



**Australian Animal Welfare Standards and Guidelines for Cattle
Public Consultation
May 2013**

**NSW Farmers' Association
Level 6, Chandos Street
St Leonards NSW 2065**

Ph: (02) 9478 1000
Fax: (02) 8282 4500
Email: goughj@nswfarmers.org.au

NSW Farmers' Association Background

The NSW Farmers' Association (NSW Farmers) is Australia's largest State farmer organisation representing the interests of its farmer members – ranging from broad acre, livestock, wool and grain producers, to more specialised producers in the horticulture, dairy, egg, poultry, pork, oyster and goat industries.



Executive Summary

NSW Farmers welcomes this opportunity to provide feedback from our members on the proposed Australian Animal Welfare Standards and Guidelines for Cattle. NSW Farmers advocates for best practice regulation in animal welfare and we encourage and promote to our members the need to apply a high standard of animal welfare.

We understand that the development of these nationally consistent standards and guidelines for cattle is part of the Australian Animal Welfare Strategy (AAWS). We also understand that these are intended to replace the current Model Code of Practice (MCoP) for the Welfare of cattle and will be adopted into legislation if they are endorsed by the relevant Ministers.

NSW Farmers supports Option A in the Regulatory Impact Statement (RIS) which is the conversion of the proposed national standards into national voluntary guidelines. This is because NSW Farmers is not convinced that an additional layer of regulation will actually improve animal welfare outcomes as intended. The vast majority of producers already ensure that the welfare of animals in their care is upheld and for the minority of cases where this does not occur there is already legislation, the Prevention of Cruelty to Animals Act, which can be used to enforce minimum standards.

NSW Farmers endorses a voluntary, self regulatory animal welfare program to progress best practice management. There is no need for these to be regulated or legislated to meet the aim of the AAWS to ensure that 'the welfare needs of animals are understood and met'. In fact, if there is to be adequate monitoring and enforcement of compliance then significant funding will also be required. This will mean that the standards will become an expensive solution to something which is not a problem.

If the proposed national standards are converted into national voluntary guidelines then NSW Farmers are largely supportive of the standards and guidelines contained within this document. We do have some specific concerns with some of the provisions and these have been explained in detail in this submission.

NSW Farmers has engaged in extensive consultation with our beef and dairy members to ensure that our positions are reflective of industry. We conducted a survey of 355 beef and dairy producers which, along with existing Association policy, informed a working group which was specifically tasked with developing this submission.



TABLE OF CONTENTS

| | |
|--|----|
| Executive Summary..... | 2 |
| 1. Regulatory Impact Statement Options | 4 |
| 1.1 Support for Option A..... | 4 |
| 1.2 Option C Variations | 5 |
| 2. Standards and Guidelines | 8 |
| 2.1 General Comments | 8 |
| 2.2 Specific Issues | 8 |
| Conclusion | 12 |

1. Regulatory Impact Statement Options

1.1 Support for Option A

NSW Farmers supports Option A in the Regulatory Impact Statement (RIS) which is the conversion of the proposed national standards into national voluntary guidelines. This is because NSW Farmers is not convinced that an additional layer of regulation will actually improve animal welfare outcomes as intended. The vast majority of producers already ensure that the welfare of animals in their care is upheld and for the minority of cases where this does not occur there is already legislation, the Prevention of Cruelty to Animals Act, which can be used to enforce minimum standards.

NSW Farmers endorses a voluntary, self regulatory animal welfare program to progress best practice management. This is consistent with the results of our survey which suggest that 83% of beef and dairy producers think that there should be a nationally consistent set of principles for animal welfare. It would be more appropriate for industries to develop a best practice manual which reflects the standards and guidelines in this document. This document could be regularly updated and become a resource to assist the industry to achieve best practice outcomes. There is no need for these to be regulated or legislated to meet the aim of the AAWS to ensure that 'the welfare needs of animals are understood and met'.

NSW Farmers does not support national standards and supports Option A for the following reasons:

- The vast majority of producers already ensure that the welfare of animals under their care is upheld.
- The Prevention of Cruelty to Animals Act already exists to enforce animal welfare obligations in the small number of cases where these are neglected.
- Our survey data suggests that of those who are aware of the MCoP only 23% think that legislated minimum standards will achieve better welfare outcomes than the current MCoP.
- Black and white rules do not adequately meet animal welfare needs. Biological systems are very complicated and decision making is a sophisticated process which needs to take into account a matrix of considerations. There is strong potential for these Standards and Guidelines to create perverse outcomes in specific situations because of their lack of flexibility.
- If there is to be adequate monitoring and enforcement of compliance then significant funding will also be required.
- Around the country rural service delivery agencies and departments responsible for agriculture have seen reduced budgets and staffing numbers since the development standards and guidelines was begun in 2005. This means that there will be increasingly limited resources which governments will be prepared to devote to animal welfare activities and the adequate monitoring and enforcement of compliance will be a significant drain on these resources. This means that the standards will become an expensive solution to something which is not a problem

