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Animal Welfare Standards Public Consultation  
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**Animals Australia submission to the public consultation  
on the  
Australian Animal Welfare Standards and Guidelines – Cattle (Edition One)**

Animals Australia appreciates the opportunity to provide comment on these important Standards and Guidelines (S&Gs). We will do so by way of 'General comments' first, then 'Specific comments' on the proposed Standards (and some Guidelines), followed by reiteration of our view on of the Option C issues.

**General Comments**

**The Survey**

We have not made comment using the online Survey tool, nor encouraged others to do so as we believe answers could be easily misinterpreted. Firstly, the survey often uses 'leading' questions, and secondly it asks more than one question in each. This contravenes proper survey question standards and makes the outcomes statistically skewed and flawed.

For e.g. Question 7. ***Will S3.1 - "A person in charge must take reasonable actions to ensure the welfare of cattle from threats, including extremes of weather, drought, fires, floods, disease, injury and predation", help protect the welfare of cattle?*** This is a double-barrelled question; to answer 'Strongly Agree' is likely to be interpreted as the person believes that protecting animals from such threats is important, and that the introduction of this Standard will achieve this.

In our view it is likely the person may only be responding to the welfare 'issue', the threat from weather extremes, predators, injuries and the like, and not its compliance/enforcement possibilities. Given that this Standard includes the subjective term 'reasonable' and no further detail; it is highly unlikely to be able to be enforced. It is more likely that existing State and Territory animal protection legislation would be used in circumstances of animals negligently being left in harm's way such that they suffer – and thus the introduction of this Standard will in itself not further 'help protect the welfare of cattle'. The survey questions may assist to poll respondents on their thoughts in regard to the importance of various welfare issues and the responsibility of carers, but the interpretation of the results are likely to be less than helpful, if not misleading, in regard to the likely effect of these Standards if introduced.

We are not in a position to provide input to the 'consultation' questions relating to the numbers of cattle subjected to various practices.

## Process

Animals Australia remains concerned that the current AHA-led review process has failed (in this current draft) to deliver many overdue and significant changes to the current unacceptable status quo in regard to welfare standards for cattle and sheep kept commercially in Australia.

As with the Land Transport Standards and Guidelines (S&Gs) review process, our concern relates both to the disregard for sound scientific evidence and obviously painful and cruel practices, and a decision-making process that effectively accepts industry arguments that change is not possible or affordable. The Standards Writing Group delivered a number of 'Discussion Papers' which included scientific references, but that information appears to have played little or no effective role in the Standards draft delivered. Further, the review process to date has failed to give due regard to community standards and has not recognised the clear threat to market access for unacceptable practices and thus products.

## Issues

As indicated, many of the Standards include subjective words rather than enforceable minimums. An example (further to the threats questions above) is *S3.2 A person in charge must ensure the inspection of cattle at intervals, and at a level appropriate to the production system and the risks to the welfare of the cattle.* [Our emphasis]

Without some quantifiable minimum inspection interval being provided for different farming systems/situations, such Standards are not enforceable, and thus existing State/Territory animal welfare laws are likely to remain the primary 'safety net'; the unacceptable status quo in regard to many key issues.

Further in regard to language used in the proposed Standards - terms such as 'reasonable' and 'acceptable' and 'appropriate' and 'intervals' etc, lack enforceability and clarity. These terms which are used extensively in the proposed Standards fail to provide a definitive and measurable outcome. Ambiguous standards are not enforceable, and therefore serve no purpose. In the absence of a definitive and measurable standard, many of these provisions will be redundant.

In cases where strict definition is difficult, a 'minimum' standard that is measurable and enforceable must at least be stipulated, which must provide scenarios by way of: "includes, a/b/c...etc". The 'includes' list would not have to be exhaustive and would at the least assist with understanding the intent of that Standard. Experience in cruelty cases has shown that prosecutors have had to resort to Hansard and expensive expert evidence to achieve the most basic evidentiary burden in animal cruelty prosecutions relating to weak and unenforceable Codes of Practice and Standards/Guidelines.

For example, a recent RSPCA SA case in 2012 against a cattle farmer that left his stock unattended for some months. One charge related to an untreated cancer eye that had eaten into almost a quarter of the cow's face, and another related to the death of a cow and her calf during calving. The Code of Practice provided little guidance to what was acceptable supervision in this regard. The prosecution needed to engage the evidence of a professional musterer, a visit by the entire Court staff and both sides of the legal team to the "scene of the crime" and arduous arguments about Hansard and the like: all had to ensue to prove the point that animals should be supervised more than once per 3 months and that any stock should be supervised more than once per 3 months if they are held on a remote property.

The Regulatory Impact Statement (RIS) (at page 21) indicates the need for Standards that will address the current 'regulatory failures' of the Model Code – implying that this Draft

Standard will fill that vacuum. The RIS correctly lists some of the current deficiencies; the inadequate control of dogs, electro-immobilisation, identification and branding, pain relief during castration, disbudding, dehorning and spaying, heat stress, and euthanasia of calves. It is extremely disappointing then that these draft Standards still fail to provide 'mandatory statements' to effectively address these recognised key welfare matters.

It is evident that there are only a relatively small number of clear mandatory increments – primarily bans on some practices. In almost all those cases the RIS makes it clear that these practices (intended to be banned or limited) are in any event rare. The proposed Standards in these cases are described in the RIS as '**defensive**' Standards – put forward to ensure the practices do not again occur or recommence, and to enable the industry to be able to publicly say they are now illegal or highly regulated. Examples of these 'defensive' Standards include a ban on '*electro-immobilisation as a form of pain relief*' (it is otherwise permitted!), a requirement for electro-immobilisation operators to be trained (the plan is for a one hour '*soft accreditation approach*'), and a ban on branding on the head of cattle (yet it no longer occurs!). None of these will 'cost' the industry greatly (if at all) in regard to adjustment costs.

By contrast, a vast number of unacceptable painful practices will remain – particularly:

- dehorning,
- spaying,
- disbudding,
- castration, and
- branding,

and they will largely not require pain relief at the age these surgical mutilations usually occur, i.e. no actual change for most animals.

Even management practices that have clear alternatives will continue to be allowed, i.e. –

- electro-immobilisation,
- electric prods,
- use of caustic chemicals for disbudding calves,
- calving inductions of dairy cows,
- the single penning of dairy calves, and

unacceptable practices will continue e.g. shotguns can still be used as an aid for helicopter mustering (as long as metal shot is not used), and a person in charge of cattle can strike an animal, as long as it is done in a 'reasonable manner'.

Of great concern is that key systemic responsibility issues such as –

- enforcement of access to food and water,
- provision of shade and shelter, and
- adequate inspection so that health and welfare issues can be dealt with promptly as they arise (and thus reduce suffering) –

have not been effectively addressed by this draft.

### **International Standards**

Whilst the OIE animal welfare Guidelines were established to provide a basic minimum set of international standards - particularly for developing nations and those countries without existing animal welfare legal and enforcement arrangements – it is disturbing to find that these draft Australian minimum cattle Standards are in some respects below those OIE guidelines. Examples are provided in the relevant sections – but the OIE (Terrestrial Animal Health Code) Chapter 7.9 warns of the problems of insufficient roughage in feedlot diets for

cattle, recommends calves be castrated before the age of 3 months (and using the least painful available method), the use of pain relief for spaying, cattle not being driven to the point of distress (rather than 'collapse' as in this draft) and a recommendation against any use of electro-immobilisation. These OIE concerns are not taken on board in the draft.

