

November 29, 2004

Rabbi Menachem Genack  
Rabbinic Administrator  
Kashrut Division  
Orthodox Union  
11 Broadway, 14<sup>th</sup> Fl.  
New York, NY 10004

Dear Rabbi Genack:

We write today with evidence of cruelty to animals and what we believe to be egregious halachic violations of the laws of shechita at the AgriProcessors slaughterhouse in Postville, Iowa. I think you will see that this facility, certified under the supervision of the Orthodox Union (OU), compromises the integrity of your esteemed hashgacha.

The footage that we obtained during our recent investigation at AgriProcessors, excerpts of which are included on the enclosed videotape, shows that the animals at this facility routinely have their tracheas and esophagi ripped from their necks just seconds after shechita, while they are still alive and fully conscious, and then struggle to their feet, in agony for up to three minutes after this dismemberment. This violates both the Humane Methods of Livestock Slaughter Act (HMLSA) and the most fundamental halachic laws pertaining to shechita. The HMLSA requires that cattle be “rendered insensible to pain” before they are shackled, hoisted, or cut. Kosher law requires that the “trachea and esophagus of the animal are severed with a special razor-sharp, perfectly smooth blade, causing instantaneous death with no pain to the animal” (The Orthodox Union).

The chief rabbi of Haifa, Rabbi Shear-Yashuv Cohen, reviewed our footage and issued the following statement about these procedures:

Judging by the video film that you have shown me, the procedure of this shekhita is definitely unacceptable by halakhic standards. I was surprised to see that immediately after the shochet makes the cut, a worker who is probably not Jewish jumps to the animal and tears away its entire throat. Also, I was surprised to see that even after that brutal act, the animal seems to still be alive and walked a few steps, and then it took about four minutes until it fell down and died.

This procedure is not only cruel and therefore unacceptable by Jewish religious law. It also cannot be certified as kosher, as the animal must die as the direct result of the ritual cut. And a shokhet (= ritual slaughterer) has to check it to ascertain that this is indeed what has happened.

The former chief rabbi of Ireland and international director of inter-religious affairs for The American Jewish Committee, Rabbi David Rosen, also reviewed the video and offered this opinion:



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The manner of the slaughtering of animals as well of animal treatment generally as shown in this video, involves flagrant violation of Jewish halachic (religious legal) requirements. I join my greatly respected colleague Chief Rabbi Shear Yashuv Cohen in declaring that such behaviour desecrates Jewish teaching and values and the meat of the animals abused in this way is rendered totally non-kosher as a result.

It is almost too obvious to state that dismembering animals while they are still conscious causes extreme pain and suffering and should never be practiced. Dr. Temple Grandin, a recognized expert in all aspects of slaughter of farmed animals, including kosher slaughter, and advisor to the U.S. Department of Agriculture and American Meat Institute, viewed the footage and commented that she had never come across this “atrocious” procedure in any of the 30 kosher slaughterhouses that she has visited. She concluded the following:

Removal of the trachea and other internal parts before the animal has become insensible would cause great suffering and pain. Many of the cattle on this tape had this dressing procedure performed when they were still fully sensible. Several cattle were walking around with the trachea and other parts hanging out of them. To provide an acceptable level of welfare, the animals MUST be allowed to become fully insensible after shehita before any dressing procedure is done ... ALL cattle must be completely insensible before trachea removal or any other skinning procedure is conducted. Shehita (religious slaughter) is the ONLY procedure that can be conducted on a sensible animal. ... In conclusion, many of the cattle that had their trachea removed were fully conscious and fully sensible. The duration of complete sensibility was probably prolonged by the pain of having their inner tissues cut and pulled ...

These practices were neither isolated incidents nor could they be attributed to an individual, incompetent shochet; these were the standard operating procedures for all cattle slaughtered at this plant. We cannot understand how the plant can have gotten OU certification, and we will not attempt to speculate. However, we encourage the OU to conduct a thorough audit of its own systems of supervision and personnel-monitoring capabilities to prevent a similar debacle.

We also urge the OU to require that AgriProcessors make the necessary policy and procedural changes to live up to the legal, humane, and kosher standards required of an OU-certified company and to remove the OU hechsher from this operation if AgriProcessors is not willing to reform.

Finally and most importantly, we recommend that the OU issue an official policy statement on *Tsaar Baalei Chayim* to all slaughterhouses that it certifies and that included in that policy there be a pledge to certify only companies that have adopted the following humane methods to prevent the abysmal treatment of animals that was witnessed at AgriProcessors:

**Recommendation #1: Make explicit what is surely already an OU requirement, that no animals shall be touched after shechita until after they are dead.**

As discussed above, the dismembering of the animals seconds after the shochet’s initial cut while the animal is still fully conscious clearly violates the humane intent and letter of Jewish law.

**Recommendation #2: End the use of the Facoima pen or other inverted restraining devices, and instead, adopt a more humane, upright pen.**

The ASPCA pen, recommended by Temple Grandin, keeps conscious animals restrained upright at all times and is in accordance with strict kosher requirements. As you probably know, the Facoima pen is illegal in the United Kingdom, based on humane considerations.

**Recommendation #3: Require that animals always be kept inside the restraining device until they are unconscious.**

Again, animals should be allowed to die undisturbed after shechita, as moving them after shechita while they are still conscious is both terrifying and cruel. Humane slaughter regulations in the United Kingdom, including kosher slaughter, require that cattle not be moved prior to unconsciousness and never be moved within 30 seconds of shechita.

**Recommendation #4: Institute a policy that requires animals who are not rapidly rendered unconscious by shechita, as required by law, to be immediately rendered unconscious with a captive-bolt gun.**

While this may mean that the animal's carcass would not qualify as kosher, we understand that all kosher processing facilities already process a significant amount of meat as nonkosher to sell to their nonkosher customer base, and it is estimated that at any kosher slaughterhouse, between 40 and 80 percent of all animals already do not meet kosher requirements.

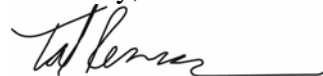
**Recommendation #5: Make explicit and enforce what we believe you already have—a ban on the use of electric prods.**

In the footage, we witnessed the use of electric prods on numerous cows, contrary to kosher restrictions, including some being prodded in the face to maneuver their heads into position while they were in the restraining device. It may be that your current ban on this process has not been communicated effectively enough to the plants that you certify, since no plants should have electric prods available to them if they are not allowed to be used.

We hope that by urgently bringing this footage to your attention, this will help you to quickly resolve the shameful situation at AgriProcessors and to ensure that if similar cases of cruelty are occurring in other OU plants, they are promptly cleaned up.

If we can be of any further help to you, please don't hesitate to contact me. Should you wish to meet to discuss this matter in greater detail, please let me know as soon as possible. I can be reached at 757-622-7382, extension 8254, or via email at TalR@peta.org.

Sincerely,



Tal Ronnen