



**GUIDE TO THE  
CONSULTATION REGULATION IMPACT STATEMENT  
ON THE  
AUSTRALIAN ANIMAL WELFARE STANDARDS AND GUIDELINES  
CATTLE**

**5 March 2013**

The proposed national standards for cattle welfare are now open for public consultation for a period of 60 days until **6 May 2013**. They are a part of national efforts to deliver clear, consistent and contemporary animal welfare standards that will enhance animal welfare arrangements for livestock industries across Australia. The standards are intended to deliver assurance for Australian consumers that cattle are managed to achieve nationally agreed welfare outcomes.

The standards are seeking endorsement by all governments through the Standing Council on Primary Industries (SCoPI) in 2013. This Council is comprised of the Australian Government Minister for Agriculture, Fisheries and Forestry together with the Ministers in all states and territories responsible for primary industries.

The standards and guidelines document aims to:

- specify the legal *standards* of management and husbandry required to protect and maintain the welfare of cattle in Australia. The standards will be regulated in law by State and Territory governments.
- provide recommended *guidelines* for livestock producers, owners, managers, stockpersons, agents and contractors, to complement the standards and to assist them to minimise risks to the welfare of cattle in all types of cattle farming and related enterprises. Non-compliance with one or more guidelines will not in itself constitute an offence under law.

Animal Health Australia (AHA) is seeking views on how the draft welfare standards will help protect the welfare of cattle. Also open for comment is the associated Consultation Regulation Impact Statement (RIS), which aims to demonstrate the need for the standards, and identifies the key costs and benefits for cattle, producers, government and the wider community.

Interested persons are invited to complete an online survey available at

<http://www.animalwelfarestandards.net.au/>

Written submissions may also be emailed to [publicconscattle@animalwelfarestandards.net.au](mailto:publicconscattle@animalwelfarestandards.net.au)

To assist those completing the online survey or making written submissions, the following answers to commonly asked questions have been prepared. A list of public consultation questions from the RIS is also attached to this guide.

More information on the standards and the consultation process is available at the following website:

<http://www.animalwelfarestandards.net.au/>

### ***What is a Regulation Impact Statement?***

A Regulation Impact Statement (RIS) is a document required by the Council of Australian Governments (COAG) to accompany regulatory proposals, including national standards such as the proposed *Australian Animal Welfare Standards and Guidelines for Cattle*.

The broad aim of the RIS process is to ensure that the costs of regulatory proposals are justified by their benefits. The purpose of issuing a draft RIS for public consultation is to canvass the regulatory options under consideration, and the relative costs and benefits of those options. It is also important to ensure that proposals will achieve their intended objective without unduly causing adverse effects.

A RIS is not required for the guidelines included in the cattle standards and guidelines document, because only the proposed standards will be regulated by law.

### ***What do the national welfare standards for cattle cover?***

The purpose of the proposed standards is to set standards for the welfare of all cattle, in all types of farming enterprises in Australia from extensive grazing to fully housed systems. They will apply to all those with responsibilities for the care and management of cattle, including those in both the beef and dairy industries. It is intended that the proposed standards will replace the existing *Model Code of Practice for the Welfare of Animals – Cattle* ('the existing MCOP') once endorsed by Ministers through SCoPI, and implemented in legislation in all states and territories.

However, live export, saleyards, abattoirs and domestic transport are covered by separate arrangements."

### ***How were the national standards developed?***

A large number of stakeholders including; welfare organisations, livestock industry representatives and service providers were involved in shaping the standards. Animal Health Australia manages the process on behalf of all government and industry members. The standards were drafted by a small writing group comprising researchers, government and industry representatives, supported by a widely representative reference group.

### ***Why do we need new national welfare standards for cattle?***

The main problems underlying the development of the proposed national standards for cattle are those relating to:

- *Risks to the welfare of cattle* due to deficiencies in the existing MCOP for the welfare of cattle; and to a lesser extent
- *Uncertainty for industry* due to a lack of clear and verifiable standards; and

- *Excess regulatory burden* arising from a lack of national consistency and unnecessary standards.

### ***What are the main areas of welfare concern for the RIS?***

The RIS examines the incremental impacts of the proposed standards in relation to existing laws. Some proposed standards listed in Appendix 5 are assessed not to have an incremental cost and are therefore not subject to a cost benefit analysis.

The consultation seeks views on how well the proposed welfare standards will ensure the welfare of cattle and how well the RIS demonstrates the need for the standards and has identified the key costs and benefits for cattle producers, government and the wider community of all proposed standards.

The main areas of direct concern to incremental risks for cattle welfare are in relation to painful husbandry procedures, such as castration, spaying, dehorning, and tail docking.