- at a time when resources are constrained. It would be a much better investment for governments to improve their extension capacity to drive behavioral change, rather than wasting money on compliance where there is no significant problem.
- Where consumers wish to see animal husbandry practices which impose additional cost burdens on producers but which do not compromise animal welfare then the market is the most appropriate vehicle to drive these changes. There are already auditing schemes in place, such as the Pasture Fed Certification scheme or Meat Standards Australia grading, which allow consumers to make purchasing choices regarding certain husbandry practices. It is inappropriate to drive change related to consumer preferences through legislation when it can be done through market mechanisms.
 - Education will always achieve a higher animal welfare outcome than legislation.

1.2 Option C Variations

While NSW Farmers supports Option A, we provide the following comments on the Option C Variations to make our position clear.

| Issue | Comments |
|--------------|---|
| Variation C5 | <p>NSW Farmers does not support Variation C5. As highlighted in the Regulatory Impact Statement and the background information provided for the public consultation, scientists have demonstrated that caustic disbudding causes less pain than other disbudding/dehorning procedures. Other welfare risks from the use of caustic paste are associated with potential transfer of the caustic paste to other sensitive tissues that can be readily managed by the provisions of standard S6.5.</p> <p>Caustic disbudding is mainly used in the dairy industry and dairy industry policy currently encourages farmers to minimise the pain associated with horn removal by disbudding calves rather than surgical dehorning of older animals. Caustic disbudding has significant benefits because it requires minimal restraint to apply, it does not require specialized equipment and it is undertaken on younger calves less than 14 days old. This makes it ideal to perform on dairy farms with all-year calving with small numbers of calves at a time, where it is not feasible to engage a professional contractor.</p> |

| | |
|---------------------|---|
| <p>Variation C6</p> | <p>NSW Farmers does not support Variation C6 as it is not proportionate to the animal welfare risks and it would impose unreasonable economic consequences for a large number of dairy enterprises.</p> <p>Calving induction is a treatment to assist reproductive performance of the dairy herd particularly in seasonal calving dairy herds to align calving and peak nutritional requirements with maximum pasture availability. Welfare risks associated with calving induction can be managed effectively by the provisions of standard S7.3 that requires veterinary oversight to ensure the procedure is relevant to the reproductive management of the herd, only suitable cows are selected and induced to minimise any adverse welfare outcomes; and also standard S7.4 so that when induced calves are born they receive prompt attention for their care that may involve euthanising weak calves.</p> <p>For a seasonal calving herd with typical fertility the economic costs of not using induction can be significant due to the difficulty of getting cows-in-calf and the need to cull these cows and purchase replacements. Economic modelling is difficult to perform and it does not take into account the implications for biosecurity of the farm associated with the need to purchase cows or the workforce impacts.</p> <p>The dairy industry has a high priority and active research and extension program towards improving reproductive performance and research is being conducted to identify alternative management strategies to reduce the need for calving induction in seasonal calving herds as part of the National Dairy Industry Animal Welfare Strategy.</p> |
|---------------------|---|



*Submission to Australian Animal Welfare
Standards and Guidelines for Cattle*

| | |
|---------------------|--|
| <p>Variation C7</p> | <p>NSW Farmers do not support Variation C7 as electro-immobilisation is a legitimate restraining procedure which reduces work health and safety concerns when working with cattle and prevents cattle from injuring themselves when a procedure is being conducted.</p> <p>Working with cattle in confined circumstances is often necessary to administer procedures, such as veterinary intervention, which improve the welfare of the cattle. This can be very dangerous for workers if cattle are agitated and the use of electro-immobilisation allows operations to be performed in relative safety.</p> <p>Also the use of electro-immobilisation ensures that procedures are undertaken quickly and that cattle are unable to injure themselves in the process.</p> <p>Some studies have suggested that electro-immobilisation has an aversive effect on some animals but this is the case with all restraining devices. The benefits to cattle welfare of performing certain procedures far outweigh the small impact of aversive reactions and it would be inappropriate to ban this procedure.</p> |
|---------------------|--|

2. Standards and Guidelines

2.1 General Comments

Animal Health and Welfare

The current draft standards and guidelines reflect an artificial separation of animal welfare from animal health which both is inappropriate and unconstructive. The focus on the animal welfare impacts of various husbandry practices does not acknowledge that endemic diseases can have far greater and longer term consequences for animal welfare. This has led to increased investment by government and industry, as well as individual farmers and consumers, in ensuring certain husbandry standards are upheld while at the same time governments and industry bodies are reducing their funding of endemic disease programs. This will have direct consequences for animal welfare but it is not taken into consideration when decisions about animal welfare are made.

