

**Home slaughter
of livestock:
A guide to the law in
Scotland**

Revision March 2019

For all queries about this guidance — including if you require the information in an alternative format such as audio, large print or Braille — please use the number below.

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Summary

Intended audience:	Who is this guidance for? <ul style="list-style-type: none"> • Keepers of Livestock • Local Authorities
Which UK nations does this cover?	Scotland only. Parallel guidance applies in other parts of the UK.
Purpose:	To provide information on the law covering the home slaughter of livestock.
Legal status:	This guidance is intended to accompany relevant EU and national legislation relating to TSEs, ABPs and meat hygiene.
Key words	<ul style="list-style-type: none"> • Food law, monitoring and controls • Hygiene and food safety • Meat and livestock
Review date	June 2019
Sunset date	Not applicable

Revision history

This guidance follows the Government [Code of Practice on Guidance](#). If you believe this guidance breaches the Code for any reason, please let us know by emailing: enquiries@fss.scot. If you have any comments on the guidance itself, please call us using the contact number provided on the covering page.

Revision No.	Revision date	Purpose of revision and paragraph number	Revised by
1	2 May 2013	To transfer Home Slaughter Guidance for Scotland on to new Food Standards Agency (FSA) guidance template. To provide updated information on TSE testing requirements (paragraphs 12 - 19 and Annex B Q.8). To provide updated information on Animal Welfare Regulations (paragraphs 20 - 22). To provide clarification on paragraph 27.	Karen Robertson
2	29 May 2013	To provide clarification on the requirement to continue to carry out TSE testing of "at risk" cattle (paragraph 17).	Karen Robertson
3	17 September 2015	To transfer Home Slaughter Guidance for Scotland on to new Food Standards Scotland (FSS) template. To update the list of bovine SRM (Annex C).	Karen Robertson
4	18 October 2017	To update the list of bovine SRM (Annex C).	Karen Robertson
5	10 December 2018	To update the list of SRM for sheep and goats (Annex C). Update the list of Useful Contacts (Annex A).	Karen Robertson
6	12 March 2019	To update the Staining Requirements for SRM (Annex C).	Karen Robertson

Introduction

1. “Home slaughter” is the slaughter of a livestock animal by its owner on their property for their own personal consumption or that of members of their immediate family living there. Home slaughter cannot take place in an approved slaughterhouse.
2. “Home slaughter” is distinct from “private slaughter” which is when the owner of the animal sends it to an approved slaughterhouse to be slaughtered and the dressed carcass is returned to the owner.
3. It should be noted that home slaughter is likely to carry a greater human health risk than slaughter that takes place in an approved establishment.

Intended audience

4. Livestock¹ owners considering slaughter on farm² for their own personal consumption or that of members of their immediate family living there.
5. Local Authorities³ which are responsible for the enforcement of Animal Welfare and the domestic Food Hygiene and Transmissible Spongiform Encephalopathy (TSE) Regulations on farm.

Purpose of guidance

6. To provide advice on the conditions that must be met to allow the legal home slaughter of livestock.
7. To minimise any potential risks to human health.

¹ This Guide is not intended to cover all livestock species but it does cover those species for which we receive most enquiries. It is particularly applicable to cattle, sheep and goats where TSE controls apply

² For the purpose of this guide, ‘farm’ is defined as any premises where livestock are kept

³ To find your Local Authority go to <http://www.foodstandards.gov.scot/local-authorities>

Legal status of guidance

8. These guidance notes have been produced to explain clearly the legal requirements of the EU Food Hygiene Regulation (EC) No. 853/2004⁴, EU Transmissible Spongiform Encephalopathies (TSE) Regulation (EC) No. 999/2001 (as amended)⁵, Food Hygiene (Scotland) Regulations 2006 (as amended)⁶ and Transmissible Spongiform Encephalopathies (Scotland) Regulations 2010⁷ (as amended). The guidance should be read in conjunction with the legislation itself. It is not an authoritative interpretation of the law, as only the Courts have that power. Every effort has been made to make this guidance as helpful as possible. However, it is ultimately the responsibility of individual businesses to ensure their compliance with the law. Livestock keepers or businesses with specific queries may wish to seek the advice of their local enforcement agency, which will usually be the trading standards/environmental health department of the local authority.

