

<http://ou.org/other/5765/shechita2-65.htm>

**“Statement of Rabbis and Certifying Agencies on Recent Publicity on Kosher Slaughter”:  
PETA’s Response**

It would have been interesting to watch as this statement was put together. It is Nixonian doublespeak. Read closely—there is no defense of AgriProcessors and only a general defense of shechitah—there is literally not one thing that PETA disagrees with. The general impression offered, however, is that AgriProcessors is doing no wrong, and *that* is indefensible.

Following are some examples:

**“After the animal has been rendered insensible, it is entirely possible that it may still display certain reflexive actions, including those shown in images portrayed in the video. These reflexive actions should not be mistaken for signs of consciousness or pain ...”**

There is no question that this can happen, but it will *never* involve blinking, head righting, reaction to stimuli, or attempting to stand. Fully one-quarter of the animals in our sample, over seven weeks, were still conscious—these are not just the animals who showed mechanical kicking; these are animals who are unquestionably conscious.

This has not been denied by the OU and cannot be denied tenably because it is physiologically true. Neither the OU nor Rubashkin can find a single veterinarian or other expert to defend the plant: The only defenders are on Rubashkin’s payroll and have no veterinary or physiological credentials.

**“There may be exceptional circumstances when, due to the closing of jugular veins or a carotid artery after the shechita cut, or due to the non-complete severance of an artery or vein, the animal may rise up on its legs and walk around.”**

“Signs of life”? They are alive and fully conscious and in the same amount of physical agony that a human being would be in under the same circumstances. A steer, just like any mammal with the same pain mechanism as ours, feels having his throat cut open. Beyond that, this is a routine occurrence at AgriProcessors, going back at least nine years and probably longer.

**“[E]ven such an event would not invalidate the shechita if the trachea and esophagus were severed in the shechita cut.”**

True, but at AgriProcessors, to quote the Chief Rabbinate of Israel: “[H]e did not cut one of the jugular veins, so blood is still flowing. That’s another reason for not accepting that shechita. It looks as though the animal wasn’t slaughtered properly.” Our



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very contention is that so many animals are still conscious more than 30 seconds after shechitah because the shochets are not slaughtering them correctly. If they were, 25 percent of the animals would not still be conscious when they hit the concrete. It's hard to imagine that these rabbis are going to suggest that properly performed shechitah allows a quarter of animals to continue to be conscious for more than 30 seconds.

**“With the act of shechita, it is common to cut the carotid arteries, a practice designed to facilitate bleeding and accelerate unconsciousness. Excision of the trachea, however, is not common practice.”**

Rabbi Edelstein told me that he'd never seen anything like it. So did Drs. Grandin, Friedlander, and Cheever. So did everyone else we could find. Sholom Rubashkin, on the other hand, says it is “the Shechita process in its full glory.” So it may be “not common,” and it's certainly “especially inhumane” (Rabbi Weinreb), but it also happened to every single animal at AgriProcessors for years and years—hundreds of thousands of animals had their tracheas and esophagi ripped out while they were still fully conscious, all on the OU's watch.

**“We reaffirm our commitment to the Jewish mandate of avoiding ‘tzaar baalei chayim,’ unnecessary pain to any creature. We reiterate that the shechita process embodies this very mandate. We rededicate ourselves to the ongoing responsibility of ensuring strict compliance with all religious and federal laws governing kosher slaughter.”**

This is a little hard to take when coupled with the defense of the meat from AgriProcessors as kosher and the early defense of this plant (the claim that animals who are walking are not conscious) by Rabbis Belsky, Kohn, and Genack.

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**“Message From Rabbi Dr. Tzvi Hersh Weinreb, OU Executive Vice President, and Rabbi Menachem Genack, OU Kashrut Rabbinic Administrator”:  
PETA's Response**

### **The Good**

If the OU, as it says, “will strive to the best of our ability to see to it that animals are treated humanely and to see that, at all the plants we supervise, any halachically unnecessary practices which may be seen to be objectionable, are ceased,” then it will agree to make the changes that we're requesting, which are the barest of bare minimums, where humane treatment is concerned, and will mean the following:

- 1) Electric prods will be prohibited.
- 2) All shochets will be trained in humane handling, in order to create a calmer atmosphere for the animals. The cacophonous din in this place is unacceptable and terrifying.
- 3) The OU should explicitly recognize and train shochets (slaughterers) in the physiological signs of consciousness in cattle—blinking, bellowing, standing, rhythmic breathing, and attempting to right one's head—to ensure that no conscious animals are touched or moved

until they are unconscious. Note that this means that animals must be kept in the restraint until they are unconscious.

