

6 May 2013

Animal Welfare Standards Public Consultation
Locked Bag 3006
DEAKIN WEST, ACT 2600

Per email: publicconscattle@animalwelfarestandards.net.au

Dear Madam/Sir

Re: Public consultation - personal submission to the Australian Animal Welfare Standards and Guidelines – Cattle (Edition One)

Particularly enforceable Standards that aim to protect the welfare of cattle across jurisdictions are welcome. Supporting Guidelines are also welcome, with the expectation they are promoted throughout Industry and followed.

The following comments are personal, and not exhaustive. As an Executive member of Animals Australia (AA), I am aware of AA's commitment to ensuring the best outcome for animal welfare within the Standards and Guidelines process and that AA will submit a comprehensive submission of its own. Beyond my own comments, I support AA's more submission and ask that this endorsement be noted.

I also acknowledge the immense commitment and input by many people to produce the Standards and Guidelines and their supporting documents, including the R.I.S. and discussion papers.

Introduction

It is explained that Standards *“are intended to be clear, essential and verifiable statements”*. However, *“not all issues are able to be well defined by scientific research or are able to be quantified. ... where appropriate science is not available, the standards reflect a value judgment that has to be made for some circumstances.”* (p.6 of 41)

As stated elsewhere in the Introduction, the welfare of livestock must be the first consideration in the majority of conflicting situations. Where scientific evidence is lacking I trust that the weight of community concern seeking to raise welfare standards will be taken into account and will contribute to the final value judgment.

In the Purpose of the draft Standards and Guidelines document it is stated: *“All future revisions of Model Codes and ‘Australian Standards and Guidelines’ documents must provide a number of:*

a) clear essential requirements (‘standards’) for animal welfare that can be verified and are transferrable into legislation for effective regulation, ...”

As is conceded, this has not been achieved. As they stand, several if not many of the

Standards are vague and unverifiable and I believe more precision is required to achieve the intended outcome of the Standards.

General comment

Similar to my previous comment, I note the frequent use of the term 'reasonable', together with an explanation in the context of 'reasonable action'. 'Reasonable' is nonetheless a vague and immeasurable term and prone to broad and personal interpretation. It is used throughout and does not instill confidence that responses, carried out in 'reasonable' fashion, will be the best possible for the animal.

Standards are of a general nature, and in many cases it would be hard to measure the extent of actions taken as a consequence i.e. whether in/sufficient and thus necessitating prosecution or otherwise.

Principles of cattle welfare indicate that assessment of pain is liable to be inexact and that "cattle should be given the benefit of the doubt" in situations of uncertainty. I do not think that the assessment of surgical procedures, notably spaying of female cattle, castration of males and dehorning or disbudding of cattle, need to be exact to determine that pain – in many cases extreme pain – is the inevitable result. The Standards do not give cattle the benefit of the doubt, allowing as they do surgical procedures to occur to a certain age and possible jurisdictional variation on top of this. The use of pain relief should be – must be (in the language of Standards) more generally prescribed.

I have commented on both Standards and Guidelines, but not all Standards nor all Guidelines. Notwithstanding the non-obligatory nature of Guidelines, I have chosen to comment where I think comment or additional/less wording may assist direction.

Comment on Standards and Guidelines (order follows those in the draft document)

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

Comment: despite the explanation of 'reasonable action' (pp 6/7 of 41) and without firm indication of what constitutes 'reasonable actions I believe this statement remains vague and unverifiable.

G1.1 dot points

1 – 'Elements of responsibility for cattle management should include: understanding the standards and guidelines for cattle welfare.'

Comment: I fail to understand how mandatory Standards can be followed if understanding them is not also mandated, i.e. at present: people involved 'should' understand necessary standards

9 – suggested addition: 'identifying distressed, weak, injured or diseased cattle and taking appropriate action **without delay**'

11 – 'humanely killing cattle by appropriate methods or seeking the assistance of someone who is capable and equipped to kill them humanely **without delay**'

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

Comment: Consider cattle should have access to adequate and appropriate feed and water on a daily basis (i.e. not just 'reasonable') thus: **A person in charge must ensure that cattle have access to adequate and appropriate feed and water daily**

Water

G2.10 See above; consider cattle **must** have access to water at least daily

3 Risk management of extreme weather etc

S3.2 *Suggested amendment:*

A person in charge must ensure the inspection of cattle at pre-determined [or similar] intervals of a frequency and at a level appropriate to the production system and the risks to the welfare of sheep.