Other areas of welfare concern include: tethering, dog bites, inappropriate use of electric prodders, induction of early calving and electro-immobilisation. The RIS is seeking greater information on these issues from industry and other stakeholders in order to ascertain the magnitude of the problems.

### ***What is the policy objective here?***

The following overarching policy objective is identified in this RIS:

*To minimise risks to cattle welfare and to reduce regulatory burden in a way that is practical for implementation and industry compliance.*

### ***What options are being considered in the RIS?***

The options and variations evaluated in terms of costs and benefits considered were:

- **Option A:** converting the proposed national standards into national voluntary guidelines (the minimum intervention option);
- **Option B:** the proposed national standards as currently drafted;
- **Option C:** one or more variations of the proposed national standards as follows:
  - *Variation C1:* pain relief for all spaying
  - *Variation C2:* banning flank spaying/flank webbing
  - *Variation C3:* banning permanent tethering
  - *Variation C4:* banning the use of dogs on calves

- *Variation C5*: banning caustic dehorning
- *Variation C6*: banning induction of early calving except for veterinary requirements
- *Variation C7*: banning electro-immobilisation

### ***What does the RIS cost/benefit analysis show so far?***

- The likely animal welfare benefits of the proposed national standards (Option B and Variations C1 to C7), whilst unquantifiable, are all likely to produce minor to significant welfare improvements over the base case and Option A (voluntary guidelines in lieu of mandatory standards).
- All variations except Variation C5 (banning caustic dehorning) would be likely to result in greater welfare benefits than Option B. However, all variations except Variation C3 (banning permanent tethering) would be likely to result in higher costs than Option B; with Variations C2 (banning flank spaying/flank webbing) and C6 (banning induction of early calving except for veterinary requirements) being substantially higher in costs.
- Variation C1, which requires pain relief for all spaying, would provide the highest welfare impact for the greatest number of animals. However, as discussed above, it is difficult to assess and match the relative welfare benefits and costs for each option/variation so that policy makers have a clear picture of the expected net benefits of the proposed reforms. In the case of variation C1, it would be misleading to focus on the quantifiable costs only, without better appreciation of the unquantifiable welfare benefits.
- There is no significant interdependency between the individual variations. There is a small relationship between variations C1 and C2, where adoption of C2 simultaneously with C1 would make C1 adoption slightly cheaper, because with the absence of the flank approach not all cattle are able to be DOT or passage spayed and therefore would not require pain relief. However, this cost saving would be small in comparison to the overall cost of adopting C1 and C2. (Adoption of C2 without adoption of C1 is possible but not likely to be recommended).
- Finally, Table 39 in the RIS shows the incremental average cost impact of Options A and B and Variations C1 to C7 per cow. Variation C6 would result in the highest cost per cow (i.e. \$18.51) and the lowest would be Variation C3 at \$1.27 per cow.

### ***What are the next steps in RIS process?***

The basis of the selection of the preferred option is the one that generates the greatest net benefit for the community. This step is awaiting response from the public consultation on the options and variations considered in this RIS.

The public consultation now seeks the views and advice of interested parties in the further formulation of variations to the existing proposals. Selected additional variations may be investigated and reported in the Decision RIS (which is the finalised RIS following public consultation).

The public consultation also seeks the views and advice of interested parties in providing information and data that would further assist in the assessment of the impacts (costs and benefits) expected under each of the options/variations. A full list of the questions asked in the RIS is provided in the attachment to this guide.

After public consultation, there will then be a final cost/benefit comparison between Options A, B and C with a view to making a recommendation on a preferred option to SCoPI as part of the Decision RIS.

### ***Attachment – Complete list of public consultation questions***

**Public consultation question 1:** In your experience, to what extent does the existing MCOP and related regulations create uncertainty for industry? Does such uncertainty vary between different states and territories?

**Public consultation question 2:** Do you have evidence of the percentage of cattle farming businesses that operate in more than one jurisdiction and how many cattle are likely to be affected? Please provide percentage estimates for various combinations of states and territories.

**Public consultation question 3:** Do you have evidence of jurisdictional differences in welfare standards for cattle that result in the need to use multiple farming practices within the same farming business? If so, does this result in higher costs to farmers? How much are these additional costs?

**Public consultation question 4:** Do you know of other differences in current state or territory welfare standards for cattle; and if so, what are these?

**Public consultation question 5:** Do you believe that the net benefits achieved under option A, including welfare benefits and reduction in excess regulatory burden, are justified?

**Public consultation question 6:** Do you believe that the net benefits achieved under option B, including welfare benefits and reduction in excess regulatory burden, are justified?