Many husbandry interventions by producers are aimed at endemic disease management. This means that producers have to take into account both the short term animal welfare impacts of an intervention and the long term animal welfare consequences of not intervening when managing disease.

Pain Relief

The current draft standards and guidelines over emphasise the importance of pharmaceutical pain relief and do not take into account the importance of alternative options for short and long term pain relief. The draft national standards and guidelines place significant emphasis on the need to legislate for pain relief in the first 24 hours but do not recognise that pain is something which needs to be managed over a period of days. Managing the healing of wounds is much more important than providing short term relief but the focus on drugs could have the unintended consequence of making some farmers think that they have adequately dealt with the pain of a procedure by using a local anaesthetic. In fact allowing animals to good quality feed, minimising time that calves spend away from their mothers and ensuring that procedures are done quickly and cleanly are far more effective for pain management than the administration of a drug.

2.2 Specific Issues

| Issue | Comments |
|--|--|
| G3.12 <i>Predator control programs should be implemented where predation is a risk to the welfare of cattle.</i> | The wording of this should be changed to reflect the importance of participation in both individual and regional predator control plans. The wording also needs to be amended to acknowledge that predation is always a risk to the welfare of cattle. It should read: 'Individual and regional predator control plans should be implemented because predation is a risk to welfare of cattle' |

| | |
|--|---|
| <p>4. Facilities and equipment</p> | <p>Under this section there needs to be a new guideline which recommends that operators of cattle facilities and equipment have the relevant knowledge, experience and skills to do so. This would encourage producers to ensure that they understand the facilities and equipment that they are using and can identify any animal welfare risks they may pose.</p> |
| <p>S5.5 <i>A person in charge must ensure a dog is muzzled when moving calves less than 30 days old that are without cows</i></p> | <p>NSW Farmers' survey shows that 58% of producers are unsupportive of this standard and that 69% of producers favour a replacement which is in line with the current draft sheep Standards and Guidelines. This should instead read: <i>'A person in charge of a dog that habitually bites cattle must muzzle the dog while working cattle'</i>. NSW Farmers supports this change because a black and white rule does not reflect the reality which is that the vast majority of dogs do not habitually bite cattle. Also there are welfare consequences for dogs which are muzzled in hot conditions, so to have all dogs muzzled regardless of whether they bite cattle or not is impractical and will possibly result in worse animal welfare outcomes.</p> |
| <p>S5.7 (2) <i>A person must only use electro-immobilisation on cattle if:- the cattle are more than six months old</i></p> | <p>This standard is both arbitrary and unenforceable and as such should not be a legally enforceable standard. Anecdotal evidence from veterinarians who use electro-immobilisation suggests that when properly used this technique is as safe to use on young cattle as it is on older animals. There is not a linear relationship between the weight of an animal and the amount of current that needs to be used. Also the age of cattle is not easily measurable and therefore it will be difficult to impossible to enforce any standard which has an age limit. This is yet another reason why these Standards should instead be Guidelines.</p> |
| <p>S5.7 (4) <i>A person must only use electro-immobilisation on cattle if:- alternative restraining methods are not adequate to hold cattle sufficiently for the procedure being performed</i></p> | <p>This standard should be a guideline as it cannot be enforced and should be at the discretion of the operator.</p> |

