



PEOPLE FOR
THE ETHICAL
TREATMENT
OF ANIMALS

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**SUBMISSION ON THE PROPOSED AUSTRALIAN
ANIMAL WELFARE STANDARDS AND
GUIDELINES FOR CATTLE**

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A. *About PETA Australia*

People for the Ethical Treatment of Animals (PETA) Australia is the local affiliate of the world's largest animal rights organisation, PETA US, which has over 3 million members and supporters worldwide. PETA is dedicated to establishing and protecting the rights of all animals, and operates under the simple principle that animals are not ours to eat, wear, experiment on, use for entertainment or abuse in any way.

PETA Australia works through public education, cruelty investigations, research, lobbying, celebrity involvement and protest campaigns to focus international attention on issues such as mulesing, factory farming, and the exploitation of animals for their skins, in laboratories, and for "entertainment".

B. *Opening Comments on the scope of PETA's response and the structure and efficacy of the draft standards*

1. The Animal Welfare Standards public consultation process seeks comment from interested parties on the Draft Australian Animal Welfare Standards and Guidelines for Cattle. PETA's comments on the document are below.

PETA's submission is not a comprehensive response regarding all the inadequacies in the draft document. In providing comment on the draft standards, PETA is taking the opportunity to comment on the specific issues most concerning to it.

Omission to comment on any particular standard should not be inferred to evince PETA's satisfaction with or endorsement of that standard.

Recommendations are intended to be considered operating independently from each other where appropriate and applicable.

PETA's position is that cattle exploited in the Australian meat and dairy industries suffer at all stages of their lives, but here we confine our comments to the areas addressed in the standards that cause the most acute and egregious suffering for the animals.

2. As flagged below, PETA views one of the most fundamental shortcomings of the draft document to be the proposed structure of nominating some basic minimum care requirements as legally enforceable "standards" and consigning all other aspects of care and treatment to the status of unenforceable and therefore manifestly toothless "guidelines" that do no more than, as noted in the RIS' introduction, "provid[e] advice and/or recommendations".

Specific instances of where this structure fails to ensure some of the most basic welfare protections are discussed in more detail below, but PETA's view regarding the overarching result of such an arrangement is that, in addition to the obvious obstacles this poses to ensuring the welfare of the cattle can be meaningfully protected, the message conveyed to those with cattle in their care is that only the most minimal effort and consideration is required in order to fulfil their legal obligations as caretakers.

Many if not most of the aspects of care classified as guidelines have even more significant welfare implications for the daily experiences of the cattle than those aspects covered in the proposed standards; their classification as guidelines appears to be based on considerations of economics and expediency rather than any valid determination that they are superfluous to the animals' fundamental welfare needs.

Since the stated aim of introducing revised standards governing the on-farm treatment of cattle is to improve welfare outcomes for the animals, PETA submits that welfare should indeed be the central consideration in determining which minimum requirements are legally enforceable, rather than money and convenience.

PETA's bases for the above position in relation to particular standards and guidelines are detailed below.

C. Summary of Recommendations

1. **S2.1:** Should be redrafted to require cattle have access to adequate and appropriate feed and water sufficient to meet all welfare needs, as judged by clear, verifiable factors. Remove "reasonable", as defined, as a consideration.
2. **G2.7:** Should be promoted to the status of a standard.
3. **G2.8:** Should be promoted to the status of a standard.
4. **G2.10 and G2.11:** Should be amended to reflect that cattle should have access to water at all times necessary to ensure their welfare and wellbeing.
5. **G2.12:** Should be promoted to the status of a standard.
6. **G2.13:** Should be:
 - i. promoted to the status of a standard; and
 - ii. amended to remove the words "Where the water quality is known to be variable, it" and replaced with the words "All water sources for cattle"
7. **G2.14:** Should be:
 - i. promoted to the status of a standard; and
 - ii. amended to remove the words "in a reasonable time" and replaced with the words "at all times".
8. **G3.2:** Should be amended to:
 - a. more clearly define requirements re maximum times between inspections specified for each production system type;
 - b. more clearly define what an inspection must entail, and when inspection on a herd basis will be insufficient; and
 - c. specify particular inspection requirements for recognised higher-risk areas.