**Public consultation question 7:** Do you believe that the benefits achieved under Variation C1 of Option B, including welfare benefits of pain relief with spaying and reduction in excess regulatory burden, are justified?

**Public consultation question 8:** Do you believe that the benefits achieved under Variation C2 of Option B, including welfare benefits of banning flank spaying and webbing and reduction in excess regulatory burden, are justified?

**Public consultation question 9:** Do you believe that the benefits achieved under Variation C3 of Option B, including welfare benefits of banning tethering and reduction in excess regulatory burden, are justified?

**Public consultation question 10:** Do you believe that the benefits achieved under Variation C4 of Option B, including welfare benefits of banning the use of dogs on calves and reduction in excess regulatory burden, are justified?

**Public consultation question 11:** Do you believe that the benefits achieved under Variation C5 of Option B, including welfare benefits of banning caustic dehorning and reduction in excess regulatory burden, are justified?

**Public consultation question 12:** Do you believe that the benefits achieved under Variation C6 of Option B, including welfare benefits of banning induction of early calving except for veterinary requirements and reduction in excess regulatory burden, are justified?

**Public consultation question 13:** Do you believe that the benefits achieved under Variation C7 of Option B, including welfare benefits of banning electro-immobilisation and reduction in excess regulatory burden, are justified?

**Public consultation question 14:** Do you know the number or percentage of dogs requiring training or any information under proposed standard S5.4 to improve the estimation of costs?

**Public consultation question 15:** Do you know the number or percentage of dogs requiring muzzling proposed standard S5.5, or any information to improve the estimation of costs?

**Public consultation question 16:** Do you know the number or percentage of cattle tethered and requiring exercise under proposed standard S5.6 or any information to improve the estimation of costs?

**Public consultation question 17:** Do you know the number or percentage of cattle subject to electro-immobilisation, the number of farmhands requiring training under proposed standard S5.7 or any information to improve the estimation of training costs?

**Public consultation question 18:** Do you know the number or percentage of cattle requiring pain relief for castration under proposed standard S6.2; or any information to improve the estimation of costs?

**Public consultation question 19:** Do you know the number or percentage of cattle requiring pain relief under for dehorning under proposed standard S6.4; or any information to improve the estimation of costs?

**Public consultation question 20:** Do you know the number or percentage of calves are currently being dehorned using caustic chemicals that would benefit from the conditions specified under proposed standard S6.5? Do you have any information to improve the estimation of costs?

**Public consultation question 21:** Do you know the number or percentage of businesses that would otherwise choose to apply caustic chemicals under the aforementioned conditions in the proposed

standard S6.5 – and that are currently unable to do so? What would the typical cost savings be per calf?

**Public consultation question 22:** Do you know the number or percentage of farm hands requiring training for spaying under proposed standard S6.7; or any information to improve the estimation of costs?

**Public consultation question 23:** Do you know the number or percentage of cattle requiring pain relief under proposed standard S6.8 for spaying or any information to improve the estimation of costs?

**Public consultation question 24:** Do you know the number or percentage of cattle affected under proposed standard S6.9 to ban vaginal spreaders for small or immature cattle; or any information to improve the estimation of costs?

**Public consultation question 25:** Do you know the number or percentage of cattle inspections required under proposed standard S7.2 for the inspection of calving cows, additional costs or any information to improve the estimation of costs?

**Public consultation question 26:** Do you know the number or percentage of cattle affected under proposed standard S8.4 to improve hygiene or any information to improve the estimation of costs?

**Public consultation question 27:** Do you know the number or percentage of dairy cattle that are adversely affected by heat stress? Do you have any other information to improve the estimation of costs under the proposed standard S9.2?

**Public consultation question 28:** Do you know the number or percentage of cattle affected under proposed standard S9.3 to severely limit tail docking to treat injury or disease, or any information to improve the estimation of costs?

**Public consultation question 29:** Do you know the number or percentage of cattle that are adversely affected by poor diet in feed lots? Do you have any other information to improve the estimation of costs under the proposed standard S10.2?

**Public consultation question 30:** Do you know the number or percentage of feedlots affected under proposed standard S10.2 for feed record keeping or any information to improve the estimation of costs?

**Public consultation question 31:** Do you know the number or percentage of cattle in unaccredited feedlots that are affected by adverse welfare outcomes due to not being fed fresh feed each day as required under proposed standard S10.3?

**Public consultation question 32:** Do you know the number or percentage of feedlots affected under proposed standard S10.4 to conduct heat risk assessments or any information to improve the estimation of costs?

**Public consultation question 33:** Do you know the number or percentage of cattle affected under proposed standard S11.5 for humane killing; or any information to improve the estimation of costs?