G3.1 This section needs a little clarification. Plans to minimise risks to cattle welfare should *include* 'emergency contact details' (which are needed to assist in the case of extremes *etc*) but they should *anticipate* (wording to that effect) the emergency situations then listed

G3.3 *Comment:* consider 'if practical' should be removed in an attempt to strengthen what is nonetheless a weak guideline. Without doubt animals should be provided with adequate shelter during inclement weather.

G3.11 Downer cattle should be assessed, treated and **if necessary, euthanised in-situ** without delay.

4 Facilities and equipment

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

Comment: although realizing the intent, the 'reasonableness' of actions is, in my view, unlikely to be verifiable

G41 *Comment:* In some cases facility construction/modification should also take into account the size/breed of the animals, perhaps more in relation to 'housed cattle'

G4.12 *Comment:* Consider it should be mandatory to 'fit and maintain fire alarms and adequate fire-fighting equipment in all indoor housing systems, thus a **Standard**.

5 Handling and management

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

- 1) suggest the addition: ... in an emergency **with no immediately available alternative**
- 2) from a maximum height should be added. Sheep guidelines indicate this
- 3) 'unreasonable manner' will be interpreted differently by different people. To protect them from, animals should not be struck.
- 4) ' ... except in an emergency **with no immediately available alternative and** for the minimum distance *etc*

5) remove 'deliberately'. How would this be determined? The intended outcome is the same: the tail of cattle should not be dislocated or broken.

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

Comment: by this stage is too late for intervention. An animal may be suffering and on the verge of collapse when intervention is made and may not survive. At the very least: **A person must not drive cattle beyond their level of fitness and capability**, to that effect or such that they are distressed.

(NOTE: animals should not be driven beyond the pace of the slowest animal)

S5.3 A person must consider the welfare of cattle when using an electric prodder, and must not use it: in an unreasonable manner on cattle

Again, what constitutes 'reasonable'? This is open to broad interpretation. Prodders should not be used unless to avoid a real threat to persons handling cattle. Other aids to move cattle should be used in preference.

S5.5 A person in charge must ensure a dog is muzzled when moving calves less than 30 days old

Comment: calves of this age are unlikely to be able to follow or to respond to direction without care, possibly individual care and direct human intervention. I doubt that dogs would be of use but may distress young calves in such situations and should not be used.

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

Comment: Cattle should not be tethered for 'long periods'. ('Long period' is not defined and for the purposes of a Standard should be.) Apart from the physical privation, presumably they are outside and would be subject to weather/extremes. No mention is made of shelter, here or elsewhere, for a tethered animal notwithstanding the length of tethering intended. Ideally cattle should not be tethered, except in an emergency situation with no available alternative, for a very short period.

S5.7

Electro-immobilisation

Comment: I strongly consider that this Standard should ban electro-immobilisation, its use prohibited under all circumstances. Electro-immobilisation permits pain and suffering to cattle and is likely to cause severe distress due to the animal's inability to express or avoid pain. The intent of electro-immobilisation is likely to be to prevent the natural movement of the animal that extreme pain would cause. Pain relief in the form of anaesthetic/analgesic should be used as alternatives to electro-immobilisation use.

Should it be permitted in certain jurisdictions, this would be a conscious decision by the particular State/Territory. Should this Standard prohibit the use of electro-immobilisation, it would encourage States/Territories, where it is permitted, to cease use.

Handling and management - Guidelines

G5.6 Electric prodders should not be permitted

G5.7 Cattle should not be moved at a pace that exposes them to exhaustion. The pace of movement must be appropriate for the age/health status of cattle and at the pace of the slowest animal.

G5.5 Instruments should be **well-maintained** and *etc ...*

G5.20-23 Electro-immobilisation should [must!] not be permitted

Identification

Comment: Alternatives to the extremely painful and distressing procedure of hot-iron branding of cattle should be encouraged, i.e. the use of fire-branding on any animal actively discouraged, in favour of other less pain/distressful methods. Where fire-branding is used, analgesia should be applied. Of fire-branding of horses, the AVA says: "it is recognised that there are circumstances in which fire branding is the only practical option and in such cases appropriate analgesia should be used to minimise distress and/or pain." <http://www.ava.com.au/policy/52-branding-horses> The situation should be no different for cattle.

G5.26 *Comment:* Hot-iron branding of weak or extremely thin cattle should not be permitted, i.e. a **Standard**

G5.27 *Comment:* Given that its use currently persists, I consider the electric prodder **must not** be used in circumstances involving "volatile pour-on treatments".

6 Castration, dehorning and spaying

Castration

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

- less than six months of age; or
- less than 12 months of age at their first yarding and where the later age is approved in the jurisdiction.

