

December 10, 2004

Ann Veneman  
Secretary of Agriculture  
U.S. Department of Agriculture  
1400 Independence Ave., S.W.  
Washington, DC 20250

Dear Secretary Veneman:

On November 24, we provided the Food Safety Inspection Service (FSIS) with shocking evidence—including video documentation—of horrific cruelty to animals at the AgriProcessors kosher slaughterhouse in Postville, Iowa. Our investigation into the facility revealed that standard practices include ripping the tracheas and esophagi out of animals' bodies while they are still conscious, turning bellowing and distressed animals upside-down in a restraining device to facilitate throat-slitting, and violently dumping conscious animals out of the device onto a blood-covered concrete floor. Far from having been rendered insensible, many of the animals were struggling to stand—and some were even able to walk—for up to three minutes after this hideous procedure. While we have asked FSIS to take immediate action to address these blatant violations of the Humane Methods of Livestock Slaughter Act (HMSA), much more is needed to ensure that similar cruelty does not occur at this and other slaughterhouses across the country.

Currently, HMSA calls for ritual slaughter to be conducted “in accordance with the ritual requirements of the Jewish faith or any other religious faith that prescribe a method of slaughter whereby the animal suffers loss of consciousness by anemia of the brain caused by the simultaneous and instantaneous severance of the carotid arteries with a sharp instrument,” but nowhere are these requirements detailed or any meaningful guidelines provided to prevent improper and inhumane practices. As the AgriProcessors case has painfully illustrated, producers can use this lack of detailed regulations to try to get away with horribly abusive practices. We are writing today to respectfully ask that in addition to prosecuting AgriProcessors and reprimanding any USDA inspectors who allowed the horrific treatment of animals in that plant, the USDA develop regulations establishing minimum requirements for ritual slaughter, as other developed countries have already done. We ask that these new regulations include the following:

**A strict prohibition on any dismembering or dressing procedure before an animal is dead**

Dismembering animals while they are still conscious is a violation of the HMSA and causes extreme pain and suffering. This means that it can *never* happen. Yet slaughterers at AgriProcessors were caught on tape, repeatedly ripping out the tracheas and esophagi of fully conscious animals just moments after the ritual cut (*shechitah*) and leaving the animals to suffer on the kill floor with internal organs hanging from



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their necks as they desperately tried to right themselves. Dr. Temple Grandin, who serves as an advisor to the USDA, reviewed the AgriProcessors footage and concluded: “To provide an acceptable level of welfare ... animals MUST be allowed to become fully insensible after *shechitah* before any dressing procedure is done.”

Adding a regulation that explicitly prohibits dismembering or any dressing procedure before an animal is dead will reinforce to plants operating under a ritual-slaughter exemption that the HMSA requires loss of consciousness before any further processing is conducted. If loss of consciousness does not occur immediately and as a direct result of *shechitah*, additional steps must be taken to ensure that no animal will be dismembered while still conscious. While this requirement should be obvious to producers based on the current language of the statute, the fact that AgriProcessors has willfully ignored the requirement indicates that other producers may well be doing the same. A regulation will crystallize this basic requirement of the HMSA.

### **A requirement that animals who remain conscious for an extended period of time be immediately rendered unconscious**

As the AgriProcessors footage shows, animals at the plant experienced prolonged pain and suffering after the ritual throat-cutting. They often remained conscious while their tracheas and esophagi were ripped from their bodies and for minutes after that. Such prolonged suffering could be prevented by requiring operators to use a captive-bolt gun—or another approved stunning method—on animals who display consciousness for more than 15 seconds. This is more than enough time for an animal to become unconscious if the ritual cut is performed properly. According to Dr. Grandin and Dr. Regenstein, “Calm cattle will usually collapse within 10 to 15 seconds [of *shechitah*].” Dr. Grandin also reports that kosher slaughterhouses in Canada stun animals who remain conscious for more than 15 seconds after *shechitah* to prevent prolonged suffering.

Gary Dahl, representative of the USDA federal meat and poultry inspector’s union (American Federation of Government Employees), agrees. After viewing the AgriProcessors footage, Mr. Dahl commented that animals who remain conscious for an extended period after the ritual cut “should be desensitized through a knocking procedure.”

