

Brussels, 2nd December 2013
UECBV Ref: 4525

RE: Conference “Poland outside the EU law. Slaughter without stunning – the conflicts of law, religion and free market”

27th November 2013, 16:00-17:30 – European Parliament



Mr Jarosław Kalinowski, MEP, together with the Polish Meat Association, organised a conference in the European Parliament, “Poland outside the EU law. Slaughter without stunning – the conflicts of law, religion and free market”.

Special guest speakers were:

- **Prof. Dr hab. Chmaj** – Chmaj & Partners Legal Adviser Chancery
- **Mr Choiński** – President of the Polish Meat Association
- **Ms Podniewska** – Appointed Agent of the “Mokobody” Meat Company
- **Mr Miśkiewicz** – Muslim Religious Association of Poland
- **Rabbi Margolin** – General Director of the European Jewish Association
- **Mr Szyszka** – Polish farmers’ association

Mr Kalinowski, MEP, welcomed everybody and thanked the president of the Polish Meat Association, Mr Choiński, for the organisation. Then, he introduced the different panellists, as well as the “history” of ritual slaughtering in Poland:

- In 1997, ritual slaughter was included into Polish legislation: the stunning of animals was required, except in case of ritual slaughtering;
- In 2002, the exception was deleted;

- In 2004, a derogation which permitted ritual slaughtering was re-added to the legal act.
- Last year, the derogation was deleted again and a note stating that the ritual slaughtering was not permitted anymore was sent to the European Commission.

In 2009, the Regulation (EC) 1099/2009 was approved and it entered into force on 1st January 2013. The Regulation refers to the welfare of animals during slaughter and includes derogation in case of ritual slaughter.

Moreover, Article 9 of the European Convention on Human Rights guarantees the freedom of thought, conscience and religion.

Poland, in particular, faces an economic and social issue.

Last year, Poland exported beef and poultry meat obtained from ritual slaughter for a huge amount of money, which was reinvested in jobs, in these times of crisis.

Out of last year's production, 20-30% of revenues were lost.

Mr Choiński took the floor. He stated that the Polish Meat Association had discussed a lot with the Polish government to complain on this issue.

The Polish Meat Association is now in contact with the Polish Poultry Producers Union, as well as with the Jewish and Muslim communities, in order to "solve" the issue. Unfortunately, there is no other way to raise the issue in Poland anymore.

Companies took years to gain the market and lots of jobs were now lost.

The amount of companies / cattle holdings damaged by the ban was 8,000, with 5,000 employees / workers having to be fired.

Mr Chmaj explained that, in Article 4.4 of Regulation 1099/2009, the requirements to stun animals do not apply to ritually slaughtered animals.

Member States can decide to be stricter, but total ban is another issue!

The Polish Ministry of Agriculture wrote to the European Commission that there are already animal protection laws applicable in Poland, but the ban of ritual slaughter in Poland does not observe the Polish constitution which foresees the freedom of religion.

As the Regulation 1099/2009 can be transposed directly in Poland, the request of Mr Chmaj to the Commission is to intervene directly with the Polish government. Muslims and Jewish should be able to freely practice their religion in Poland.

Mr Miśkiewicz stated that the right to practice the religion had been guaranteed by Polish constitution from 1936, but now the Muslim community cannot properly practice their religion and cannot obtain their meat even if the Regulation 1099/2009 guarantees that right.

What the Muslim community asks is a proper enforcement of the Regulation and stricter sanction, but not complete ban.

The ban in Poland clearly limits the freedom of religion as described in Article 9 of the European Convention on Human Rights.

Rabbi Margolin highlighted that ritual slaughter was the first thing which was banned from Germans to the Jewish community.

For the Jewish law, there are animal rights to comply with, for example feeding the animals first thing in the morning.

As a reminder, one of the most common stunning methods is the use of penetrative captive bolt, but over 10% of the animals are not properly stunned with this method.

The 1% of kosher animals will never reach the 10% of improperly stunned animals.

For the Jewish community, it is crucial to respect animal welfare and animal rights; therefore, they ask the Commission to focus on human right and freedom of religion.

Ms Podniewska spoke on behalf of farmers, workers and producers.

She stated that Poland was, at the moment, far beyond the EU law. The Polish Parliament was requested to go back on their steps and use more sanctions if the regulation is not properly applied.

Producers and farmers are facing now 50% cuts.

Mr Szyszka stated that, for the first time, he had to stand against his own government.

In the whole EU, 1% of production is used for religious purposes, while in Poland this percentage is 30.

3,000 farmers were able to produce excellent beef, with a very strong demand from the Muslim and Jewish communities.

On 12th July, a small group was able to manipulate the Polish government and now, as a result of the decision taken that day, with the total ban of ritual slaughter, Polish farmers have to complain with the Commission about their government.

From the audience, a Polish producer took the floor, underlining that beef market price, for the time being, amounts to 6 Zlotys, instead of 8 Zlotys. This causes, of course, a continuous loss of money.

AS A REMINDER...

1. List of Member States that do not allow the **religious slaughter without stunning**:
 - Latvia;
 - Sweden;
 - Poland;
 - Slovenia;
 - Finland;
 - Denmark (decision expected in December 2013).
2. On 9th September, Mr Messerschmidt, MEP, together with other MEP colleagues, submitted a [written declaration on labelling of meat and poultry products from ritually slaughtered animals](#).

A written declaration is a text of maximum 200 words relating exclusively on a matter falling within the competence of the European Union.

Written declarations **cannot be considered as an act of the Parliament representing its position**; they can only represent the position of their authors and signatories.

The signature of any Member may be added to a declaration entered in the electronic register and it may be withdrawn at any time before the end of a **period of three months from the entry of the declaration in the register**. In the event of such withdrawal, the Member concerned shall not be permitted to add his or her signature again to the declaration.

In case, at the end of a period of three months from its being entered in the register, a declaration is signed by a majority of Parliament's component Members, the President shall notify the Parliament accordingly. Without binding Parliament, the declaration shall be published in the minutes with the names of its signatories.

On 5th November, Mr Morten Messerschmidt, MEP, called for a public meeting and the meat industry was represented by UECEV in the person of its Secretary General, Mr Jean-Luc Mériaux.

The deadline to sign the Mr Messerschmidt's written declaration is 9th December. Therefore, it is crucial for all UECEV members to contact their National Authority and MEPs to convince them NOT to sign the declaration.