Food Hygiene Regulations

9. The Food Hygiene Regulations (EC) No. 853/2004 indicate that in most cases meat sold for human consumption must be from animals slaughtered in an approved slaughterhouse. Such slaughter would, amongst other things, be subject to inspection and verification by Food Standards Scotland (FSS). In limited circumstances, meat from livestock animals slaughtered on farm following an emergency may be placed on the market for sale for human consumption. Under these circumstances, the animals are subject to veterinary examination and certification on farm before slaughter and transport.
10. The legality of slaughter outside an approved establishment depends on whether it is intended that the carcass or meat from the carcass will be sold or "*placed on the market*". "Placing on the market" is defined as "the holding of food or feed for the purpose of sale, including offering for sale or any other form of transfer, whether free of charge or not, and the sale, distribution and

⁴ OJ L 139, 30.04.2004

⁵ OJ L 147, 31.05.2001

⁶ SSI 2006 No. 3, amended by SSI 2010/69, SSI 2012/75 and SSI 2014/118

⁷ SSI 2010 No. 177

other forms of transfer themselves” (Regulation (EC) No. 178/2002, Article 3). For example, the supply of a carcass back to the owner by an approved slaughterhouse or itinerant slaughterer amounts to placing on the market under this definition because:

- a. There is supply of food in the course of a business; and
- b. Supply occurs, because the product returned after slaughter (i.e. the dressed carcass or meat) is fundamentally different in kind to what was delivered to the slaughterhouse or itinerant slaughterer (i.e. the live animal).

11. **Therefore for home slaughter to be legal and exempt from the Hygiene Regulations, the owner must only supply his immediate family who share the household.** If the owner does supply others this is illegal under the Food Hygiene (Scotland) Regulations 2006 (as amended) and local authority officers may certify that meat has not been produced, processed or distributed in accordance with those Regulations. Such meat would then be treated as failing to comply with food safety requirements under section 9 of the Food Safety Act 1990. An order for its condemnation could then be obtained from a Sheriff Court. In carrying out this enforcement role, local authorities may on occasion need to liaise with FSS. A list of contact points is at Annex A.

TSE Regulations

12. The European Commission considers that the EU TSE Regulations apply wherever a TSE susceptible animal is slaughtered (**including home slaughter**). That means that after slaughter of cattle, bison, buffalo, sheep or goats, the specified risk material (SRM) must be removed, stained and disposed of in accordance with both the EU TSE Regulation (EC) No. 999/2001 and Regulation (EC) No. 1069/2009 on animal by-products (ABPs). SRM is those parts of the animal most likely to contain BSE infectivity in an infected animal.
13. A full list of SRM is at Annex C. SRM must be disposed of in an approved Category 1 rendering or incineration plant.
14. From 1 March 2013, healthy cattle born in the UK or any other EU Member State, other than Romania and Bulgaria, that are slaughtered for human consumption do not need to be tested for BSE.

15. The following cattle must still test negative for BSE prior to consumption of the meat.
 - Healthy cattle aged over 30 months slaughtered for human consumption which were born in Romania, Bulgaria and all non-EU countries.
 - Emergency slaughter cattle aged over 48 months (i.e. an otherwise healthy animal that has suffered an accident that prevented its transport to the slaughterhouse).
 - Emergency slaughter cattle aged over 24 months which were born in Romania, Bulgaria and all non-EU countries.
16. If the animal to be killed requires BSE testing, you should contact an approved BSE sampling site to make the arrangements for testing. Further information detailing all approved BSE sampling sites is available from local Animal and Plant Health Agency (APHA) offices and on the APHA website: <https://www.gov.uk/government/publications/tse-testing-of-fallen-cattle-approved-premises>
17. Meat from the animal should only be consumed if the BSE test is negative. If the test is positive, the carcass and all parts of the body must be disposed of as a Category 1 ABP. Contacts to advise on BSE testing and the disposal of ABPs are listed at Annex A.
18. The domestic TSE Regulations make provision for the enforcement of the EU TSE Regulation in Scotland. Like all EU Regulations, the EU TSE Regulation is “directly applicable” in all Member States (i.e. it is automatically the law in those States with effect from the date from which it applies).
19. The domestic TSE Regulations allow local authorities to appoint inspectors to enforce the legislation and provide powers for inspectors to enter premises, seize any carcass or part carcass and dispose of it as necessary. Alternatively, an inspector may serve a notice on the owner requiring disposal.

Animal Welfare Regulations

20. There is also legislation to protect the welfare of livestock animals (both red meat animals and poultry) during the killing process. The slaughter of all animals must be carried out in accordance with the Welfare of Animals at the

Time of Killing (Scotland) Regulations 2012⁸, as amended, known as “WATOK(S)”. The WATOK(S) Regulations implement Council Regulation (EC) No 1099/2009 on the Protection of Animals at the Time of Killing (PATOK) and are enforced by FSS in approved slaughterhouses. Outside approved premises (**i.e. home slaughter**) the Regulations are enforced by APHA with the involvement of the local authority as required.

