II

(Acts whose publication is not obligatory)

COUNCIL

COUNCIL DIRECTIVE
of 18 November 1974
on stunning of animals before slaughter

(74/577/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Articles 43 and 100 thereof;

Having regard to the proposal from the Commission;

Having regard to the Opinion of the European Parliament (1);

Having regard to the Opinion of the Economic and Social Committee;

Whereas the national legislation now in force in the field of protection of animals presents disparities of such a nature as to affect directly the functioning of the common market; whereas the effect of the costs arising from these requirements are variable from one Member State to another;

Whereas the Community should also take action to avoid in general all forms of cruelty to animals; whereas it appears desirable, as a first step, that this action should consist in laying down conditions such as to avoid all unnecessary suffering on the part of animals when being slaughtered;

Whereas in this respect the practice of stunning animals by appropriate recognized techniques should be generalized;

Whereas, however, it is necessary to take account of the particular requirements of certain religious rites,

(1) OJ No C 76, 3. 7. 1974, p. 52.

HAS ADOPTED THIS DIRECTIVE:

Article 1

1. For the slaughter of animals belonging to the following species: bovine animals, swine, sheep, goats and solipeds, Member States shall ensure that suitable measures are taken to induce death as rapidly as possible after stunning, in accordance with appropriate procedures.

2. For the purposes of this Directive, stunning means a process effected by a mechanically operated instrument, electricity, or gas anaesthesia without adverse effects on the condition of the meat or the offal, which when applied to an animal puts it into a state of insensibility which lasts until it is slaughtered, thus sparing it in any event all needless suffering.

This process must be approved by the competent authority.

Article 2

1. The competent authority in accordance with national legislation shall ensure that stunning is performed by means of equipment approved for the relevant species, that the equipment is in good working order and that it is used correctly by a person who has the necessary qualifications and knowledge.

2. Should restraint prove to be necessary, this should take place immediately before stunning.