



# The Halal Dilemma

To APSE catering and main contacts throughout the UK.

The provision of Halal meat within school meals is not without controversy. School meal providers have to tread a fine line between satisfying the dietary expectations of a significant section of the community whilst respecting both procurement law and food standards legislation.

## Key points:

- No single defined standard for Halal exists in the UK
- A local authority may specify that animals must be stunned before slaughter within the supply tender
- To favour one accreditation body over another would breach EU procurement law.

## 1.0 Background:

The international market for Halal is worth around £423bn making up approximately 16% of the global food market. Around 1.8 million Muslims live in the UK.

### What does Halal mean, how is it defined and by whom?

**Halal** - Arabic : 'Permissible' : Meat slaughtered and prepared in accordance with Islamic/Sharia law.

**Haraam** - 'prohibited by God, unwholesome, foul'.

The **Qur'an** makes reference to what is prohibited in terms of food and meat. From the verses, Muslims interpret what is Halal and Haraam (leaving scope for differing views).

Elements which are **quite clearly established for Halal slaughter** are:

- Only a permitted and healthy animal/bird can be slaughtered.
- Animal welfare is essential from farm to slaughter.
- The animal must be alive at the point of slaughter.
- Only a Muslim slaughter man using a sharp knife of adequate size can slaughter
- The knife must be cleaned after each cut and sharpened out of sight.
- No animal must be allowed to see another being slaughtered or the blood.

- The wind pipe, gullet, and preferably 2 carotid arteries and 2 jugular veins must be cut in a single action. Slaughter man must audibly recite “**Tsmiyya**” that is Bismillah Allahu Akbar (*‘In the name of Allah, Allah is greatest’*) at the time of doing the **Zibah** (*religious slaughter*).

The Qur'an is also clear as to **what is not permitted:**

- Meat from swine, carrion (dead /rotting carcass), carnivorous animals/birds, and blood.
- Animals that have been sacrificed to other gods.
- Animals that have not been fed on a natural diet.
- Alcohol – in context of meat production - alcohol based cleaners and solvents for hand wash or equipment cleaning.

Pivotal Issue: **Stunning**

- The Qur'an does not expressly forbid stunning (animal must be alive).

This manifests itself with differences of opinion within Muslim communities and consequently there is no single authoritative body in the UK representing a single agreed definition/ standard for Halal. This has led to divided supply options and competing ‘regulatory’ regimes.

## 2.0 Issues for public bodies:

- The UK's legal position on religious slaughter.
- Stunned or not stunned Halal – supply options and animal welfare matters (recent research & views from the RSPCA & FAWC).
- Labelling.
- Possibility for a single supply option that respects both Halal and Non-Halal consumers
- Halal accrediting/regulatory organisations

### Legislation

- EU/UK law requires farm animals to be stunned prior to slaughter.
- Exemption for religious slaughter : Schedule 12 of ***The Welfare of Animals (Slaughter or Killing) Regulations 1995*** (SI 731) Jewish & Muslim.
- Significant meat producing countries such as Denmark (EU) and New Zealand legally mandate pre-stunning even for Halal slaughter.

The ability of the animal to feel pain following stunning is the subject of much debate and academic study and the exemptions to stunning are opposed by organisations such as the RSPCA.

### One supply option for both Halal and Non-Halal consumers

Regulation exists to ensure meats labelled Halal are authentic (Trade Descriptions etc), however there is no legal requirement for **non-Halal** meat to be labelled so, or to be labelled stunned or not stunned at slaughter. It is estimated that 40% of poultry and 30% of lamb consumed in the UK meets Halal specifications. Halal meat is therefore routinely served to non-muslims and this can lead to objections from other faith groups

### Halal meat served to everybody – a simple service solution?

- More than 200 schools use only Halal meat . *LCC FOI request Aug 10.*
- Top councils for Halal-only meat: Tower Hamlets 103; Waltham Forest 44; Westminster 20; Harrow 10; Herefordshire 9; Camden 6; Slough 5; Bolton 3; Surrey 2; Leeds 2; Wandsworth 2, Hertfordshire 2.
- Sports fans are unknowingly being served Halal meat: All beef, chicken and lamb at Wembley, Ascot and Twickenham is Halal.
- Whitbread which owns Costa Coffee shops and Premier Inn hotels said 80 per cent of its chicken is Halal

### Accreditation / Regulation

There is no single agreed standard for Halal therefore no single authoritative UK accrediting body for validating authenticity.

- The World Halal Council (WHC) was established in Dec 99 aiming for an international Halal certification standard.
- There has been an increasing trend for local government departments to take charge of Halal certification as a result of the increasing demand for Halal exports.
- Examples incl: Malaysia, Thailand, Indonesia, Singapore, Philippines and this has added further complications to agreeing a global standard.