Comment: Consider that pain relief must be used for all animals notwithstanding their age.

If the age of 6 months is retained as a Standard, then jurisdictions allowing it to occur until 12 months of age must be encouraged to sunset their own permission in order to be in harmony with this Standard

Disbudding and dehorning

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

- less than six months of age
- less than 12 months of age at their first yarding and where the later age is approved in the jurisdiction.

Comment: Same as **S6.2**

Spaying

S6.7 – S6.9

Comment: The flank method should not be permitted in the field; pain relief then should be mandatory for flank spaying should it need to be carried out under controlled conditions for any reason, and for any other method used, either under controlled conditions or in the field.

Disbudding and Dehorning - Guidelines

G6.18 'Preference should be given for naturally polled cattle'

Comment: Consider 'preference must be given to the breeding of naturally-polled cattle'

in situations where cattle will be dis-budded or dehorned at some stage. This should be a **Standard**.

7 Breeding management

G7.1 Consider this should be a **Standard, i.e.** 'those responsible for breeding management must be competent in their understanding of the reproduction and behaviour of both the cow and the bull.'

G7.6 These vulnerable animals should be humanely killed (i.e. euthanised) **without delay**.

G7.10 Consider this to be **Standard**: 'Calving induction should only be done when necessary for the welfare of the individual cow or calf.'

Bulls

G7.11 The welfare of teaser cattle used in bull-serving ability tests should be closely monitored **and the animal withdrawn or treated if concerns arise**.

8 Calf rearing systems

G8.1 *Comment:* Consider this should be a **Standard**: 'Calves removed from cows **must** receive adequate colostrum within 12 hours of birth, with the first administration occurring as soon as possible.' Too often, Bobby calves are transported to slaughter/market without receiving sufficient colostrum to assist/enable them to withstand the rigours of transport

G8.13 'Calves should be raised in an environment that is: clean, dry, well drained, provided with sufficient bedding, draught free and well ventilated, free of projections that may cause injury.'

Comment: Consider that these basic requirements should form a **Standard** for the rearing of young and vulnerable animals.

Dairy management

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

Comment: I do not consider that dairy cattle should be kept on feedpads for extended periods, but solely for limited periods and specific purposes. Australia has adequate pasture for dairy cattle and pasture-based feeding should remain the prevailing welfare and production standard. Should cows be housed on feed pads for any length of time, I consider '**adequate bedding**' should be added to this **Standard**.

G9.2 ... to the cow?

G9.6 *Comment:* I consider that provision of water at all times in hot weather should be a **Standard**

G9.8 *Comment:* Removal of extra teats should require the administration of **pain relief**.

Beef feedlots Standards

Water should surely be available at all times? This is not mentioned in Standards

Above and beyond the annual risk assessment for heat load, a Standard should require provision of shade/shelter sufficient to accommodate animals contained within a feedlot at any one time.

Additional concerns

1. Cattle must not be allowed to die from lack of feed or water (or exposure)

The documents explains under 'Scope', p.5 of 41:

“Cruelty and unacceptable animal welfare practices can be prosecuted under cruelty and aggravated cruelty offence clauses in animal welfare legislation. For example, **‘cattle must not be allowed to die from lack of feed or water’**.”

I strongly believe that a statement to the above effect should be in the Standards. In extreme drought it is possible that range cattle will die from lack of feed/water, but this must not happen and must be clear within this document. Intervention **must occur** to humanely kill animals before they perish. I believe this to be a situation distinct from that where e.g. animals are neglected in peri-urban situation and allowed to die, when cruelty legislation would normally be engaged.

2. Mustering

There is no Standard to protect animals, or avoid risk to them, during mustering – either on the ground or aerial (winged aircraft or helicopter).

From the air particularly, animals can be mustered at a pace that quickly exceeds that of the slowest animals, causing cattle possible distress, exhaustion, injury and the loss of many that are very young. Animals can also be driven, from the air, over longer distances than would normally be possible, which also would have the potential to contribute to distress and exhaustion.

Motorised vehicles including motorbikes, quad-bikes, utes and 4WD are used to drive animals.

Some disturbing images have emerged of the treatment of 'errant' animals that should not occur i.e. using deliberate physical contact between motor vehicle and cattle to move them.

Mustering practices have changed over the past 30 years or so. I believe welfare Standards are required to reflect this change.

In the meantime a Standard is required in the current document to mandate against allowing the deliberate physical contact between motor vehicle and mustered cattle.

Thank you for the opportunity for involvement in the Standards and Guidelines process.

Yours sincerely,

Carole de Fraga

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