation of FAWC to abolish the rotary pen and in 1995 the Weinberg rotary pen was outlawed.

The Campaign for the Protection of Shechita (CPS), in its response to Government in 1985 was able to demonstrate gross bias and misrepresentation on the part of FAWC in its criticism of the rotary-pen then in use in all abattoirs in the UK where shechita was performed. Below is an extract of that report:

65. In commenting further on bias and misrepresentation on the part of FAWC in its review of Shechita we refer to:
FAWC 262, Part II - Observations and findings on religious slaughter Section 5, para. 57.

In an attempt to demonstrate the disadvantage of the rotary pen, the Council rely on a finding of bruising over the sacro-lumbar and iliac regions said to be consistent with injury incurred by the violent movements made by the animal when suddenly turned on its back. The Report states:

"Such bruising was trimmed away by the Jewish inspectors but was not considered grounds for the rejection of the carcass as 'non-kosher'"

66. We dispute that the animal makes violent movements in the pen that cause such injury. Furthermore, the sacro-lumbar

and iliac regions, being part of the hindquarters of the animal, are not used by Jews in any event. Therefore an inspector would have no need to trim any of these parts. The hindquarter including the sacro-lumbar and iliac region is non-Kosher in any event.

67. Furthermore, we submit that FAWC have attempted to conceal the fact that these injuries are entirely consistent with the excessive use of a goading stick by non-Jewish slaughterhouse staff prior to the animal's entry into the pen. Such abuse was found and reported by FAWC and we refer to:

FAWC 248, Part II, Section I. Para.34

which reported instances of stick abuse. We have observed instances of such abuse to the sacro-lumbar and iliac regions. The severity of such abuse warranted the FAWC recommending in FAWC 248, para.34, the proper enforcement of Section 4(2)(a) of the 1975 Order which requires that animals being unloaded shall not be caused injury or unnecessary suffering by reason of excessive use of any instrument or thing used for driving the animal.

68. We submit that the bruising to the sacro-lumbar and iliac regions was caused by reason of breach of Section 4(2)(a) and not by use of the rotary pen. This aspect of the FAWC review of Shechita manifests gross misrepresentation and warrants severe criticism.

Comments on “THE FARM ANIMAL WELFARE COUNCIL REPORT ON THE WELFARE OF LIVESTOCK WHEN SLAUGHTERED BY RELIGIOUS METHODS” REF 262 (1985). Submitted by the Campaign For The Protection Of Shechita 29th October 1985

The CPS urged the government to reject the introduction of the upright pen and submitted the caveat that just as FAWC were dissatisfied with the rotary pen in the light of “experience and subsequent knowledge”, so they will eventually find reason to be dissatisfied with the upright pen. This prophetic warning has now been realised in FAWC’s Report and Recommendations (June 2003) in which they have expressed serious misgivings about the upright pen:

Since 1995 the only legally permitted pen in the UK to be used for restraining bovine animals at shechita is the upright pen. However, in 2003 FAWC reported dissatisfaction with the upright pen on “welfare grounds” and called for “**a re-evaluation of all restraining pens currently in use**”. Thus after insisting that the upright pen should replace the rotary pen, they now claim that the upright pen is also not suitable. Below are extracts from FAWC’s 2003 Report:

185. Council has focused on three particular animal welfare issues with regard to slaughter without pre-stunning:-

- pre-slaughter handling;
- the potential for pain and distress during exsanguination; and
- the time to loss of brain responsiveness.

Pre-slaughter handling

Cattle

186. The level of restraint required to expose the throat, perform an effective cut and hold the animal still until it has bled out is greater than is needed for conventional slaughter. The restraining pens used for this purpose require Ministerial approval. This “is designed to protect bovine animals from any avoidable pain, suffering, agitation, injuries or contusions in the pen and in particular to ensure effective means of restraint and support” (WASK).

187. The design and operation of restraining pens are assessed by the SVS before Ministerial approval is given. We are concerned about the effectiveness of restraint and the distress caused to animals that we observed during our visits, particularly when smaller cattle were restrained. For instance, the head could slip out of the restraining mechanism and there is also a risk of leg injuries. The operation of the restraint itself takes particular skill to ensure that the animal is held in an appropriate position with the neck extended for an effective cut to be made with speed and accuracy. Restraining pens of this type may cause higher levels of distress than conventional stunning boxes and for a longer period of time. Council would like all restraining pens currently in use to be re-evaluated, particularly in terms of the efficiency of restraint of animals of varying sizes.

188. We are mindful of the consequences should the chin lift be released or should the head become free after the neck cut has been made. This could result in the animal’s head dropping forward onto the metal work of the restraining pen thereby causing further pain and distress. In addition, this could also result in the occlusion of severed blood vessels causing a restriction in blood loss and thereby potentially delaying the time to insensibility.

Recommendation

189. Government should arrange re-evaluation of all restraining pens currently in use, particularly in terms of the efficiency of restraint of animals of varying sizes.

The Farm Animal Welfare Committee (as it is now called) is not the only group opposed to shechita. Strong opposition comes from animal welfare groups which include the British Veterinary Association, *RSPCA*, *The Humane Slaughter Association*, *Compassion in World Farming*, *Animal Aid*, *People for the Ethical Treatment of Animals (PETA)*, *The Vegan Society*, *Vegetarians International Voice for Animals (VIVA)* and a number of other fringe animal rights groups. The *National Secular Society* believes that religion is the enemy of progress and calls for the abolition of shechita on the grounds that Jews should not be permitted to be exempted from stunning. The *British Humanist Association* makes similar claims.

The practice of shechita, and the various aspects that are involved e.g. the manner of presentation and restraint of the animal for the shochet to make the incision; the place on the neck of the animal where the incision is made, the number of strokes required to transect trachea, oesophagus, carotid arteries and jugular veins; the examination of the incision which the shochet is required to make immediately after the incision; the length and sharpness of the chalaf; the shochet’s certificate of competence and terms of his license; the labelling of shechita

slaughtered meat which goes for general sale; all these and more are constantly under scrutiny by the civic authorities and animal welfare groups who put constant pressure on the Government to restrict or even ban the process of shechita entirely. It is true to say that there is not one place on earth where shechita is performed which does not try to prevent its continued performance. The defenders of shechita need to be ever vigilant to combat these ever increasing attacks.

וְזָבַחַת מִבְּקָרָהּ וּמִצֹּאֲנָנָהּ אֲשֶׁר נָתַן ה' לָהּ כְּאֲשֶׁר צִוִּיתָהּ וְאָכְלָתָּ בְּשַׁעְרֶיהָ בְּכָל אֶרֶץ נִפְשָׁהּ : דברים יב, כא

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