It is of great concern that the current draft does not provide world leadership in its animal welfare Standards – as is often claimed by the Australian Government and industry. Instead, these draft Standards indicate that in some significant aspects Australian standards for cattle welfare will not even meet these (OIE) international minimums.

## **Enforcement**

As the RIS notes – '*Australia's animal welfare ministers agreed in April 2006 on the need for a nationally consistent approach for the development, implementation and enforcement of animal welfare standards*' (our emphasis). However, in addition to the clear problems of language in the Standards (as above) making it virtually impossible to quantify actual standards (the same issue flagged as a problem with the Model Codes which the S&Gs are replacing) and thus enforce them, the RIS also advises (page 51) that based on input from the States/Territories, there will be '*negligible incremental costs in enforcing the proposed standards compared to the existing code*'. Given this statement, and set against a backdrop of decreasing Government extension and enforcement officers, we can have no confidence that there will be inspection or enforcement of these new Standards and thus any clear increment over the current (unacceptable) level of compliance activity.

Whilst concerned about the variability or dereliction of duty in regard to adequate enforcement of any Standards (existing or new), regardless, we do welcome a number of clear advances, statements of practices that are no longer to be legally permitted, including that –

A person in charge of cattle must not:

- Deliberately dislocate or break the tail of cattle.
- Use metal pellets to wound as an aid to mustering.
- Use an electric prodder on calves less than three months old (this is already the case in some States, but not all).
- Place a permanent brand on the head of cattle (this is already in force in some States, but not all).
- May only tail dock (cut off) a dairy cow's tail on veterinary advice, and then only to treat disease or injury.

Some other increments would also be realised if Option C points were adopted in due course (see our comments at the end of this submission which support that adoption).

## **Reduction in current standards**

In one clear case a draft Standard would likely reduce current welfare safeguards. Electro-immobilisation is banned totally in Victoria (yet would be permitted by these Standards). Both in NSW and Tasmania the use of electro-immobilisation is currently restricted to veterinarians. If the current draft Standard is adopted in these States, a veterinarian would no longer be required - as long as a lay person had received training and accreditation. The suggested training is miniscule – according to AHA, likely to be delivered by the equipment supplier (retailer) as a support service, take around an hour and be accompanied by a 'soft' accreditation process (no independent assessment).

## **The case for higher Standards than are currently proposed in these Standards**

The RIS acknowledges that there are 'market failures' in regards to animal welfare in the cattle industry in the form of *negative externalities (poor animal welfare outcomes), information failure* and the problems associated with animal welfare being a *public good*. Economics demonstrates that when a *negative externality* exists, there are no incentives for producers to internalise (absorb) the full cost of production on society and consequently will produce more than what is socially optimal. The outcome - the animal suffering or cruelty level tolerated by cattle producers will be more than what is optimal for Australian society.

Economics also shows that a *public good*, such as animal welfare, will not be provided at an adequate level by consumers even when it creates a net-benefit, due to the *free rider* problem. Although consumers value animal welfare (and increasingly so), they may free-ride on the purchase of cruelty-free purchases of others and the work of animal welfare agencies believing (perhaps wrongly) that welfare is being adequately addressed. It is for this reason that better consumer information is '*not a practical alternative to welfare standards and guidelines*' – a point acknowledged in the RIS. Without government intervention, animal welfare will not be provided at the level which is optimal for Australian society.

These market failures are not questioned. The RIS acknowledges them. As such, animal welfare will be underprovided by the market. Consequently, there is an obligation for government to rectify the market failure through mandatory regulation. Economics does not support voluntary guidelines; it supports mandatory regulation. There is no incentive for producers to follow voluntary guidelines.

It is this exact argument that supports the Australian government in the implementation of mandatory policies to reduce carbon emissions. As with animal cruelty, carbon emissions place a negative externality on society. One that is inherently difficult to quantify. It has been acknowledged by the Australian government that in order to confront producers with the issue and to accurately reflect the cost of the externality on society, government must regulate for producers to internalise the full cost of production. The argument is no different here.

There is no question on whether mandatory regulation should be imposed. The question raised is which standards should be enforced by regulation. The problem is that the costs and benefits of these regulations are difficult if not impossible to determine. The RIS acknowledges the inherent inability to quantify the costs associated with poor animal welfare outcomes.

When costs are uncertain, and there is a possibility of harm, the precautionary principle should be applied. It is this principle which is often applied in Australian environmental legislation. Under the precautionary principle, doubt creates an obligation to act to prevent possible harm, not an excuse to accept the status quo. A lack of certainty should not be used to oppose mandatory regulation, it should support it. Until the costs of poor animal welfare are proven to be negligible, as a minimum, all variations under Option C should be imposed.

## **Comments on the specific Standards**

### **1 Responsibilities**

S1.1 A person must take reasonable actions to ensure the welfare of cattle under their care.

**Animals Australia comment:**

Whilst such a statement is welcome, its use of the word ‘reasonable’ leaves it to inspectorial and judicial interpretation and is thus unlikely to influence welfare outcomes. It is more likely that existing legislation will be used to cover this broad motherhood statement.

In cases where strict definition is difficult, a ‘minimum’ standard that is measurable and enforceable must at least be stipulated, which must provide scenarios by way of: “includes, a/b/c...etc”. The ‘includes’ list would not have to be exhaustive and would at the least assist with understanding the intent of that Standard. Experience in cruelty cases has shown that prosecutors have had to resort to Hansard and expensive expert evidence to achieve the most basic evidentiary burden in animal cruelty prosecutions relating to weak and unenforceable Codes of Practice and Standards/Guidelines.

For example, a recent RSPCA SA case in 2012 against a cattle farmer that left his stock unattended for some months. One charge related to an untreated cancer eye that had eaten into almost a quarter of the cow’s face, and another related to the death of a cow and her calf during calving. The Code of Practice provided little guidance to what was acceptable supervision in this regard. The prosecution needed to engage the evidence of a professional musterer, a visit by the entire Court staff and both sides of the legal team to the “scene of the crime” and arduous arguments about Hansard and the like: all had to ensue to prove the point that animals should be supervised more than once per 3 months and that any stock should be supervised more than once per 3 months if they are held on a remote property. In that regard, the minimum standard should, at an absolute minimum, cover: weather conditions; age of stock and whether they are in breeding season.

## **2 Feed and water**

S2.1 A person in charge must ensure cattle have reasonable access to adequate and appropriate feed and water.

**Animals Australia comment:**

Whilst such a statement is welcome in principle, its use of the words ‘reasonable’, ‘adequate’ and ‘appropriate’ makes the statement close to worthless in terms of being an increment on existing legislation. This term fails to provide a definitive and measurable outcome. Ambiguous standards are not enforceable, and therefore serve no purpose. In the absence of a definitive and measurable standard, this provision will be redundant.

From this the status quo is likely to prevail – animals must be clearly suffering or have died from starvation or dehydration before regulatory action could be taken – the issuing of a notice to comply, or charges being laid against the responsible person (dependent on the case details and the jurisdiction). Regardless, this wording leaves the likely action open to inspectorial and judicial interpretation and is thus unlikely to influence welfare outcomes.