9. **G3.3:** The matters dealt with in the guideline should be promoted to an enforceable standard requiring that all cattle have access at all times to shelter, shade and similar protection adequate to ensure each animal's welfare and wellbeing.
10. **G3.4:** Should be:
 - i. promoted to the status of a standard prohibiting handling during extremely hot weather except where such handling is primarily in the interests of welfare; and
 - ii. amended to include an objective definition of what temperature and conditions will be deemed to constitute extremely hot weather.
11. **G3.6:** The language of the guideline should be incorporated into **S3.3** as follows: "A person in charge must seek appropriate veterinary advice for sick, injured or diseased cattle at the earliest opportunity and ensure appropriate treatment for all affected animals."
12. **G3.11:** Should be promoted to the status of a standard.
13. **G4.3 and G4.4:** Should be promoted to the status of standards, or otherwise incorporated into **S4.1** in sufficient detail to make caretakers obligations clear and comprehensive.
14. **G4.6:** Should be promoted to the status of an enforceable standard.
15. **G4.9:** Should be promoted to the status of a standard.
16. **G4.10:** Should be promoted to the status of a standard.
17. **G4.11:** Should be:
 - i. promoted to the status of a standard; and
 - ii. amended to remove the words "an appropriate depth of bedding material" and insert the words "bedding material of a depth, type and quality sufficient to ensure the welfare and wellbeing of the cattle".
18. **G4.12:** Should be:
 - i. promoted to the status of a standard; and
 - ii. expanded to require a person in charge to prepare and maintain a written emergency plan and tested risk minimisation strategy in the event of a fire.
19. **S5.1:** Should be amended to:
 - i. remove "in an unreasonable manner" from S5.1(3)
 - ii. remove the word "deliberately" from S5.1(5) and replace it with the word "twist,"
20. **S5.2:** Should be amended to add after the word "collapse." the words "Any cattle showing signs of exhaustion while being moved must be rested for a sufficient amount of time to allow them to fully recover before being moved again".

21. **S5.3:** Should be amended to read “A person must only use an electric prodder where cattle’s welfare is at risk or cattle must be urged to move in an emergency”.
22. **S5.7:** Option C – Variation C7: banning electro-immobilisation should be adopted.
23. **G5.9-G5.11, and G5.17:** Should be promoted to the status of standards.
24. **G5.14:** Option C - Variation C3: banning permanent tethering should be adopted.
25. **S5 - Identification:** That a standard be introduced requiring that any cattle being identified using any form of branding or ear mutilation be provided with a pre- and post-procedure pain relief regime sufficiently effective and long-lasting to ensure the animal’s welfare and wellbeing.
26. **G5.24 – G5.29:** Should be promoted to the status of standards.
27. **S6.1:** Should be amended to only allow castration and dehorning of cattle to be performed by or under the direct supervision of a qualified veterinarian.
28. **S6.2:** Should be amended to remove all words following “when castrating cattle”.
29. **S6.3:** Should be clarified to detail what methods of castration are deemed to be appropriate and how that is to be assessed.
30. **G6.1:** Should be:
 - i. promoted to the status of a standard;
 - ii. amended to include a basis for assessment, focused on considerations relevant to the safety and wellbeing of the cattle, of when a situation truly supports the claim that “there are no alternatives”; and
 - iii. amended to provide that surgical procedures should only be done where they result in all three listed benefits, rather than any one (remove “either” and both instances of “or”, and insert “and” after “better herd management”).
31. **S6.4:** Should be amended to remove all words following “when dehorning”.
32. **S6.5:** Should be clarified to underscore that:
 - i. persons disbudding calves only do so if the procedure is essential for the lifetime welfare of the individual animal and the herd; and
 - ii. the welfare and wellbeing of the animal is the governing principle regarding decisions made at all stages of and in relation to all aspects of the procedure.
33. **G6.18:** Should be promoted to the status of a standard and reworded to require caretakers using cattle for both meat and milk to take all necessary steps to convert their herds to naturally polled cattle at the earliest possible opportunity

34. **S6.7:** Should be amended to remove all words following “must be a veterinarian”.
35. **S6.8:** Should be amended to remove the words “when performing the flank approach for”, and “of” (or that Option C - Variation C1: pain relief for all spaying be adopted in some similar form).
36. **S7.3:** Should be amended to remove the words “done under veterinary advice” and insert the words “only done where a veterinarian advises it is necessary for the welfare of the individual cow or calf, and under veterinary supervision” (or that Option C - Variation C6: banning induction of early calving except for veterinary requirements be adopted in some similar form).
37. **G7.3:** Should be promoted to the status of a standard.
38. **G7.5:** Should be promoted to the status of a standard.
39. **G8.1, G8.4-G8.7, and G8.10-G8.14:** Should be promoted to the status of standards.
40. **S9.3:** Should be amended to remove the words “and only to treat injury or disease” and insert the words “that it is essential as a treatment for an individual animal that is injured or diseased”.
41. **G9.1-G9.6:** Should be promoted to the status of standards.
42. **S10 – Beef feedlots:** A standard should be introduced that requires all external pens to provide shade or cover sufficient to ensure each penned animal’s welfare.
43. **S10.1:** Should be amended to additionally require persons in charge to ensure that external pens are sufficiently enriched to meet the cattle’s psychological needs.
44. **G10.3:** Should be promoted to the status of a standard, and amended to insert the words “Any cattle that are not must receive immediate veterinary care and treatment as necessary”.
45. **G10.6, G10.8, G10.9, G10.11, G10.14:** Should be promoted to the status of standards.

