

Stop boiling crustaceans alive

Y Pwyllgor Deisebau | 4 Chwefror 2020
Petitions Committee | 4 February 2020

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Petition Number: P-05-937

Petition title: Stop boiling crustaceans alive (lobsters, crabs, crayfish, prawns etc.)

Text of petition: We call on the National Assembly for Wales to urge the Welsh Government to implement greater protection for crustaceans and to ban the cruel practice of boiling lobsters, crabs crayfish, prawns etc alive.

Zoologists have found that, unlike humans, lobsters and other crustaceans DON'T have the ability to go into 'shock,' so when they are plunged into a pot of BOILING water, their suffering is prolonged. When other animals, including humans, experience extreme pain, their nervous system shuts down as a coping mechanism. Scientists have found that it takes lobsters & crabs up to 45 seconds to die when plunged into a pot of BOILING water (something which would be considered completely unacceptable in a vertebrate animal like a cow or a pig). To give this perspective, if they are dismembered their nervous system can still function for up to an hour.

The Animal Welfare Act is designed to protect animals on the understanding that sentient creatures can feel pain and we have a moral duty NOT to cause suffering.



The Act makes it an offence to cause unnecessary suffering to any animal, both in their keeping and at the time of slaughter. It means that people or organisations who neglect or abuse 'protected' animals can be prosecuted. 'Farmed animals', fish and reptiles are all protected under this Act. However, invertebrates such as crabs and lobsters, crayfish & prawns are not.

Moreover, live crustaceans have been found for sale awaiting their fate on ice trays, packaged and bound tightly in tanks or plastic to be slaughtered at home by the customer. It is considered an act of animal cruelty to boil a lobster alive in Switzerland. The Swiss now need to stun or kill animals before boiling them and lobsters can't be kept alive on ice.

Extend the Animal Welfare Act 2006 to include crustaceans including Lobsters, crabs, prawns & crayfish etc.

1. Background

“Decapod crustacean” is a term for species of crustacean including lobsters, crabs, crayfish and prawns. In the UK there are no guidelines or legislation on the humane slaughter of decapods. Decapods can be sold live for killing at home or in food establishments. Killing can include a range of methods including live boiling, chilling in a freezer (before live boiling), freshwater drowning, dismemberment, electrocution to stun (before cooking), or by mechanical methods to sever nerves.

In October 2015, UK [news outlets](#) reported that a supermarket in the UK was selling live crabs immobilised in shrink wrap.

A number of welfare issues have been identified for decapod crustaceans in the food industry - including certain killing methods. Live boiling, chilling in a freezer before boiling, freshwater drowning and live carving/dismemberment are cited by campaign group [Crustacean Compassion](#) as inhumane slaughter methods. In reference to live boiling, it cites evidence from [Roth and Øines](#) (2010) which estimates that an edible crab boiled alive may remain conscious for at least three minutes.

A [Change.org petition](#) calling for crustaceans to be included in animal welfare legislation has collected around 50 000 signatures.

1.1. Animal Welfare Legislation

The *Animal Welfare Act 2006* defines an animal as a “vertebrate other than man”. This means that invertebrates such as crabs and lobsters are not covered by the legislation. However, the Act contains a provision under section 1 (3)(4) that appropriate national authorities may “extend the definition of ‘animal’ so as to include invertebrates of any description...if the authorities are satisfied, on the basis of scientific evidence, that animals of the kind concerned are capable of experiencing pain and suffering”.

At the time the Animal Welfare Act came into force, the UK Parliament’s Environment, Food and Rural Affairs Select Committee recommended the inclusion of crustaceans, but the UK Government at the time declined – citing the need for more evidence.

However, in 2005 the European Food Safety Authority classified decapods as Category 1 animals “where the scientific evidence clearly indicates that...animals in those groups are able to experience pain and distress”.

Decapods are also not protected by the Welfare of Animals at the Time of Killing (WATOK) legislation in the UK.

In December 2017, when the UK Government announced that a consultation would be held on a proposed Animal Welfare (Sentencing and Recognition of Sentience) Bill, lobbying groups made the case for decapod crustaceans to be included within the legislation. At the time of writing the Bill has not progressed, and the UK Government has said it will bring forward legislation “as soon as parliamentary time permits”.