Without any implication that Animals Australia accepts the elongated periods of time that livestock being transported are permitted to be off food (TOF) and water (TOW) under the Land Transport Standards, if the Animals Australia recommended daily access is not adopted, then as an absolute enforceable minimum and to provide consistency between on-farm animal management and transport and handling management Standards, those TOF and TOWs must be adopted in this Standard. Importantly the maximum legal TOW for cattle (over 6 months and without any other condition) subject to transport is 48 hours, and less for other classes of cattle. This figure was put forward in appreciation of the practicalities of

handling and transport of animals – issues that should not arise for a producer on a daily basis.

Animals should be able to feed and drink each day and arrangements should be in place for that to occur. G2.10 re water (access at least daily) should be adopted as a Standard, and a similar clause adopted for feed.

**Recommendation** – that ....cattle have daily access to adequate and appropriate feed and water.

### **3 Risk management of extreme weather, natural disasters, disease, injury and predation**

S3.1 A person in charge must take reasonable actions to ensure the welfare of cattle from threats, including \*extremes of weather\*, \*drought\*, fires, floods, disease, injury and predation.

#### **Animals Australia comment:**

Whilst such a statement is welcome in principle, its use of the word ‘reasonable’ without further detail of any requirements makes the statement an aspiration rather than a Standard.

This term fails to provide a definitive and measurable outcome. Ambiguous standards are not enforceable, and therefore serve no purpose. In the absence of a definitive and measurable standard, this provision will be redundant.

It is unlikely to alter the current unacceptable status quo where cattle are exposed to these risks with no prior or post assessment of the owner’s preparedness or mitigation of risk factors. Ongoing issues related to lack of shade and shelter for cattle, or farming in flood prone regions without high ground, will not be changed by this vague statement.

**Recommendation:** that a person in charge must **provide infrastructure, facilities and have procedures in place to ensure the protection of cattle** from threats, including \*extremes of weather\*, \*drought\*, fires, floods, disease, injury and predation.

S3.2 A person in charge must ensure the \*inspection\* of cattle at intervals, and at a level appropriate to the production system and the risk to the welfare of cattle.

#### **Animals Australia comment:**

Again – the principle is welcome, but the Standard provides no specific inspection regime. Clearly cattle can be injured, ill, or entrapped/bogged (in dams for example) and should be assisted as quickly as possible. It is evident from death rates of young range cattle (up to 20% in some classes/regions) that regular inspection and intervention is not the norm for those animals, with those animals dying without intervention, indeed researchers indicate they have to make broad assumptions about death rates based on presumed fecundity because of a lack of surveillance (counting of carcasses even).

The RIS list the likely welfare risks to cattle if not inspected adequately, *‘including, but not limited to fire; lack of water; lack of supplements (e.g. calcium or minerals); and bovine diseases’*.

It is our strong view that all animals should be inspected daily (to reduce the time any risks are addressed, suffering alleviated), but it is (reluctantly) understood that in the near future such significant re-adjustment of farming practices may not be possible for range cattle owners. It should be recognised however that this system leaves the cattle subject to a high

and unacceptable risk of unnecessary suffering and the cattle industry highly vulnerable to community criticism and, in time, may even affect market access. Improved surveillance frequency and methods are sorely needed.

**Recommendation:** that a person in charge must ensure the \*inspection\* of cattle at **least weekly, or more frequently** dependent upon the production system and the risk to the welfare of cattle.

S3.3 A person in charge must ensure appropriate treatment for sick, injured or diseased cattle at the first reasonable opportunity.

**Animals Australia comment:**

Supported in principle, but the use of the words 'first reasonable' opportunity undermines the effect of this Standard. Coupled with draft S3.2, which currently does not provide any surety that cattle will be inspected frequently, this Standard would not ensure the suffering of sick/injured/diseased cattle is quickly addressed and alleviated. This is totally unacceptable, i.e. only a change to the frequency of inspection can ensure the prompt and proper attention to animals who require assistance.

**Recommendation:** S3.2 Must be amended to ensure frequent inspection (see above), and then this Standard 3.3 may achieve its intended outcome – the prompt relief of suffering at the first 'available opportunity'.

**Further Recommendations:**

G3.3 should be made into a Standard – i.e. the provision of shelter to minimise risks to welfare during inclement or extremes of weather is a crucial aspect of welfare.

G3.11 should be made a Standard – i.e. downer animals must be assessed and treated without delay.

## **4 Facilities and equipment**

S4.1 A person in charge must take reasonable action in the \*construction\*, maintenance and operation of \*facilities\* and equipment to ensure the welfare of cattle.

**Animals Australia comment:**

Agreed.

## **5 Handling and management**

S5.1 A person must handle cattle in a reasonable manner and must not:

- 1) \*lift\* off the ground by only the head, horns neck or tail unless in an \*emergency\*; or
- 2) Drop except to and stand on its feet; or
- 3) Strike in an unreasonable manner, punch or kick; or
- 4) Drag cattle that are not standing, except in an \*emergency\*, for the minimum distance to allow safe handling, \*lifting\*, treatment or humane killing; or
- 5) Deliberately dislocate or break the tail of cattle; or
- 6) Use metal pellets to wound as an aid for mustering.

### **Animals Australia comment:**

We welcome the provision of detailed regulations. Our recommendations are in edit mode below with some comments following each recommendation:

- 3) ~~Strike in an unreasonable manner~~, punch or kick; or

Comment – There can be no reasonable way to ‘strike’ an animal.

- 4) Drag cattle that are not standing, ~~except in an \*emergency\*, for the minimum distance to allow safe handling, \*lifting\*, treatment or humane killing;~~

Comment - Moribund cattle (those that cannot rise) should never be dragged. If they are to be killed it should be done in the place they are, or a humane lifting device used to move them if there is no alternative. It should be noted that the relevant OIE Guidelines<sup>i</sup> state that moving such animals should not occur unless ‘absolutely necessary’ and even then dragging is to be avoided.

- 5) ~~Deliberately~~ dislocate or break the tail of cattle;

Comment – The word ‘deliberately’ is superfluous as any accidental breakage would not be prosecuted. The inclusion of this word provides the defence that the perpetrator was not aware his/her actions would break or dislocate the tail, and may mean the use of painful pressure on the tail will continue as a practice used to move recalcitrant animals (the Kimberley Inch!) – it must be totally banned.

- 6) Use ~~metal~~ pellets to wound as an aid for mustering.

Comment – The practice of shooting at cattle from helicopters (or other vehicles) is dangerous no matter what the type of shot. All shotguns/pellets must be banned.

**Recommendation:** It is clear that there are a number of inhumane practices currently used for mustering particularly range cattle. They are not addressed in these standards.

We strongly recommend that Standards for the welfare of cattle during mustering be drawn up and adopted in a similar manner to these Standards.

S5.2 A person must not drive cattle to the point of collapse.

### **Animals Australia comment:**

This is a very low standard, and should in any event be prosecuted under existing animal welfare laws, (most of) which indicate **overdriving** is a cruelty offence. We note that even the very basic OIE Beef Cattle Standards (Endnote i, 7.9.5 Management 3(f)) states that ‘Cattle should not be driven to the point of distress’. This is a point prior to ‘collapse’ and shows that the draft Australian Standard proposed here will be even below the expected international basic standards if adopted.

If this is retained, it is **recommended** that there be a prompt development of mustering standards (as above) which provide limits on how cattle can be mustered to protect their welfare.

**Recommendation:** A person must not overdrive cattle ~~to the point of collapse~~.

S5.3 A person must consider the welfare of the cattle when using an electric prod, and must not use it:

- 1) On genital, anal, udder or facial areas of cattle; or
- 2) On calves less than three months old, unless their welfare is at risk; or
- 3) On cattle that are unable to move away; or
- 4) In an unreasonable manner on cattle.