21. The WATOK(S) Regulations make it an offence to cause or permit any avoidable pain, distress or suffering to any animal or bird during the killing or related operations. The loss of consciousness and sensibility shall be maintained until the death of the animal. The WATOK(S) Regulations also require everyone carrying out such operations to have the level of competence necessary to perform the tasks humanely and efficiently. Only the permitted stunning methods laid down in the Regulations may be used. However where a bird, rabbit, pig, cattle, sheep or goat is slaughtered or killed by its owner for his private consumption, there are certain exemptions from the provisions of the Regulations regarding the killing process.
22. The WATOK(S) and EU Regulations require most people directly involved in the killing process to be licensed, although there are a number of exemptions from this requirement. These exemptions include:
 - a. the slaughtering or killing of an animal or bird by the owner for his/her private consumption;
 - b. the use of a free bullet to kill an animal in the field; and
 - c. the killing of a bird by dislocation of the neck on premises on which the bird was reared.
23. Religious slaughter is only permitted in approved slaughterhouses.
24. The Humane Slaughter Association has published a leaflet entitled *On-farm slaughter of Livestock for Consumption*, which provides detailed information on legislation and best practice for farmers on humane slaughtering on farm. The leaflet can be found at www.hsa.org.uk. A point of contact is also provided at Annex A.

⁸ SSI 2012 No. 321

Examples

25. The following examples illustrate the consequences of the application of the legal requirements in practical terms.

Home slaughter by the farmer for his own consumption and/or that of his immediate family living in the same household

26. This is **lawful**. As the farmer does not, in these circumstances, act as a food business operator, the EU Food Hygiene Regulations do not apply. However home slaughter does fall within the scope of the WATOK, the TSE and ABP Regulations. Therefore, animals must be slaughtered humanely and SRM must be removed, stained and disposed of as a Category 1 ABP. Cattle requiring BSE testing must test negative before consumption of the meat.

Home slaughter by the farmer for consumption by bed and breakfast guests

27. This is **unlawful**. The farmer would be supplying the meat in the course of a business (i.e. carrying out the slaughter of his animal with the intention of supplying it to the guests staying at the farm's bed and breakfast business). This would contravene the Food Hygiene Regulation (EC) No. 853/2004. **Meat supplied to bed and breakfast guests must be from animals slaughtered in an approved slaughterhouse.**

Slaughter on-farm by an itinerant slaughterer

28. An itinerant slaughterer can neither slaughter a farmer's animal nor dress it. It is **unlawful** for a farmer to use the services of an itinerant slaughterer to do so because the slaughterer would be supplying goods (i.e. a dressed or undressed carcass) in the course of his business.

Slaughter in someone else's unapproved premises

29. This is **unlawful**. Unapproved premises include any place used for slaughtering animals other than an approved slaughterhouse (i.e. field, barn, warehouse, vehicle, unapproved slaughterhouse). The operator of the unapproved premises would be supplying goods (i.e. meat) back to the farmer in the course of a business. They would therefore be placing the meat on the market. The slaughter would be an offence, as would any subsequent sale or supply of meat.

Private Slaughter in an approved slaughterhouse

30. This is **lawful**. Please refer to paragraph 2 for the meaning of “private slaughter”.
31. For further information, see contacts at Annex A. There is also a Question and Answer brief attached at Annex B.

USEFUL CONTACTS

Food Standards Scotland

Home slaughter, private slaughter, emergency slaughter and related issues

Jennifer Howie	3 rd Floor Pilgrim House Old Ford Road Aberdeen AB11 5RL	tel: 01224 285157 email: jennifer.howie@fss.scot
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SRM controls

Karen Robertson	3 rd Floor Pilgrim House Old Ford Road Aberdeen AB11 5RL	tel: 01224 288362 email: karen.robertson@fss.scot
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Local Authority enforcement

Patrick Smyth	3 rd Floor Pilgrim House Old Ford Road Aberdeen AB11 5RL	tel: 01224 285357 email: patrick.smyth@fss.scot
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**Scottish Government Directorate for Agriculture,
Food and Rural Communities**

Disposal of Animal By-Products (including SRM)

Sam McDonald	Animal Health and Welfare Division P Spur, Saughton House, Broomhouse Drive, Edinburgh, EH11 3XD	tel: 0300 244 9813 fax: 0300 244 9797 e-mail: Samuel.Mcdonald@gov.scot
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Animal Welfare Issues