1.2. Research

Crustacean Compassion is an organisation that campaigns for the humane treatment of decapod crustaceans. It produced a briefing outlining its position and supporting evidence. The briefing includes reference to the work of Professor Robert Elwood at Queen’s University Belfast. His team’s research focused primarily on distinguishing between nociception (a simple reflex response to a harmful stimulus) and an aversive, felt experience of pain. The research looked at physiological responses, protective reflexes, biological structures and behaviour in crustaceans. The briefing says that the results of the research showed that decapods displayed behaviour that indicated they were experiencing a painful

stimulus, rather than displaying a reflex response ([Elwood and Appel 2009](#); [Elwood 2012](#); Appel and Elwood 2009a, [2009b](#); [Magee and Elwood 2013](#); [Magee and Elwood 2016](#)).

Crustacean Compassion also produced a [technical briefing on crustacean sentience and welfare](#) for the UK Government.

1.3. Where are decapods protected?

There are a number of countries around the world where decapods are protected:

- Austria: the *Austrian Animal Welfare Act (2004)* protects crustaceans under national husbandry guidelines. Crustaceans must be stunned before killing;
- New Zealand: an Animal Welfare Act in 1999 changed the definition of animals in New Zealand's *Animal Protection Act (1960)* to cover crabs, lobsters and crayfish;
- Norway: the *Norwegian Animal Welfare Act (2010)* provides legal protection for decapods, including their killing, confining and transport;
- Switzerland: decapods are protected by the *Animal Welfare Ordinance (2008)*. As of March 2018, decapod crustaceans must be stunned prior to slaughter. They also receive protection during transport, with a requirement that they be kept in a natural environment;
- Australia: in Australia, animal welfare is legislated at a state level. Decapod crustaceans have been included in animal welfare legislation in Victoria since 1997, New South Wales since 1998, the Northern Territory since 1999, Queensland since 2001, and the Australian Capital Territory since 2000; and
- Italy: in 2007 Italy's highest court ruled that lobsters must not be kept on ice in restaurant kitchens because it causes them unacceptable suffering. The province of Reggio Emilia has banned the practice of boiling lobsters alive.

1.4. Humane killing

Crustacean Compassion say that it is both practically possible and commercially viable to kill decapod crustaceans humanely. It also believes that the slaughter of decapod crustaceans should only be carried out by trained and licensed professionals and in accordance with statutory guidelines. It says live animals should not be sold to consumers for home killing, as their welfare can be severely compromised during transport, storage and slaughter. [In its report](#), Crustacean Compassion outlines a number of methods of humane killing:

- Electrical stunning: evidence suggests that this method renders edible crabs unconscious within one second and causes them no additional measurable stress above that caused by handling. Several machines (such as the Crustastun and Stansas) are currently in use by companies including Waitrose, Tesco and Whole Foods; and
- Mechanical methods: this method involves chilling, followed by the mechanical destruction of the nerve centre (ganglia) with sharp knife in accordance with the unique biology of each species. These methods may take longer to render a crustacean unconscious, particularly if inexpertly or hurriedly carried out.

2. Welsh Government action

The Minister for Environment, Energy and Rural Affairs, Lesley Griffiths AM, wrote to the Committee on 6 January in respect of this petition. She says:

I understand the scientific evidence indicates crustaceans may feel something akin to pain. However, the definition of pain is yet to be resolved and the evidence to date is sparse.

She goes on to say that the UK Government is considering such practices which may cause unnecessary pain or suffering in marine invertebrates which are not within the scope of the *Animal Welfare Act (2006)*. She says that more scientific efforts should be expended on exploring the issue of pain in invertebrates and that she has asked her officials to stay abreast of scientific developments, and work closely with the other UK Administrations to consider this further.

3. National Assembly for Wales action

There has been no consideration of this issue in the National Assembly for Wales.

Every effort is made to ensure that the information contained in this briefing is correct at the time of publication. Readers should be aware that these briefings are not necessarily updated or otherwise amended to reflect subsequent changes.