Some certification bodies purely address the religious authenticity of the products/production and not food safety i.e., BRC/STS/SALSA .

The UK has in excess of 20 different Halal certification bodies. Some permit the use of stunning while others (Halal Monitoring Committee and the Muslim Council of Britain) firmly reject such practice. By way of example:

	<b>Halal Food Authority (HFA)</b>	<b>Halal Monitoring Committee (HMC)</b>
<b>Status</b>	Not for profit	Not for profit
<b>Established</b>	1994	2003
<b>Coverage</b>	UK	UK
<b>Labelling</b>	Yes	Yes
<b>Inspection / Monitoring</b>	Annual licence with unannounced inspections	Employment of a HMC Monitor – continuous 24/7

Stunning permitted?	Yes	No
<b>Approved outlets (excludes restaurants &amp; takeaways)</b>	20 slaughterhouses, 21 food processors	25 butchers in the NW, other regions also except Scotland & Ireland at present.
<b>Schools</b>	n/a	3 certified schools in Blackburn

### European Halal Development Agency (EHDA)

The EHDA launched the European Halal Standard (EHS) in 2009:

- Audit incorporates food safety as well as Halal authenticity so is akin to BRC & EFSIS (European Food Safety Inspection Service).
- Third party qualified food technologists audit - not the EHDA themselves.
- The EHS allows for both stunned or non-stunned slaughter provided there is clarity in labelling.
- Relatively new standard uptake/popularity has yet to be established

### 3.0 Defining a defensible procurement solution:

Local authorities are often forced to balance potentially conflicting requirements for the supply of Halal food.

The school meal provider should ensure that they fully understand their customer base (religious diversity) and the religious food requirements of those customers. They should also ensure that they understand the sensitivities around slaughter (stun vs non-stun). Research conducted in schools by APSE's best value consultancy uncovered cultural misunderstandings around food handling that inadvertently led some pupils to reject meat that they considered no longer Halal

Be fully aware of existing supply arrangements:

- Current purchases - religiously/Halal slaughtered whether or not labelled Halal?
- Media attention & FOI requests.
- Your supplier should have full traceability on the products and be able to advise if the product is Halal (stunned or not).
- Cross reference policies i.e., ethical purchasing policies; free range eggs, or farm assured meats. Take care not to disregard the likely concerns of non-Muslim communities, or create inequalities (*fresh/frozen*).

Understand the statutory/legal obligations as a public body:

- To achieve Best Value (Local Government Act 1999)
- To comply with the Public Contracts Regulations 2006

- SLAs and consultation with regional Council of Mosques
- Obligation to provide school meals that are nutritionally beneficial.

## Tendering

A local authority (LA) **cannot** specify a restrictive Halal standard (either by reference to a non-mainstream accreditation or by prescribing in detail the slaughter/ production methodology). To do so would lead to a high risk of challenge for distorting/restricting competition and discriminating against other Halal accreditations.

An example which arguably distorts competition and is likely to fail to achieve Best Value is to mandate no-stunning when it is known the majority of Halal slaughters in the UK employ stunning. An Halal procurement exercise should ideally be opened up to the whole of the Halal accredited market (and not to one specific standard).

The LA **can** however specify that the product is identifiable as Halal (labelled) but cannot specify which particular label (would have *to state 'or equivalent'*).

A contracting authority **may** lay down special conditions relating to **social** and **environmental issues** provided:

- they relate to the performance of the contract
- **or for goods** – the characteristics, performance **or production process**
- they're compatible with EU law (equality, non-discrimination etc)
- they're advised in the contract notice or specification.

If a LA was opposed to non-stunned slaughter then it is permissible to mandate stunned slaughter in a tender because this is the desired method under the EU directive:

So to mandate stunning:

- Would not distort competition as most Halal slaughters in the UK employ stunning.
- Just as it is permissible to specify 'free range' when it comes to eggs, the requirement of stunning relates to the 'production method'.

Interestingly the Food Standards Agency was unable to find any justification for favouring a particular definition of Halal and their stance remains that unless the particular Muslim community to be served can demonstrate that certain forms of Halal conflict with Sharia Law then all should be allowed.

## 4.0 APSE Comment

APSE cannot give an opinion as to what sort of Halal is the correct sort of Halal and it would be inappropriate for us to do so. Until a widely agreed standard emerges, local authorities should not specify a particular accreditation body in a tender document.

Again it is not for APSE to specify whether animals should be stunned before slaughter, however it is right that individual authorities determine their own ethical policy on the subject and that their procurement of Halal meat reflects this.

It has to be remembered that whatever local agreements exist on procurement of food with sections of the community, contractual terms are automatically void if they conflict with national or EU procurement law.

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