

THIS REPORT CONTAINS ASSESSMENTS OF COMMODITY AND TRADE ISSUES MADE BY USDA STAFF AND NOT NECESSARILY STATEMENTS OF OFFICIAL U.S. GOVERNMENT POLICY

Voluntary    Public

**Date:** 1/7/2013

**GAIN Report Number:** PL1302

## Poland

**Post:** Warsaw

### Poland Bans Ritual Slaughter of Animals.

**Report Categories:**

Livestock and Products

**Approved By:**

Michael Henney, Agricultural Attaché

**Prepared By:**

Piotr Rucinski, Agricultural Specialist

**Report Highlights:**

As of January 1, 2013, Poland banned ritual slaughter of animals without prior stunning. The ban stems from the Polish Constitutional Court decision that the existing regulation regarding ritual slaughter were contrary to Animal Protection Act and Polish Constitution. The Ministry of Agriculture is in the process of seeking amendment to existing Polish law to permit ritual slaughter of animals. Because the Court decision had been announced in November 2012, industry had had time to build sufficient stocks prior to December 31 for servicing market requirements through the beginning of 2013 while new legislation to permit ritual slaughter would be pursued.

## **General Information:**

As of January 1, 2013, Polish law bans ritual slaughter of animals without stunning. On November 27, 2012, Poland's Constitutional Court concluded that the Ministry of Agriculture regulation defining the conditions and methods of slaughter and killing of animals signed in 2004 by the Minister of Agriculture was contrary to Poland's binding Animal Protection Act and the Constitution. The Animal Protection Act requires the stunning of animals before slaughter and does not allow for any exception to this rule. The 2004 Regulation allowed for the ritual slaughter of animals by bleeding without prior stunning. As a result of the court's ruling, the challenged Ministry of Agriculture regulation expired as of December 31, 2012.

On January 1, 2013, the European Council enforced Regulation (EC) 1099/2009 of 24 September 2009 on Protection of Animals at the Time of Killing which allows for ritual slaughter of animals. However, in Article 26 (see below) of the EC regulation Member States are given the possibility of introducing stricter rules of slaughter. Note: EC regulation takes precedence over Member State national legislation.

“Article 26 Stricter national rules

1. This Regulation shall not prevent Member States from maintaining any national rules aimed at ensuring more extensive protection of animals at the time of killing in force at the time of entry into force of this Regulation. Before 1 January 2013, Member States shall inform the Commission about such national rules. The Commission shall bring them to the attention of the other Member States.”

The Ministry of Agriculture notes that Poland has notified the EC about the introduction stricter rules than required by the EC 1099/2009 Regulation provisions on animal slaughter.

Poland's Minister of Agriculture has announced that the Ministry of Agriculture and Rural Development has started legal proceedings to change Polish law in a way that would allow the ritual slaughter without prior stunning of the animal. The Minister informed that a draft amendment to the Animal Protection Act is ready for submission to the Parliament. On January 3, 2013, the Parliamentary Political Club was to begin discussion on a proposal to amend the current law; however, this topic did not appear on the official agenda of the Parliamentary session scheduled for January 3-4, 2013. If the Polish Parliament fast tracks a legislative change, any amendment to an Act including necessary signature of the President could take up to one month from the moment a positive vote is issued by the Parliament.

Polish annual exports of meat originating from ritual slaughter are estimated at PLN 1.2 to 1.5 billion (US\$ 375 to 470 million) mainly to Turkey and Israel externally, and to Germany, France and Great Britain within the European Union. In expectations of disruption of production Polish traders built stocks sufficient to allow them to service their market commitment through the first couple months of 2013.