Phil Burns	Animal Health and Welfare Division P Spur, Saughton House, Broomhouse Drive, Edinburgh, EH11 3XD	tel: 0300 244 9240 fax: 0300 244 9797 e-mail: Phil.Burns@gov.scot
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Guidance on BSE testing and fallen stock disposal

<http://www.scotland.gov.uk/Topics/farmingrural/Agriculture/animal-welfare/Diseases/disease/bse/advice/requirements>

Guidance on remote area derogation

<http://www.scotland.gov.uk/Topics/farmingrural/Agriculture/animal-welfare/ABPs/fallenstock#top>

Disposal of Animal By-Products (including SRM)

<http://www.scotland.gov.uk/Topics/farmingrural/Agriculture/animal-welfare/ABPs/ABPpremisses#top>

Humane Slaughter Association – ‘On-Farm Slaughter of Livestock for Consumption’

Charlie Mason	HSA The Old School Brewhouse Hill Wheathampstead Herts, AL4 8AN	tel: 01582 831919 fax: 01582 831414 e-mail: charlie@hsa.org.uk http://www.hsa.org.uk/
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HOME SLAUGHTER QUESTION & ANSWER BRIEF**Farmers/Keepers****Q1. *I do not have a cattle passport for my animal. Can I carry out a home slaughter?***

There is nothing in the Cattle Identification (Scotland) Regulations 2007 (as amended) preventing you from carrying out a home slaughter without a cattle passport.

Q2. *Can I eat any meat from my own animals?*

Yes. However, you must ensure that your animal is slaughtered and prepared lawfully (see below).

Q3. *How should I have my own animals slaughtered for my own consumption?*

There are two lawful ways in which to have your animals slaughtered and prepared for your own consumption*:

- (a) in an approved slaughterhouse; or
- (b) on your farm by *you*.

** for animals with no passport, they will be restricted to remain on farm under a Notice of Registration (NOR), so the only available option is (b) on farm slaughter by the farmer.*

Food Standards Scotland advises that option (a) would generally carry a lower risk to your health than option (b).

It would be unlawful in all cases to employ anyone else - including an itinerant slaughterer - to slaughter the animal on your property. It would also be unlawful to have the animal slaughtered anywhere else away from your property other than in an approved slaughterhouse.

Q4. *What should I do with the waste material?*

If you slaughter the animal yourself on your farm, any part of the carcase you do not consume would be classed as animal by-products under the EU Animal By-Products Regulation (EC) No 1069/2009. The waste material would have

Q10. *Can an approved slaughterhouse undertake a private slaughter for me?*

Yes, if the slaughter takes place in an approved slaughterhouse. A private slaughter would be subject to exactly the same rules and procedures as a conventional (commercial) slaughter.

Q11. *Can I have an animal privately slaughtered other than in an approved slaughterhouse?*

No. Except by yourself on farm (see Q3 above), bison (in exceptional circumstances) and in an emergency following an accident where the animal is unable to be moved to the slaughterhouse for welfare reasons. There is, however, an exemption which allows you to slaughter on your holding small quantities of poultry or lagomorphs reared there and place them on the market for human consumption, subject to certain conditions¹⁰.

¹⁰ See On farm slaughter of small quantities of poultry and lagomorphs in Part 1, Section 7.8, paragraph B of the Meat Industry Guidance available at <http://www.food.gov.uk/foodindustry/meat/guidehygienemeat>

DEFINITION OF SPECIFIED RISK MATERIAL

CATTLE	All ages The tonsils, the last four metres of the small intestine, the caecum and the mesentery.
	Over 12 months The skull excluding the mandible and including the brain and eyes, and the spinal cord.
	Over 30 Months The vertebral column, including the dorsal root ganglia but excluding: - <ul style="list-style-type: none">• the vertebrae of the tail;• the spinous and transverse processes of the cervical, thoracic and lumbar vertebrae; and• the median sacral crest and wings of the sacrum.
SHEEP and GOATS	Over 12 months (or permanent incisor erupted) The skull including the brain and eyes, and the spinal cord.

Staining requirements for SRM

Indelible staining must involve treating the material (whether by immersion, spraying or other application) with a blue colouring agent using a solution of such a strength that the staining is clearly visible and remains visible after the specified risk material (SRM) has been chilled or frozen.

The stain must be applied in such a way that the colouring is and remains clearly visible -

- over the whole of the cut surface and the majority of the head in the case of the head of a sheep or goat, and
- in the case of all other specified risk material, over the whole surface of the material.