D. *Comments on the drafting and consultation process*

1. In PETA’s view, the longstanding design of animal welfare laws to excise swathes of conduct from state cruelty acts by allowing any conduct that complies with a code of practice fails animals on a daily basis.

Codes of practice are written by and for industry interests rather than for the protection of animals. Practices that would otherwise constitute blatant cruelty

to animals, once brought under the auspices of a code, are shielded from scrutiny and prosecution.

As the process for shaping and implementing welfare codes revolves around the input and preferences of the industry being regulated, they should not be afforded the status of enforceable law without being subjected to the rigor of legislative review.

As has been repeatedly noted by other animal protection groups in welfare law public consultation submissions, the standards that govern acceptable treatment of animals should be incorporated into the state cruelty acts themselves, where the presumptions and compromises that inform the standards can be subject to parliamentary scrutiny and debate.

To circumvent the evaluative standards of the legislative process in favor of consulting with industry on their preferences regarding laws that will govern them, where it is consistently demonstrated that those preferences are informed primarily by interests other than the welfare of the animals in their care, inevitably fails the animals the laws purport to protect.

PETA submits that a revision of welfare laws that aims to truly implement improved protections for cattle should occur through a review and revision of the state acts.

2. The RIS and associated materials strive to create the impression that the consultation and drafting process so far has been a collaborative effort, and that the draft standards are a result of balancing input from stakeholders in both industry and welfare arenas. That implication is disingenuous at best. The RSPCA, for example, named as one of the key welfare groups consulted during the drafting process, has objected to the lack of meaningful participation afforded to the welfare groups consulted.¹
3. In responding to the RSPCA's concerns noted above, a representative from Animal Health Australia (AHA) declared "It's important that the livestock industries have ownership of these standards and guidelines."² It is this approach to crafting the standards that betrays the animals at the most fundamental level. To allow the principal subjects of the law to take the reins in drafting that law is nonsensical.
4. This acquiescence to industry interests contaminates and dilutes the draft standards throughout. As the RIS notes: "The non-enforcement of the recommendations (guidelines) is a fundamental premise on which industry engagement and support for this process is based." As discussed in more detail below, many of the most basic and essential standards of care are relegated to unenforceable "guideline" status.

¹ Sabina Locke, "[RSPCA attacks proposed animal welfare standards](#)", ABC Rural, 25 October 2012

² Ibid.

It is simply an unacceptable method of crafting law to accede to the transparently self-serving demands of those governed at the expense of those protected. PETA submits that it is wholly inappropriate and ultimately destructive for the federal government to allow itself to be held to ransom in this manner.

E. *Comments on particular proposed standards and guidelines*

1. PETA's comments on particular standards and guidelines are below. PETA submits as an overarching objection that the use of a deliberately vague and malleable "reasonableness" principle throughout the standards eviscerates their potential effectiveness from the outset.

The draft standards define a "reasonable" action as one "regarded as reasonably to be done by an experienced person in the circumstances to address a problem, as determined by accepted practice and by other similarly experienced people". Put another way, all actions that would properly be classified as cruelty to animals, but for the fact that industry has entrenched them for any reason they deem fit, will be excused from scrutiny. Threading this shield of "reasonableness" throughout all key proposed standards heralds the inevitable uselessness of the document in offering any meaningful protections for cattle.

2. Feed and water

- a. **S2.1:** The standard requires only that cattle have "reasonable" access to feed and water. As noted above, "reasonableness" is intended to be determined by what others in the industry are doing, rather than what is necessary for the welfare of the cattle.

Recommendation: That S2.1 be redrafted to require cattle have access to adequate and appropriate feed and water sufficient to meet all welfare needs, as judged by clear, verifiable factors. Remove "reasonable", as defined, as a consideration.