**Animals Australia comment:**

The use of electric prods are opposed because they deliver painful stimuli and stress cattle. Alternative moving aides and good stockmanship should be used instead. Whilst it is acknowledged that the use of a prod in very limited circumstances where moving an animal from a difficult or dangerous position may be in the animal's interests, this must be balanced against the well-known practice of habitual use of prods when they are available, and thus the unacceptable prod use that occurs daily.

**Recommendation:** A person must not use an electric prod on cattle.

S5.4 A person in charge must have a dog \*under effective control\* at all times during the handling of cattle.

**Animals Australia comment:**

Dogs are acknowledged as useful and when properly trained and controlled may provide an efficient way of handling cattle. It is never acceptable though for dogs to bite (use pain, injury) to control cattle, and achieving 'effective control' of a dog is not always possible.

**Recommendation:** S5.4 should be altered to read: A person in charge must have a dog muzzled at all times during the handling of cattle.

S5.5 A person in charge must ensure a dog is muzzled when moving calves less than 30 days old that are without \*cows\*.

**Animals Australia comment:**

Young calves without their mothers are vulnerable and many (particularly bobby calves less than one week of age) have considerable mobility problems. They must be moved calmly and assisted, sometimes guided or lifted, during handling. A dog's presence is unwarranted and will cause further stress to these young animals, despite a muzzle. Variation C4 proposes banning the use of dogs on calves. The Land Transport Standards already require this during transport (LTS SB4.9), and the draft Saleyard Standard intend to ban dogs when handling calves, and this should be the case when handling and moving these calves at any time.

**Recommendation:** S5.5 must be altered to read - A person in charge must ensure a dog is not used ~~muzzled~~ when moving calves less than 30 days old that are without \*cows\*.

S5.6 A person in charge must ensure cattle are accustomed to tethering before they are tethered for long periods. A person in charge must ensure tethered cattle are able to exercise daily.

**Animals Australia Comment:**

Tethering puts cattle at unacceptable risk given their inability to avoid weather extremes, predators, and are often totally reliant on human provision of food and water. They will be denied adequate and usual exercise; remarkably the RIS discussion of Variation C3 that

would ban permanent tethering indicates an exercise period of just 10 minutes a day, a totally inadequate exercise opportunity. Further, when tethered, as herd animals they will be unnaturally isolated which may cause stress. Their quality of life is likely to be low. Tethering for very short periods (less than a day) for legitimate husbandry reasons could be permitted – and is intended by our recommendation below. Variation C3 – the banning of permanent tethering must be adopted.

**Recommendation:** A person in charge must not tether an animal as a usual means of confinement.

### ***Electro-immobilisation***

S5.7 A person must only use \*electro-immobilisation\* on cattle if:

- 1) The device is approved for use in the jurisdiction; and
- 2) The cattle are more than six months old; and
- 3) The operator is trained or it is done under \*direct supervision\* of a veterinarian or a trained person; and
- 4) Alternative restraining methods are not adequate to hold cattle sufficiently for the procedure being performed.

### **Animals Australia Comment:**

The welfare concerns are summarised well in the Discussion paper –

- Immobilisation may mask an animal’s ability to react normally to pain and distress.
- It does not produce pain relief and it may be abused to carry out surgery without anaesthesia.
- It causes asphyxia (at least initially) followed by dyspnoea.
- It may have profound cardiac effects.
- There is evidence that it is aversive for the animals.
- There is potential for misuse with inappropriate settings and prolonged use.

Electro-immobilisation (EI) clearly causes an acute stress response and is aversive in itself - and prevents animals from expressing their usual responses to pain, thus they are at high risk during this procedure. It is therefore not surprising that EI is banned in Victoria and limited to veterinarians in several other States (as the AVA recommends).

Internationally - the OIE Beef Cattle Guidelines (7.9.5, 3(f) Endnote i) states ‘Electro-immobilisation should not be used’. The UK and Ireland have banned its use on welfare grounds. It is noted too that the New Zealand, Canadian and American Veterinary Associations all oppose the use of EI.

The argument for its use in Australia relates primarily to rangeland situations as a form of restraint of cattle for invasive procedures when handling facilities are inadequate. The risks of incompetent use and misuse are high and alternate physical restraint methods must instead be adopted, i.e. using this high risk restraint method as a shortcut for the installation or provision of more appropriate restraint methods is unacceptable.

Variation C7 – banning EI – is instead supported by Animals Australia and should replace S5.7 and S5.8. The RIS suggestion that this will cause an estimated single worker death once each 5 years is rejected. This has assumed the current system prevails, but without EI; if EI is not available then producers/employers have a responsibility to provide alternate safe restraint mechanism.

**Recommendation:** S5.7 A person must not use electro-immobilisation on cattle.

S5.8 A person must not use \*electro-immobilisation\* on cattle as an alternative to \*pain relief\*.

**Recommendation:** S5.8 is redundant and would be deleted if our recommendation that electro-immobilisation be banned is adopted. Again, Animals Australia supports Variation C7, the banning of EI.

### **Identification**

S5.9 A person must use appropriate methods and techniques to identify cattle that are applicable to the production system.

#### **Animals Australia Comment:**

This Standard in itself is meaningless and unlikely to change any practices. The use of the word 'appropriate' provides no guidance. This Standard fails to provide a definitive and measurable outcome. Ambiguous standards are not enforceable, and therefore serve no purpose. In the absence of a definitive and measurable standard, this provision will be redundant.

Clearly some identification systems – e.g. hot iron branding - are particularly invasive and painful. As a minimum there must be a standard that requires the use of the least painful and effective identification available in the circumstances.

It should be noted that the OIE Beef Cattle Guidelines (7.9.5, 3(e)(v) Endnote i) that the preferred methods of permanently identifying cattle include; ear tagging, ear-notching, tattooing, freeze branding and radio frequency identification devices (RFID); hot iron branding should only be used if other methods cannot be used. New Zealand's Sheep and Beef Cattle Code of Welfare (2008) states that hot iron branding must not be used without pain relief. Freeze branding causes less pain.

The use of caustic (corrosive) chemicals to identify cattle is opposed in the current Cattle Model Code of Practice, and it is disappointing that an earlier recommendation of the Writing Group to ban their use in these Standards has disappeared.

**Recommendation:** A person must use the least painful ~~appropriate~~ methods and techniques to identify cattle that are applicable to the production system.

Our preferred recommendation is that all hot iron branding and the use of caustic chemicals be banned, and be replaced by less painful and invasive identification methods.

S5.10 A person must not place a permanent brand on the head of cattle.

#### **Animals Australia Comment:**

Whilst the (formal national) banning of head branding is welcomed, it is also recognised that this has already been banned on welfare ground in several jurisdictions – in NSW, South Australia, and in Queensland – and it is only permitted if by a vet (and unlikely to occur) in Tasmania, and is unlikely to occur in Victoria and WA (where the NLIS requires alternative identification). The RIS suggests it is not undertaken in the Northern Territory in any event. This recommendation will not change current practice.

**Recommendation:** Accept this Standard.

## 6 Castration, dehorning and spaying

S6.1 A person \*castrating\* or \*dehorning\* cattle must have the relevant knowledge experience, or be under the \*direct supervision\* of a person who has the relevant knowledge, experience and skills.