- 4) Animals should not be turned upside-down before their throats are slit—Rabbi Weinreb has stated to *The New York Times* that the OU prefers the ASPCA kosher slaughter pen. Based on the OU’s statement (prohibition of “any halachically unnecessary practices which may be seen to be objectionable”), the ASPCA pen must be required and the upside-down pen eliminated.
- 5) All equipment must be inspected to ensure that it is not harming animals (e.g., conveyor belts should not trap chickens and break their legs).
- 6) The horrific practices of the Rubashkin plant in Uruguay that supplies the Postville plant should be immediately subjected to identical requirements.
- 7) All OU-approved plants should be supplied with these precise regulations and all certifying rabbis trained in these strictures.
- 8) To ensure compliance, considering Mr. Rubashin’s intransigence, it is essential that Dr. Temple Grandin (or someone of her impeccable credentials) be granted access (paid by the OU or AgriProcessors) to the plant, for periodic unannounced audits.

Also, there is a discrepancy that must be addressed. The OU says, “[A]ny animals that appear to have survived the procedure will be promptly stunned or shot,” and, “From now on, however, when this occurs at AgriProcessors, Inc., the animal will be promptly stunned or shot, so as not to prolong its suffering. Such animals will not be sold as kosher.”

However, AgriProcessors’ PR person, Mike Thomas, told the AP and other media that “changes include giving rabbis who perform the kosher slaughtering ritual a stun gun to knock steers unconscious if they continue to thrash about after their throats have been slit.” This is not possible, of course, as any USDA inspector or other expert can attest. If the animals are thrashing, they cannot be properly stunned—both because the stun gun must be placed precisely on the central forehead and because anyone trying to get near a thrashing steer could be seriously injured. The only way to do this would be to keep the steers restrained until they are unconscious. If still conscious after 20 seconds, they must be, at that point, stunned with a captive-bolt gun, as legally required in the European Union and Australia. If the OU stands by its statement, this must be what was intended, and Mike Thomas must have been incorrect in his presentation to the media.

### **The Bad**

The OU’s statement is rife with contradictions that are clear to anyone who takes a close look. This is not a case of “he said, she said.” This is a case of making pronouncements that the OU cannot defend, perhaps imagining that most people will accept its statements without checking its claims.

- 1) In discussing the seven weeks that our investigator worked at AgriProcessors, the OU suggests that what we captured was “a tiny percentage.” In fact, we have made our entire video available to the USDA. Extrapolated as a representative sample, our video indicates that of 18,000 animals slaughtered, more than 4,000 were still conscious when they hit the concrete floor, more than 30 seconds after shechitah, and thousands struggled to stand. This is a routine and horrific problem, not an exception. Further, we have documented that this has

been going on for a minimum of nine years, representing hundreds of thousands of cattle tortured in the plant.

- 2) The OU argues that AgriProcessors is not unique in having a failure rate in rendering animals insensible. This is a misleading statement: One animal who stands up 30 seconds after his throat has been slit, in any plant—conventional or kosher—would warrant shutting the line down to correct the problem. Although a first-stun success rate of 95 percent is considered acceptable in conventional plants, animals who are missed are required to be immediately stunned again. Drs. Grandin and Friedlander, both experts in kosher slaughter, say they’ve never seen anything like what’s happening at AgriProcessors.
- 3) The implication that the USDA “has found nothing amiss” is categorically false. The USDA dispatched five investigators, and its investigation is active. We are calling for Dr. Lawson’s censure and prosecution, in addition to that of AgriProcessors, precisely because he allowed this horrific cruelty to continue, and we feel that he has no place overseeing slaughter at all.
- 4) The OU states that “several rabbis, in Israel and Europe as well as in the United States, at first commented negatively on the kashrut of this shechita. Almost all of them, including the Israeli Chief Rabbinate, have now said that their initial statements were based on misinformation, and have retracted them.” To our knowledge, not one of them has claimed “misinformation.” None that we’re aware of has retracted. Certainly Rabbi Cohen and Shechita UK have not. *The Jerusalem Post* continues to report on the story but has not indicated any retraction from the Chief Rabbinate. Rabbi Rosen, in Israel, also continues to stand by his statement. No one in the media has been able to find any retractions or claims of misinformation—in fact, just the opposite.

## **Conclusion**

The OU argued for days, in defiance of the physiological fact that a dead animal will not walk, that these walking cattle were dead. They had to know that they were not telling the truth, since these animals walk around, attempt to escape, and respond to stimuli. It is disturbing to see this pattern continued with the OU’s statements about the USDA, rabbis who are opposing the flagrant cruelty at AgriProcessors, and the extent of the cruelty at AgriProcessors.

All this notwithstanding, PETA’s concern is not that the OU present honest or accurate statements on its Web site to the media or the public—that concern is for others to pursue; our concern is that animals stop being tortured. The OU cannot mollify people who oppose cruelty to animals, without explaining, explicitly, what steps are being taken to end the horrific cruelty to animals at AgriProcessors, and those steps will have to include the eight points that we mention above, which are the barest of bare minimums for an organization that presents kosher slaughter in such terms as “painless ritual fashion” and “instantaneous death with no pain to the animal” (*The Kosher Advantage* and *The Kosher Primer*, respectively).