- b. **G2.7:** The guideline states that cattle access to contaminated, spoilt and toxic feed and substances should be avoided.

It is unacceptable in PETA's view for an obligation to minimise farmed animals' chances of poisoning themselves to be classified as a guideline.

Recommendation: That G2.7 be promoted to the status of a standard.

- c. **G2.8:** It is similarly unacceptable that the need to regularly check and clean self-feeders is relegated to the status of a guideline.

Recommendation: That G2.8 be promoted to the status of a standard.

- d. **G2.10 and G2.11:** The guidelines recommend that "[c]attle should have reasonable access to water at least daily", or twice daily in hot weather.

There is no welfare-focused consideration informing the need to provide cattle with access to water merely once a day – and only “reasonable” access at that – or merely twice a day in hot weather. Cattle should be provided with access to water at all times necessary to ensure their welfare and wellbeing.

PETA presumes that in any prosecution regarding failing to satisfy the requirement of S2.1 that cattle have “reasonable access to adequate and appropriate feed and water”, it is intended that a court would look to corresponding guidelines for elucidation. It is shameful that a caretaker who manages to provide some access to some water once a day, or twice in the searing summer heat, would satisfy this standard.

Recommendation: That G2.10 and G2.11 be amended to reflect that cattle should have access to water at all times necessary to ensure their welfare and wellbeing.

- e. **G2.12:** It is unacceptable that the need for calves removed from cows to have access to water at all times is relegated to the status of a guideline.

Recommendation: That G2.12 be promoted to the status of a standard.

- f. **G2.13:** It is similarly unacceptable that the obligation to regularly monitor water quality and safety is presented as an optional guideline, especially in higher risk areas. Caretakers of all cattle, however, should also be required to monitor water sources.

Recommendation: That G2.13 be:

- i. promoted to the status of a standard; and
- ii. amended to remove the words “Where the water quality is known to be variable, it” and replaced with the words “All water sources for cattle”

- g. **G2.14:** An obligation to inspect and maintain water infrastructure to ensure that water is provided “in a reasonable time” is surely a fundamental obligation of any caretaker. It should not be optional “best practice”.

Recommendation: That G2.14 be:

- i. promoted to the status of a standard; and
- ii. amended to remove the words “in a reasonable time” and replaced with the words “at all times”.

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

- a. **S3.2:** The standard requires the inspection of cattle “at intervals”, at a level “appropriate to” the production system and risk level. There is no further elaboration on what an acceptable frequency of inspection might be or

how long an “interval” might be acceptable. Oddly, there is some further elaboration on what factors should be taken into account under paddock or extensive systems in G5.3 regarding handling and management, but no expansion in the standard relevant to obligations to inspect.

It is left entirely to caretakers’ discretion to determine for themselves what they consider “appropriate” as regards how thorough an inspection should be, and whether an inspection need be on an individual or herd basis.

Recommendation: That S3.2 be amended to:

- i. more clearly define requirements re maximum times between inspections specified for each production system type;
- ii. more clearly define what an inspection must entail, and when inspection on a herd basis will be insufficient; and
- iii. specify particular inspection requirements for recognised higher-risk areas.

- b. G3.3:** It is unacceptable that the need to provide cattle with adequate shelter is relegated to the status of a guideline, and in addition that that guideline recommends simply that shelter should only be provided “if practical”.

The syntax of the sentence also renders the intention unclear as to whether the guideline is recommending that shelter should only be provided during inclement weather, or whether shelter should be provided in general so that it may be of particular benefit during inclement weather.

Regardless, given that disagreement continues both within industry and between welfare and industry interests as to what might constitute “adequate” shade and protection, clarification is clearly needed.

Recommendation: That the matters dealt with in G3.3 be promoted to an enforceable standard requiring that all cattle have access at all times to shelter, shade and similar protection adequate to ensure each animal’s welfare and wellbeing.

- c. G3.4:** PETA can only conclude that relegating an obligation to minimise handling during extremely hot weather to the status of a guideline is a decision based on expediency rather than welfare.

It is also odd that “extremely hot” is offered as the test of acceptability here. Weather conditions are a readily quantifiable and objectively assessable matter, and harried or self-interested caretakers may err on the side of deciding they do not believe the day is “extremely hot” when deciding whether to handle cattle in their care.