### Animals Australia Comment:

We accept this Standard in principle – i.e. anyone carrying out these painful and invasive surgical procedures should be competent, but below express grave concerns about the ongoing conduct of these mutilations.

### Castration

S6.2 A person in charge must use \*pain relief\* when \*castrating\* cattle, unless cattle are:

- 1) Less than six months old; or
- 2) Less than 12 months old if at their first \*yarding\* and where the later age is approved in the jurisdiction.

### Animals Australia comment:

Castration is an extremely painful procedure – scientific studies suggesting it is ‘acutely painful and distressing’ - and should always be carried out using pain relief (short and long acting), whatever the age of the animal. The OIE Beef Cattle Guidelines suggest cattle should be castrated before 3 months of age (7.9.5, 3(e)(i) Endnote i).

Further, it is unconscionable (even assuming we accept there is a lesser impost at a younger age) to allow older calves (up to 12 months) to have this mutilation performed when they are larger merely because property size and husbandry arrangements are such that there is so little handling of the animals on a regular basis. From a welfare perspective such irregular or infrequent (close) inspection and handling is unacceptable when the consequences mean these highly invasive surgical procedures will be imposed later in life.

Such infrequent husbandry opportunities serves to underline the apparent ‘acceptance’ that cattle are left to their own devices, subject to the risks posed by rangeland ‘farming’, and with little prospect that any injury, disease or other problem will be detected in a timely manner and addressed (see also comment relevant to S3.1 & S3.2 above).

It is acknowledged that current cattle farming methods require male cattle to be castrated to enable management and reduce aggressive encounters and thus risk – but our view is that pain relief should always be used. Scientific studies and the policies of relevant overseas bodies (in UK, USA, Council of Europe, Canada) all indicate castration should occur at the youngest age possible – or be undertaken by a veterinarian with pain relief. If this cannot be achieved in rangeland Australia, then as a minimum castration without pain relief should only occur in young/small calves and in line with the OIE standard that would be for calves less than 3 months of age (the Council of Europe recommends 4 weeks). Our compromise recommendation therefore follows.

**Recommendation:** S6.2 A person in charge must use \*pain relief\* when \*castrating\* cattle, unless cattle are:

- 1) Less than three months old; ~~or~~
- 2) ~~Less than 12 months old if at their first \*yarding\* and where the later age is approved in the jurisdiction.~~

S6.3 A person must use appropriate tools and methods to \*castrate\* cattle.

### Animals Australia comment:

There is significant scientific evidence provided (in the Discussion papers) which indicate that 'all methods cause considerable pain at all ages' but that the level of pain varies between those methods. For example, that rubber rings should not be used over the age of 2 weeks, that the Burdizzo clamp causes even more acute pain, and tension banding has added swelling issues and has significant risks of swelling and extreme pain (and is thus not supported by MLA). The Standard must indicate that the best available method be selected and used.

**Recommendation:** S6.3 A person must use appropriate tools and methods that causes the least pain or suffering to \*castrate\* cattle.

**Additional Standards** are needed to permit rubber rings only between the ages of 2 days and 2 weeks, and to ban the Burdizzo clamp and tension banding at any age.

### **Disbudding and dehorning**

S6.4 A person in charge must use \*pain relief\* when \*dehorning\*, unless cattle are:

- 1) Less than six months old; or
- 2) Less than 12 months old if at their first \*yarding\* and where the later age is approved in the jurisdiction.

### **Animals Australia comment:**

Dehorning and disbudding are the most aversive practices performed on cattle and cause intense pain and suffering. The significant trauma (extreme pain and stress) of dehorning in adult cattle then also increases their risk of infection and excessive blood loss – wounds may take up to 6 weeks to heal. Another indicator is the studies that have shown a loss in weight gain (growth) for up to 6 weeks after the dehorning, and the magnitude of the effect has been directly related to the size of the wound.

It is clear that genetic selection for polled (naturally un-horned) cattle must hasten. Despite decades of notice that dehorning must be phased out due to the significant pain associated with it, we understand that over half of all cattle in the national herd are still currently (naturally) horned.

The Discussion paper reports that '*a new DNA test was made available in Australia in August 2010. This relatively inexpensive test (\$33/test) enables beef producers to identify homozygous polled bulls with >90% accuracy in the breeds tested to date*'. Similarly, AI semen which will produce only polled dairy calves is now available (since 2012) in Australia for the dairy industry. Such advances should hasten the move to polled animals, but it is likely that whilst ever dehorning continues to be permitted without (effective) restriction or disincentive (the cost of pain relief), the move to polled animals may not occur.

To be clear, the Writing Group advises that '*for dehorning, irrespective of age, pain relief should be administered on animal welfare grounds. The decision to apply pain relief in practice will be influenced by factors other than animal welfare*'.

The Discussion paper also assesses the science, indicating that disbudding (before 2 months of age) should be done in preference to dehorning, and that '*For dehorning, irrespective of age, pain relief should be administered on animal welfare grounds*'.

Whilst we also accept that the younger the practice is done the better - disbudding because the horn bud at that stage is not attached to the skull, and with dehorning early the size of

the wound and tissue trauma is reduced – it is clear that significant pain will be inflicted regardless, and pain relief must be mandatory.

To suggest dehorning can be done up to 12 months of age is totally unacceptable, and particularly when it is recognised that on many properties (including most rangeland properties) it will be coupled with other painful procedures – branding, castration, spaying etc.

Disbudding – particularly of (replacement) dairy calves can be done painlessly with the use of sedatives (to assist restraint) coupled with local analgesia and then a NSAID - to block the inflammatory response. This has been demonstrated in practice in Victoria, but not taken up by the industry. The RIS does not specifically address disbudding costs – but in Victoria for young dairy (female replacement) calves it was several years ago costed at some \$1 per calf (drugs and disposable materials).

**Recommendation:** S6.4 A person in charge must

- 1) Use \*pain relief\* when disbudding or \*dehorning\*, and
- 2) Use disbudding only on calves less than 2 months, or
- 3) Dehorn cattle at less than 6 months old if at their first yarding  
, unless cattle are:
  - 1) ~~Less than six months old; or~~
  - 2) ~~Less than 12 months old if at their first \*yarding\* and where the later age is approved in the jurisdiction.~~

S6.5 A person must consider the welfare of the \*calf\* when using \*caustic chemicals\* for the \*disbudding\*, and must only use it if the \*calf\*;

- 1) Is less than fourteen days old; and
- 2) Can be segregated from its mother for four hours after treatment; and
- 3) Can be kept dry for 12 hours after treatment; and
- 4) Is not wet.

**Animals Australia comment:**

The use of caustic chemicals causes significant pain and is simply too dangerous - the corrosive chemicals getting into the eyes or other sensitive tissue, or effecting the udder or other parts of their dam or other cattle they come in contact with – evidenced by the list of precautionary requirements in this Standard, and it is opposed by the Australian Veterinary Association. The use of hot cautery or other methods on young calves should be used with sedation and pain relief (as indicated above) and the use of caustic chemicals must be banned.

**Recommendation:** S6.5 A person must not use ~~consider the welfare of the \*calf\* when using \*caustic chemicals\* for the \*disbudding\*. and must only use it if the \*calf\*;~~

- 1) ~~Is less than fourteen days old; and~~
- 2) ~~Can be segregated from its mother for four hours after treatment; and~~
- 3) ~~Can be kept dry for 12 hours after treatment; and~~
- 4) ~~Is not wet.~~

S6.6 A person must use appropriate tools and methods to \*dehorn\* cattle and \*disbud\* calves.

