



Press and Information

Court of Justice of the European Union

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Judgment in Case C-497/17

Œuvre d'assistance aux bêtes d'abattoirs (OABA) v Ministre de l'Agriculture et de l'Alimentation, Bionoor, Ecocert France, Institut national de l'origine et de la qualité (INAO)

The Organic production logo of the European Union cannot be placed on meat derived from animals that have been slaughtered in accordance with religious rites without first being stunned

Such a practice fails to observe the highest animal welfare standards

In 2012, the French association Œuvre d'assistance aux bêtes d'abattoirs ('OABA') submitted to the Ministre de l'Agriculture et de l'Alimentation (French Minister for Agriculture and Food) a request for a ban on the use of the 'organic farming' indication in the adverts for and on the packaging of minced beef patties certified 'halal' from animals slaughtered without pre-stunning.

The certification body concerned, Ecocert, implicitly refused OABA's request, and the first instance court with jurisdiction subsequently dismissed the application brought before it by OABA.

The Cour administrative d'appel de Versailles (Administrative Court of Appeal, Versailles, France), hearing the appeal, asks the Court whether the applicable rules of EU law deriving from, inter alia, the Regulation on organic production and labelling of organic products,¹ its Implementing Regulation² and the Regulation on the protection of animals at the time of killing³ must be interpreted as permitting or prohibiting approval of the 'use of the European "organic farming" label' in relation to products derived from animals which have been slaughtered in accordance with religious rites without first being stunned.

The Court finds that the EU legislature declares on several occasions in the legislation at issue its desire to observe a high level of animal welfare in the context of that production method, which is consequently characterised by the observance of enhanced standards with regard to animal welfare in all locations and at all stages of production where it is possible further to improve that welfare, including during slaughter.

The Court recalls that scientific studies have shown that pre-stunning is the technique that compromises animal welfare the least at the time of killing.

The Court goes on to note that the practice of ritual slaughter as part of which an animal may be killed without first being stunned, which is authorised by way of derogation in the European Union and solely in order to ensure observance of the freedom of religion, is insufficient to remove all of the animal's pain, distress and suffering as effectively as slaughter with pre-stunning, which is necessary to cause the animal to lose consciousness and sensibility in order significantly to reduce its suffering.

¹ Council Regulation (EC) No 834/2007 of 28 June 2007 on organic production and labelling of organic products and repealing Regulation (EEC) No 2092/91 (OJ 2007 L 189, p. 1).

² Commission Regulation (EC) No 889/2008 of 5 September 2008 laying down detailed rules for the implementation of Council Regulation (EU) No 834/2007 on organic production and labelling of organic products with regard to organic production, labelling and control (OJ 2008 L 250, p. 1).

³ Council Regulation (EC) No 1099/2009 of 24 September 2009 on the protection of animals at the time of killing (OJ 2009 L 303, p. 1).

The Court points out, in that regard, that, while slaughter without pre-stunning requires an accurate cut of the throat with a sharp knife to minimise the animal's suffering, the use of that technique does not, however, allow any suffering to be kept to a minimum.

Therefore, the Court concludes that particular methods of slaughter prescribed by religious rites that are carried out without pre-stunning are not tantamount, in terms of serving a high level of animal welfare at the time of killing, to slaughter with pre-stunning which is, in principle, required by EU law.

Finally, the Court points out that the objective of the EU's rules on the labelling of organic products is to maintain and justify 'consumer confidence in products labelled as organic' and notes that it is important to ensure that consumers are reassured that products bearing the Organic logo of the European Union — which is, in fact, the logo that the referring court is referring to — have actually been obtained in observance of the highest standards, in particular in the area of animal welfare.

Consequently, the Court finds that the rules of EU law do not authorise the placing of the organic production logo of the European Union on products derived from animals which have been slaughtered in accordance with religious rites without first being stunned.

NOTE: A reference for a preliminary ruling allows the courts and tribunals of the Member States, in disputes which have been brought before them, to refer questions to the Court of Justice about the interpretation of European Union law or the validity of a European Union act. The Court of Justice does not decide the dispute itself. It is for the national court or tribunal to dispose of the case in accordance with the Court's decision, which is similarly binding on other national courts or tribunals before which a similar issue is raised.

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The [full text](#) of the judgment is published on the CURIA website on the day of delivery.

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