Recommendation: That G3.4 be:

- i. promoted to the status of a standard prohibiting handling during extremely hot weather except where such handling is primarily in the interests of welfare; and

- ii. amended to include an objective definition of what temperature and conditions will be deemed to constitute extremely hot weather.
- d. **G3.6:** It is unacceptable that it is merely recommended that caretakers seek veterinary advice on diagnosing and treating cattle disease.

Recommendation: That the language of G3.6 be incorporated into **S3.3** as follows: “A person in charge must seek appropriate veterinary advice for sick, injured or diseased cattle at the earliest opportunity and ensure appropriate treatment for all affected animals.”

- e. **G3.11:** Similarly, it is unacceptable that an obligation to assess and treat “downer” cattle without delay is relegated to the status of a guideline.

Recommendation: That G3.11 be promoted to the status of a standard.

4. Facilities and equipment

PETA broadly objects to the structuring of this aspect of the standards and guidelines. The entire grouping of guidelines governing facilities and equipment is intended to be encompassed in a lone, vague standard establishing in the most general terms an obligation to construct and operate facilities “to ensure the welfare of cattle”. The guidelines may very well be looked to for guidance, but as they are ultimately unenforceable “recommendations”, it is unacceptable to classify all matters specific to care this way. As such, many of PETA’s recommendations regarding this section are that the standards section should be expanded to encompass matters currently classified as guidelines.

- a. **G4.3 and G4.4:** While the corresponding standard requires caretakers to take “reasonable actions” in facility construction and maintenance to ensure the welfare of cattle, more useful and particular details regarding what might and might not be acceptable are housed only in the unenforceable guidelines.

Again, while a court may ultimately look to these details for guidance, as noted above industry was adamant that the guidelines be understood by all to be unenforceable. As such, it is proposed to be merely “best practice” that caretakers ensure facilities are constructed and maintained to minimise the risks of lameness and accidents, and injury from protrusions and obstacles.

Recommendation: That G4.3 and G4.4 be promoted to the status of standards, or otherwise incorporated into **S4.1** in sufficient detail to make caretakers obligations clear and comprehensive.

- b. **G4.6:** It is similarly nonsensical to classify an obligation to regularly remove faeces and urine accumulations as an unenforceable guideline. Lazy, indifferent or incompetent caretakers confining animals in filth should be unambiguously in breach of the law.

Recommendation: That G4.6 be promoted to the status of an enforceable standard.

- c. **G4.9:** Given that the entire grouping of these guidelines under a single, general standard regarding the construction and operation of facilities as noted above, it cannot reasonably be said that an obligation to ensure daily exercise is apparent from that standard.

An opportunity for cattle to exercise at least each day must be afforded to cattle. The guideline needs to stand alone as a distinct obligation.

Recommendation: That G4.9 be promoted to the status of a standard.

- d. **G4.10:** It is deplorable that an obligation to ensure that air is of an “acceptable quality” with respect to dust, chemicals, smells and smoke is classified as a guideline.

Recommendation: That G4.10 be promoted to the status of a standard.

- e. **G4.11:** It is similarly unacceptable that caretakers not have a legally enforceable obligation to ensure concrete flooring in rest areas is covered with sufficiently deep bedding material, or indeed bedding material of sufficient quality to meet the animals’ welfare needs.

Recommendation: That G4.11 be:

- i. promoted to the status of a standard; and
 - ii. amended to remove the words “an appropriate depth of bedding material” and insert the words “bedding material of a depth, type and quality sufficient to ensure the welfare and wellbeing of the cattle”.
- f. **G4.12:** It is wholly inadequate to classify an obligation to fit and maintain fire alarms and adequate firefighting equipment in all indoor housing systems as a guideline.

In addition, it is insufficient to simply require the presence of alarms and equipment. Currently, the proposed materials simply note a guideline that “[p]lans to minimise risks to cattle welfare should include... flood and fire”, but this is elsewhere in the document in the context of natural disasters. Caretakers confining animals indoors must have a documented emergency plan and risk minimisation strategy outlining the procedures to be implemented in the case of fire, and be able to verify what resources they have at hand to realise that plan.

Recommendation: That G4.12 be:

- i. promoted to the status of a standard; and
- ii. expanded to require a person in charge to prepare and maintain a written emergency plan and tested risk minimisation strategy in the event of a fire

5. Handling and management

a. **S5.1:** The standard states that a person must not:

- i. “strike in an unreasonable manner, punch or kick”.

The effect of the inclusion of this language is to codify the legal acceptability of striking cattle, as long as the animals are struck in a “reasonable” manner. While this is telling of the tolerance level of industry for casual animal abuse, it is a reprehensible standard to set in a document that purports to protect the welfare of animals.