**Animals Australia comment:**

Agreed – but this does not add value to the Standards as the use of the word ‘appropriate’ undermines it’s meaning without further guidance.

This term fails to provide a definitive and measurable outcome. Ambiguous standards are not enforceable, and therefore serve no purpose. In the absence of a definitive and measurable standard, this provision will be redundant.

**Recommendation:** If this is retained it should as a minimum add guidance such as ‘...appropriate tools and methods to reduce the severity of dehorning and disbudding of calves.’

## Spaying

S6.7 A person \*spaying\* a cow must be a veterinarian or, if permitted in the jurisdiction, be accredited or be under the \*direct supervision\* of a veterinarian or a person who is accredited.

S6.8 A person in charge must use \*pain relief\* when performing the \*flank approach\* for \*spaying\* or \*webbing\* of cattle.

S6.9 A person must not use vaginal spreaders to \*spay\* small immature female cattle.

### **Animals Australia comment:**

This is a major issue due to the highly invasive nature of the procedure, the harsh environment in which it occurs, the current practical difficulty in monitoring cattle afterwards, and the high number spayed each year in northern Australia – close to half a million female cattle (RIS estimates 489,156 per annum). MLA have reported that both flank and DOT spaying results in acute pain and distress to cattle for up to eight hours. The healing period (particularly with flank spaying) can take many weeks.

Alternatives must be found. Vaxstrate – an injectable immune-castration treatment was developed and trialled in the 1990s to obviate the need for surgical spaying – but we understand because it needed two injections, thus two yardings, it was not seen as practical in rangelands (and is no longer registered for use). Given the painful, risky and unacceptable nature of this surgical mutilation, such alternatives must be revisited. We note in the Discussion paper on this issue that researchers indicate such a renewed alternative hormonal treatment could be available within 3 – 5 years.

**Flank Spaying:** Spaying adult cattle is one of the most invasive and painful procedures undertaken, and it is widely acknowledged that flank spaying (or flank webbing) is the most painful method.. It is clear from the limited research undertaken that flank spaying causes greater tissue inflammation than the dropped ovary technique (DOT) that the flank spaying wound may take up to 42 days to heal. The long-term impact of this method mean short-term pain relief is not the answer. Given there is little or no aftercare of these cattle, this invasive technique is opposed totally (even if pain relief was used).

Experience cattle spayer Mr Bryan Hall – with some 40 years’ experience and still spaying 30,000 to 40,000 cattle per year, has provided his view to the author, acknowledging the cruelty of flank spaying (he does not do it now). Crucially, he also advises that wet weather in the 14 days after spaying will cause the (dissolvable) stiches used in the flank to break down as the cattle rub themselves against trees to relieve the irritation - and thus opening the wound with dire results in the absence of any further monitoring.

**DOT method** (Dropped Ovary Technique): Whilst an improvement on flank spaying (less inhumane!), this methods is also invasive and thus painful and carries considerable risk

unless undertaken only by highly trained individuals. Mr Hall has also advised that this method is most appropriate for young heifers, but not mature/older cows due to blood loss concerns. The so-called 'super cow tool', the largest tool used for DOT on mature cows has a high loss rate (even with experienced spayers) in the order of 10% mortality due to blood loss.

**Webbing:** Again – according to Mr Hall, older cows have a lower mortality rate if passage webbing is used as a technique rather than DOT (less bleeding).

S6.7 Animals Australia is appalled that it is suggested (in the RIS page 104) that the training and accreditation of lay spayers (required if this Standard is adopted) would involve only a single day of instruction to then acquire accreditation, and that experienced spayers would not be observed and assessed, but rather fill out some forms (i.e. 2 hours of paperwork!).

This is a difficult, risky and painful procedure for cattle. Even the very basic OIE Guidelines recognise this, recommending it be done by veterinarians or by 'highly skilled operators', and that pain relief should be used. The suggested training and accreditation is totally inadequate and will not provide any assurance to the community that the operators are competent.

Highly experienced cattle spayer Bryan Hall trains spayers (DOT and passage webbing) and advises that teaching this type of procedure requires previous experience pregnancy testing *'at least 1000 head to have some idea of feel for the organs'*, and that as a *minimum 'this would need to be taught over a 3 day course, and then have someone verify that they have spayed at least 400 or 500 a year to keep their license'*.

The principle of having only skilled and experienced people undertake spaying (with pain relief) is accepted, but the suggested training/accreditation level is of great concern and if adopted will not protect the welfare of cattle.

**Recommendation:** a Standard which requires the use of the least invasive method, and thus when this (non-invasive) alternative is available, it must be used. In the meantime, any spaying that occurs must only use the DOT method for heifers, passage webbing\* for older cows, and any spaying be undertaken only by a veterinarian or highly trained accredited operator, and include acute and long-acting pain relief. Passage webbing is not widely practiced, but is recommended to reduce bleeding in mature cows and may be appropriate in some cases.

Further – in recognition of the skill and experience required to adequately perform spaying (of any kind), it will simply be too dangerous to the welfare (and even survival) of cattle to be spayed by a person without veterinary qualifications of accreditation after a rigorous training and assessment process. Thus, even under 'direct' supervision, an unskilled person cannot be permitted to do such an invasive and risky procedure.

Whilst ever spaying is permitted to continue, we **Recommend the Standard** be:

S6.7 A person \*spaying\* a cow must be a veterinarian or, if permitted in the jurisdiction, be trained and accredited or ~~be under the \*direct supervision\* of a veterinarian or a person who is accredited.~~

S6.8 A person spaying cattle in-charge must only use the Dropped Ovary Technique to spay heifers or young cows and must use \*pain relief\*. ~~when performing the \*flank approach\* for \*spaying\* or \*webbing\* of cattle.~~ A person spaying cattle in-charge must only use the passage webbing technique to spay mature cows and must use \*pain relief\*.

S6.9 A person must not use vaginal spreaders to \*spay\* small immature female cattle.

And that a further standard be in place (it would come before current S6.7):

A person must use the least invasive and most humane method available to prevent fertility in female cattle.

**Related:** In the context above, it should be noted that Animals Australia supports Variation C1: pain relief for all spaying (whilst it continues), and Variation C2: banning flank spaying and flank webbing.

## 7 Breeding management

S7.1 A person performing \*artificial breeding procedures\* on cattle must take reasonable actions to minimise pain, distress or injury.

**Animals Australia Comment:** The word ‘reasonable’ dilutes this Standard and makes it likely to be unenforceable. Methods chosen should only be those known to have the least impact on the animals. This term fails to provide a definitive and measurable outcome. Ambiguous standards are not enforceable, and therefore serve no purpose. In the absence of a definitive and measurable standard, this provision will be redundant.

### **Recommendation:**

S7.1 A person performing \*artificial breeding procedures\* on cattle must use methods and take ~~reasonable~~ actions to minimise pain, distress or injury.

S7.2 A person in charge must ensure the \*inspection\* of calving cattle at intervals appropriate to the production system and the level of risk to the welfare of cattle.

**Animals Australia Comment:** The words used here – as indicated above – including ‘appropriate’ and ‘level of risk’ provide such latitude that they are unlikely to change unacceptable inspection levels.

S7.3 A person in charge must ensure \* calving induction\* is done under veterinary advice.