| | |
|---|--|
| <p>S6.2 <i>A person in charge must use pain relief when castrating cattle, unless cattle are:</i></p> <ol style="list-style-type: none"> 1) <i>Less than six months old; or</i> 2) <i>Less than 12 months old if at their first yarding, and where the later age is approved in the jurisdiction.</i> | <p>NSW Farmers survey suggests that 62% of producers oppose this standard and NSW Farmers believes that the inconsistency among producers and across jurisdictions inherent in this standard is unacceptable. While in NSW it is currently illegal to castrate calves over the age of 6 months, unless under veterinary supervision, this is not the case in Queensland. This means that there is a significant cost disparity for producers in NSW where the type of business operation means that cattle are over six months of age at their first yarding. The standards and guidelines are intended to be a nationally consistent document so to ensure this is the case NSW needs to change the law around castration to ensure it is acceptable where cattle are under 12 months and at their first yarding. The standards and guidelines should not pre-empt what is and is not acceptable in different state jurisdictions but should instead be a consistent recommendation to all states. If this is to become a Standard then Part 1) should be changed to read '<i>less than 12 months</i>', part 2) should be deleted and G6.2 should be changed to read '<i>Surgical procedures should be done with pain relief, especially if the cattle are older than 6 months</i>'. This will ensure that there is consistency among producers and across jurisdictions.</p> |
| <p>S6.4 <i>A person in charge must use pain relief when dehorning cattle, unless cattle are:</i></p> <ol style="list-style-type: none"> 1) <i>Less than six months old; or</i> 2) <i>Less than 12 months old if at their first yarding, and where the later age is approved in the jurisdiction.</i> | <p>NSW Farmers survey suggests that 58% of producers oppose this standard and NSW Farmers believes that the inconsistency among producers and across jurisdictions inherent in this standard is unacceptable. The standards and guidelines are intended to be a nationally consistent document and should not pre-empt what is and is not acceptable in different state jurisdictions but should instead be a consistent recommendation to all states. If this is to become a Standard then Part 1) should be changed to read '<i>less than 12 months</i>', part 2) should be deleted and G6.2 should be changed to read '<i>Surgical procedures should be done with pain relief, especially if the cattle are older than 6 months</i>'. This will ensure that there is consistency among producers and across jurisdictions.</p> |
| <p>G6.14 <i>Calves less than two weeks old should be castrated by the rubber ring method in preference to the cutting method and G6.15 Calves more than two weeks old should be castrated by the cutting method in preference to the rubber ring and tension-band method</i></p> | <p>In NSW Farmers' survey producers were asked 'When castrating calves, at what age do you think it is appropriate to change from using the rubber-ring to using the cutting method?' The results of this show that 46% of producers only use the rubber ring method and another 23% only use the cutting method. Of those who do change the majority do so after 3 months and only 1% do so at 2 weeks. NSW Farmers is unaware of any scientific evidence that supports a change of practice at 2 weeks. If there is no scientific evidence then these Guidelines are arbitrary and questionable based on the survey results. If there is scientific evidence then this represents a distinct failure of extension efforts to communicate this to producers, at least in NSW, and this should be rectified. Also NSW Farmers has received feedback that the term 'cutting method' is unclear and that it</p> |

| | |
|--|--|
| | would be clearer if the language was changed so that instead of using the term 'cutting method' reference was made to 'surgical castration'. |
| 6. Castration, dehorning and spaying | A new Guideline should be added after G6.9 which reads: <i>'Operators should adopt appropriate strategies to minimise the risk and impact of common infections, such as by Clostridium tetani, through vaccination of calves and/or their mothers'</i> . This is in line with the current draft sheep Standards and Guidelines and reflects the animal welfare impact that diseases can have upon cattle. |
| G9.8 <i>Extra teats should be expertly and hygienically removed as soon as they can be identified</i> | This Guideline needs to be rewritten to be clearer in its intention. As it is currently written it can be read two ways - either that it is best practice to remove all teats if they are identified or that if extra teats are to be removed that this should be done expertly and hygienically. NSW Farmers' supports the second interpretation but not the first. This is because it would be impractical for all extra teats to be removed from all dairy cattle and it is not clear what welfare benefit this would have. The guideline should be rewritten as follows: <i>'If extra teats are to be removed this should be done expertly and hygienically as soon as they can be identified'</i> |
| 11. Humane Killing | The references to killing cattle should be changed and the term 'euthanise' used instead. This reflects the fact that when producers do kill their animals it is done to relieve pain and suffering. |
| S11.5 <i>A person killing a calf by a blow to the forehead must first ensure that the calf is less than 24 hours old</i> | This standard should be removed as it is covered by S11.1 <i>A person in charge must ensure killing methods for cattle result in rapid loss of consciousness, followed by death while unconscious</i> . The choice of 24 hours is an arbitrary delineation and if a producer is to meet S11.1 then they must ensure that the calf is young enough that a blow to the forehead will result in rapid loss of consciousness, followed by death while unconscious. |



Conclusion

Beef and dairy producers in NSW lead the world in applying a high standard of animal welfare to animals in their care. This is because farmers are committed to upholding their moral and ethical obligation to provide excellent care of their animals every day. NSW Farmers advocates for best practice regulation in animal welfare and we encourage and promote to our members the need to apply a high standard of animal welfare.

NSW Farmers supports Option A in the Regulatory Impact Statement (RIS) which is the conversion of the proposed national standards into national voluntary guidelines. This is because NSW Farmers is not convinced that an additional layer of regulation will actually improve animal welfare outcomes as intended when the vast majority of producers already ensure that the welfare of animals under their care is upheld. NSW Farmers endorses a voluntary, self regulatory animal welfare program to progress best practice management.

If the proposed national standards are converted into national voluntary guidelines then NSW Farmers are largely supportive of the standards and guidelines contained within this document. We have identified certain specific areas which require changes and these constructive changes will ensure that the final document is relevant and practical.