### **A requirement that animals remain upright at all times in restraining devices used for ritual slaughter**

Experts in ritual slaughter agree that the act of turning conscious animals upside-down for throat-slitting causes great stress, as evidenced by the cries of animals inside the rotating restraining device in the AgriProcessors footage. The resulting noise from the frightened animals makes it almost impossible to determine whether the ritual cut is performed properly and whether the requirements of HMSA are being followed. In pens that hold cattle securely in an upright position, there is relative calm and quiet so that the slaughterer and others can easily tell if there is a misstep during the ritual cut.

During a conference earlier this year, Dr. Joe Regenstein, professor of food science and head of Cornell University’s Kosher Food Initiative, argued that turning an animal upside-down during

slaughter is unacceptable and cited a study by Rushen showing that animals exhibit much less distress when confined in an upright restraint. The American Meat Institute has also issued guidelines indicating that animals should be kept in an upright position during ritual slaughter for welfare reasons. Humane ritual-slaughter regulations in the United Kingdom require that all cattle be kept in an upright position at all times in an approved restraining pen during ritual slaughter.

### **A requirement that animals be held inside the restraining device until they are fully unconscious**

The footage from AgriProcessors shows that conscious animals were dumped from the restraining device onto the kill floor where they often hit their heads on bloody concrete and repeatedly slipped while struggling to their feet. Animals are shown writhing in pools of blood and violently thrashing against equipment. Experts agree that keeping animals inside the restraining device until they are unconscious can prevent this and reduce suffering. Humane ritual-slaughter regulations in the United Kingdom require that cattle remain in restraining devices until they are unconscious and for at least 30 seconds after bleeding.

The USDA should implement a similar requirement to improve welfare and ensure that animals suffer loss of consciousness via anemia of the brain from the ritual cut—as required by HMSA—without the needless additional pain and suffering that occurs when they are prematurely released from the restraining device. According to the representative of the USDA federal meat and poultry inspector’s union, “With excessive thrashing and with exposed wounds, and being that the floor contains contaminants such as pathogens from the hides to include fecal contamination such as salmonellas and *e.coli*, [this] is a concern from a food safety perspective.”

### **A new FSIS directive to ensure training in ritual slaughter**

This case illustrates the urgent need for greater monitoring by FSIS inspectors for signs of consciousness during ritual slaughter, as well as the need for a full-time inspector on the kill floor to properly enforce the HMSA. The fact that this plant was allowed to routinely use such horrifically cruel methods during the seven weeks of our investigation, while there was presumably an inspector present, proves that there is something terribly wrong with the inspection system. We possess statements from people who were in the plant from 1996 onwards that indicate that all the practices that we documented have been going on since at least 1996. Inspectors should be properly trained to spot signs of consciousness so that they can effectively enforce the HMSA.

There are a set of scientifically acknowledged indicators of consciousness (references are available upon request), such as walking, standing, righting reflexes, eye blinking, vocalization, and rhythmic breathing, which should have served as warning signals that animals weren’t being slaughtered according to the principles set forth in the HMSA. It is crucial that an FSIS directive be issued to help train inspectors to recognize signs of consciousness and remind them that the HMSA *must* be enforced every time an animal demonstrates prolonged consciousness after a ritual cut is performed. This is not negotiable, and religious slaughter is not exempt from the

requirement that animals be rendered unconscious without delay. This must be made clear to all USDA inspectors and strictly enforced by those inspectors without hesitation.

The results of our investigation into this kosher slaughterhouse demonstrate the urgent need for stronger regulations for ritual slaughter. Specifically, new regulations should be issued that reinforce the existing requirement that animals can never be dismembered alive and that require that animals always be kept upright until they are unconscious, never be moved out of a restraining device until they are unconscious, and that they be rendered insensible to pain via a stunning procedure if they remain conscious for more than 15 seconds.

Given that all these principles were violated at AgriProcessors while inspectors were present, there is an urgent need for a directive reviewing signs of consciousness and reminding inspectors that the HMSA also applies during ritual slaughter. The only way to truly ensure that FSIS doesn't allow similar cruelty to occur at this or other plants in the future is to assign full-time inspectors to the kill floor to enforce the HMSA.

May we hear from you about adopting our recommendations? I can be reached at 757-962-8342.

Sincerely,

A handwritten signature in black ink that reads "Bruce Friedrich". The signature is written in a cursive, flowing style.

Bruce Friedrich  
Director of Vegan Campaigns