### **Animals Australia Comment:**

Calving induction is currently only performed on a relatively small number of dairy farms to ‘manage’ calving times (the RIS suggests it has reduced to 4% of cows nationally now). It poses interlinked ethical and animal welfare issues as it risks the lives of premature calves and inflicts high health risks to both cow and calf. These are outlined in the Discussion paper and are repeated here in part, for emphasis:

*Early induction of calving can compromise the health and welfare of the induced cow, as the procedure markedly increases the risk of retained foetal membranes (Bazer & First 1983; Peters & Poole 1992; Mansell et al. 2006), and is associated with increased occurrence of photosensitisation, uterine infections and cow mortality during the post-partum period (Browning et al. 1990; Morton & Butler 1995a; Morton & Butler 1995b). In addition, stillbirths are common in cows induced early, and calves born as the result of early induction tend to have lower viability and in some cases require immediate humane destruction (Mansell et al. 2006). The requirement for humane destruction of non-viable calves is an issue.*

Pre-term calves which are ill may suffer, be killed incompetently, or suffer even more than other calves if transported for slaughter.

As this is all done merely to streamline herd milk production (and these 'benefits' are in any even offset by other losses). The RIS further states that *'Dairy farmers are switching from the routine use of calving induction to sustainable alternatives such as split or year round calving patterns, extended lactation, improved reproduction programs, using short gestation-length semen, cross breeding and better nutrition.'*

The practice is ethically abhorrent, causes welfare problems for cow and calf, and compact calving periods can be achieved through alternative practices – thus calving induction is both abhorrent and unwarranted and must be banned.

**Variation C6** – *'banning induction of early calving except for veterinary requirements'* must therefore be adopted. S7.3 can be adapted for that purpose.

**Recommendation:** S7.3 A person in charge must ensure \* calving induction\* is only done under direct veterinary supervision and when necessary for the welfare of the individual cow or calf. Calving induction must not be used as a herd management tool.

S7.4 A person in charge must ensure that induced calves receive adequate colostrum or be humanely killed at first reasonable opportunity, and before they are 12 hours old.

**Recommendation:** S7.4 becomes redundant.

Where induction occurs for a veterinary reason (as in amended S7.3 above), the veterinarian would have a professional obligation to oversee the subsequent birth and care of cow and calf.

## 8 Calf-rearing systems

S8.1 A person in charge must ensure the feeding and \*inspection\* of calf\*-rearing systems daily.

**Animals Australia Comment:** Supported.

S8.2 A person in charge must ensure calves that are housed in pens can turn around, lie down and fully stretch their limbs.

**Animals Australia Comment:** Calves are social animals and should not be housed in single pens, nor be provided with such a small area – only sufficient room to turn around (only 2sqm if the Guidelines is even adhered to). This will prohibit many natural behaviours, including adequate exercise and socialization and provide a barren existence and little quality of life.

**Recommendation:** S8.2 A person in charge must ensure calves that are housed in pens have sufficient space to exercise, socialize, can turn around, lie down and fully stretch their limbs. Calves must not be housed in single pens.

S8.3 A person in charge must ensure sufficient iron in the diet to prevent anemia in calves in veal production systems.

**Animals Australia Comment:** Supported. This has long been the case in Australia, but making it regulatory is applauded to ensure it cannot occur as it causes clear welfare and health problems for the calves.

S8.4 A person in charge must not allow the faeces and urine of calves housed in indoor systems to accumulate to the stage that compromises \*calf\* health and welfare.

**Animals Australia Comment:** Supported – though it should be recognised that Animals Australia maintains concern about the welfare of indoor housing systems for calves.

## 9 Dairy management

S9.1 A person in charge must ensure the daily \*inspection\* of lactating dairy \*cows\*.

**Animals Australia Comment:** Supported

S9.2 A person in charge must implement appropriate actions to minimize \*heat stress\* of cattle.

**Animals Australia Comment:** Supported in principle, but the use of the word ‘appropriate’ is open to interpretation and thus unenforceable. It is known that heat stress causes discomfort, and frequently can lead to distress, and even deaths. See earlier discussion in regard to shelter provision.

**Recommendation:** S9.2 A person in charge must provide facilities and document and implement effective appropriate actions to minimize \*heat stress\* of cattle.

S9.3 A person must \*tail dock\* cattle only on veterinary advice and only to treat injury or disease.

**Animals Australia Comment:** Supported. Tail docking of cattle is both acutely painful (at the time) and some research indicates there may be neuroma formation and so chronic pain in the remaining tail tip, increased temperature sensitivity in the tail, and reduce ability to move flies and thus an ongoing ‘frustration’ of that behavior and the worry of un-removed flies. The original purpose for tail docking was said to be udder cleanliness and milk hygiene; both scientifically discounted now. The only remaining purpose seems to be milking worker convenience, and that can be addressed through the use of a tail guard or clamp at milking time. It is a welcome sign that only a small minority of dairy farmers still dock tails, but this Standard is urgently needed given the estimate is that over 60,000 dairy cows each year are subjected to this unnecessary mutilation.

S9.4 A person in charge must ensure dairy cattle that are kept on feed pads for extended periods have access to a well-drained area for resting.

**Animals Australia Comment:** Supported in principle. Animals Australia has grave concerns about the management of feed pads to ensure the health and comfort of cattle due to the changed diet and absence of the ability to graze, reduced exercise, high densities (with attendant social conflict issues), and lameness problems due to flooring deficiencies (particularly cement). Where these feed pad systems occur, as an absolutely minimum all feedpads should have soft flooring and well drained comfortable resting areas.

**Recommendation:** S9.4 A person in charge must ensure dairy cattle that are kept on feed pads for extended periods have suitable flooring and access to a well-drained area for resting. Cattle must not be kept on feed pads permanently.

## 10 Beef feedlots

Animals Australia opposes cattle feedlots due to the barren environment provided, high stocking densities, denial of behaviours such as grazing, unnatural feed compositions leading to metabolic stresses and contributing to heat stress loads. Studies have estimated that grazing pasture cattle would walk from 3- 6 km a day, and graze for much of the daylight hours (up to 10 hours). In contrast, they will spend less than an hour consuming feed each day in a feedlot and have little room to move or incentive to do so. Disease issues also pose welfare problems – including respiratory disease (combination of stress and lowered immune system due to handling) and digestive disorders – acidosis and bloat caused by the feeding of highly concentrated, high protein, low roughage food.

S10.1 A person in charge must ensure a minimum area of 9m squared per \*Standard Cattle Unit\* for cattle held in external pens.

### Animals Australia comment:

In regard to stocking density, the former National consultative Committee on Animals Welfare considered stocking density some years ago and concluded the minimum density should be 15-20 sqm per animal. International livestock welfare expert Temple Grandin suggests a minimum of 15sqm per animal. The Canadian Code of Practice indicates 27 sqm minimum for adult cattle in unpaved feedlots (though it is suggested there is provision for snow drifts/muddy areas included). The stocking density minimum must be increased in these Standards.

**Recommendation:** S10.1 A person in charge must ensure a minimum area of ~~9m~~ 15m squared per \*Standard Cattle Unit\* for cattle held in external pens.

S10.2 A person in charge must ensure that the diet composition and quantities fed are recorded, and that records are maintained for the duration of the feeding period of each group of cattle.

### Animals Australia comment:

Diet composition is indeed a key element relating to digestive health (see above), behaviour and also heat risk factors (see below). The OIE new Cattle chapter (7.9) warns of the problems of feeding **too little roughage** in the feedlot cattle diet: *Diets with insufficient roughage can contribute to abnormal oral behaviour in finishing cattle, such as tongue rolling. As the proportion of grain increases in the diet, the relative risk of digestive upset in cattle increases. Animal handlers should understand the impact of cattle size and age, weather patterns, diet composition and sudden dietary changes in respect to digestive upsets and their negative consequences (acidosis, bloat, liver abscess, laminitis).*

**Recommendation:** Supported in principle but it requires a further addition: A person in charge must ensure a diet composition that includes sufficient roughage and other qualities to maintain the health of the cattle.

S10.3 A person in charge must ensure feed is available daily to cattle in the \*beef feedlot\*.

**Recommendation:** Supported.

S10.4 A person in charge must do a \*risk assessment\* each year for the best heat load risk at the feedlot, and implement appropriate actions to manage ongoing heat load risk.

**Recommendation:** Supported in principle.

However - a further Standard is required to address the issue. Heat load risk arises specifically in feedlots due to several factors, including metabolic heat – exacerbated by the feeding of high protein/grain feed and the keeping of some animals for long periods such that their weight is excessive - contributed to by the lack of exercise.

In addition to this ever-present metabolic heat generation for feedlot cattle, summer high air temperatures, solar radiation and reflected heat pad radiation will mean that the animals' comfort and welfare will be compromised, and their lives even put at risk. These conditions can be deadly when multiple risk factors occur together – for example in February 2000 a NSW feedlot (at Tabbita) experienced humidity, high temperatures and solar radiation and 1,250 cattle died in a 12 hour period.

Whilst it is acknowledged that addressing heat load is a complex equation - there is no doubt that cattle seek out shade during hot periods and that it therefore provides a comfort and thus welfare benefit. In addition, in the case of the NSW feedlot for example, a subsequent study of that terrible event recorded that the cattle mortality was 0.2% in shaded pens and 5.8% in unshaded pens (ref. ARMCANZ report, 2000). It is therefore unacceptable that facilities such as shade, sprinklers and extra water troughs are merely Guidelines (G10.18). These facilities are needed to minimize the high risks posed by heat and must be a Standard in all commercial feedlots.

**Additional Recommendation:** Shade and shelter must be provided for all cattle in feedlots.

S10.5 A person in charge must have a documented \*Excessive Heat Load Action Plan\*, and must implement appropriate actions in the event of a heat load emergency.

**Recommendation:** Supported.

S10.6 A person in charge must have a documented contingency plan in case of a failure of feed or water supply, and must implement appropriate actions in the event of feed and water supply failure.

**Recommendation:** Supported.

S10.7 A person in charge must have a documented contingency plan in case of an emergency animal disease, and must implement appropriate actions in the event of an emergency animal disease.

**Recommendation:** Supported.

S10.8 A person in charge must ensure the daily \*inspection\* of all cattle within the feedlot.

**Recommendation:** Supported.

S10.9 A person in charge must ensure the appropriate management of calves born in the feed yards, to ensure the welfare of the calves.

**Recommendation:** Supported.

S10.10A person in charge must ensure the cleaning of feed yards and maintenance of surfaces on a planned basis, to ensure that pen surfaces can drain freely.

**Recommendation:** Supported.

### Humane killing

S11.1 A person in charge must ensure killing methods for cattle result in rapid loss of consciousness, followed by death while unconscious.

**Recommendation:** Supported, but there is a need to ensure persons do not use inadequate methods – i.e. fully conscious bleeding.

**Recommended S11.1** A person in charge must ensure killing methods for cattle result in rapid loss of consciousness, followed by death while unconscious. A firearm or captive bolt must be used.

S11.2 A person must have the relevant knowledge, experience and skills to be able to humanely kill cattle, or be under the \*direct supervision\* of a person who has the relevant knowledge, experience and skills, unless:

- 1) The cattle are suffering and need to be killed to prevent undue suffering; and
- 2) There is an unreasonable delay until \*direct supervision\* by a person who has the relevant knowledge, experience and skills is possible.

**Recommendation:** Supported.

S11.3 A person in charge of cattle suffering from severe distress, disease or injury that cannot be reasonable treated must ensure that the cattle are killed at the first reasonable opportunity.

**Recommendation:** Supported – but with an amendment to ensure the urgency required in such a situation.

**Recommended S11.3** A person in charge of cattle suffering from severe distress, disease or injury that cannot be reasonable treated must ensure that the cattle are killed ~~at the first reasonable opportunity~~ promptly.

S11.4 A person killing cattle must take reasonable action to confirm the animal is dead.

**Recommendation:** Supported.

S11.5 A person killing a \*calf\* by a blow to the forehead must first ensure that the \*calf\* is less than 24 hours old.

**Recommendation:** Supported.

It should be noted though that the expression in this Standard is of concern.

The draft national Saleyards Standards use a more acceptable form of words which could be adopted: *S9.7 A person may only kill an animal using the blunt trauma technique if that*

~~animal is either a piglet up to 15 kg live weight, or a calf, kid or lamb less than 24 hours old. The person must kill the animal by a single blow to the head.~~

**The Cattle Standards RIS then proposes a number of additional ‘options’ for inclusion in the Standards as Option C variations.**

Animals Australia has commented on these issues in the relevant section above in this submission. However, brief comments are reiterated here for clarity.

**Variation C1: Pain relief for all spaying**

**Recommendation** – Supported in principle. As indicated above relevant to S6.7 – S6.9 Animals Australia opposes surgical/invasive cattle spaying. Whilst ever it continues clearly there must be pain relief and effective monitoring of cattle after the procedure. Variation C1 is therefore the minimum Standard that should be included.

**Variation C2: Banning flank spaying/flank webbing**

**Recommendation** – Supported. As indicated S6.8 above, flank spaying or flank webbing using that route is totally opposed by Animals Australia. The pain and suffering and risk of disturbance or infection of the wound is totally unacceptable, particularly where the alternate less invasive method of DOT or passage spaying is available.

**Variation C3: Banning permanent tethering**

**Recommendation** – Supported. (see comments re S5.6)

**Variation C4: Banning the use of dogs on calves**

**Recommendation** – Supported. As indicated at S5.5. Note that the use of dogs is banned for bobby calves in the Land Transport Standards (LTS SB4.9) and in the draft Saleyard Standards.

**Variation C5: Banning caustic dehorning**

**Recommendation** – Supported As indicated at S6.5 alternate and less dangerous methods are available ( regardless of the precautions taken).

**Variation C6: banning induction of early calving except for veterinary requirements**

**Recommendation** – Supported As indicated at S7.3 calving induction should not be permitted, except where there is veterinary health need for either the benefit of the cow or calf.

**Variation C7: banning electro-immobilisation.**

**Recommendation** – Supported.

As indicated at S5.7 – Animals Australia completely opposes the use of electro immobilisation and believes it must be banned.

Yours sincerely,

A handwritten signature in blue ink, appearing to read 'Glenys Oogjes', is centered on a light beige rectangular background.

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*Submission ends.*

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<sup>i</sup> OIE Terrestrial Animal Health Code – Chapter 7.9 Animal Welfare and Beef Cattle Production Systems, adopted in May 2012.  
[http://www.oie.int/fileadmin/Home/eng/Health\\_standards/tahc/2010/chapitre\\_1.7.9.pdf](http://www.oie.int/fileadmin/Home/eng/Health_standards/tahc/2010/chapitre_1.7.9.pdf).