- ii. “deliberately dislocate or break the tail of cattle”.

The equivalent clause in the current MCOP provides “4.13. The use of unreasonable force in twisting an animal’s tail (i.e. force sufficient to cause breakage or dislocation of the tail) to cause it to move is unacceptable”.

PETA presumes, then, that the choice of wording in the current proposed materials is intended to be similarly permissive – that is, that “reasonable” handling is intended to include painfully twisting the tails of cattle, as long as the violence of the twisting stops just short of dislocating or breaking the tail.

Or, indeed, as long as a person can convince a court that they did not “deliberately” dislocate or break the tail they were twisting, but merely intended to cause pain sufficiently intense to force the animal to move and simply got carried away, they will still be deemed to have handled the cattle “reasonably”. That is a reprehensible result.

Recommendation: That the standard be amended to:

- i. remove “in an unreasonable manner” from S5.1(3)
- ii. remove the word “deliberately” from S5.1(5) and replace it with the word “twist,”

b. **S5.2:** The standard prohibits driving cattle “to the point of collapse” and nothing more.

G5.7 recommends that “[c]attle being moved should be rested or allowed to slow if they show signs of exhaustion”. PETA contends that it is insufficient to prohibit driving cattle only to the point of collapse, but merely recommending that cattle showing signs of exhaustion should be allowed to slow, let alone rest.

Recommendation: That S5.2 be amended to add after the word “collapse.” the words “Any cattle showing signs of exhaustion while being moved must be rested for a sufficient amount of time to allow them to fully recover before being moved again”.

- c. **S5.3:** This standard requires that a person “must consider the welfare of cattle when using an electric prodder”.

The RIS declares that the proposed standard “would restrict the inappropriate use of electric prod ders”. It is unclear to PETA how that expectation could reasonably come to be met. The wording of the standard is manifestly hollow, meaningless and unenforceable. Once a caretaker has paused a moment to contemplate the welfare implications of using the prod der, they are then at liberty to proceed to use the painful device as they wish.

The standard does then also provide some limitations on areas of the body and young or lame animals, but the only other clarification is that prods must not be used “in an unreasonable manner” which, as flagged above, is an unhelpful and malleable term.

PETA stands with the countless Australian individuals and organizations who protest the use of electric prod ders on farmed animals.

Recommendation: That S5.3 be amended to read “A person must only use an electric prod der where cattle’s welfare is at risk or cattle must be urged to move in an emergency”.

- d. **S5.7:** The standard permits electro-immobilisation on cattle provided that “alternative restraining methods are not adequate to hold cattle sufficiently for the procedure being performed”.

PETA objects to the continued use of electro-immobilisation (EI) in the Australian cattle industry. As the RIS notes, the process is banned in Victoria, the UK, Ireland, New Zealand and Canada as well as frowned upon in the United States. As persons in charge of cattle in these jurisdictions are obviously using alternative adequate restraining methods that are not only satisfactory to meet their operational needs but also more humane, it is unclear why the Australian industry clings to the process. PETA can only conclude that, as this method of restraint provides no welfare advantage but in fact results in pain and risk for the animal, its election is on the basis of handler ease and convenience.

Recommendation: That Option C – Variation C7: banning electro-immobilisation be adopted.

- e. **G5.9-G5.11, G5.14, G5.17:** It is unacceptable that such basic matters as an obligation to return cattle to food and water as soon as possible after holding in yards, treating wounds as soon as possible, supervising when dipping to prevent drowning, and “avoiding” permanent tethering are classified as guidelines.

Recommendation: That:

- i. G5.9-G5.11, and G5.17 be promoted to the status of standards; and

ii. Option C - Variation C3: banning permanent tethering be adopted.

- f. **S5 - Identification:** The only mandatory standard regarding branding of cattle prohibits head branding. All other matters relating to this incontestably agonising procedure are relegated to the status of guidelines, with the accompanying discussion paper noting industry intention to “promote” the recommended guidelines through “communications and extension campaigns”, leaving caretakers free to ignore such missives, and the subject guidelines, entirely should they so prefer.

It is astonishing to PETA that the identification discussion paper dismissively notes that branding is “associated with some degree of pain but the writing group did not consider it necessary to mandate a requirement for pain relief”.

Cattle kick, bellow and struggle to escape when they are branded, and their cortisol and adrenaline levels spike and heart rates increase. As noted in the discussion paper, the RSPCA considers the use of hot iron branding unacceptable (as well as ear mutilations). If only as a matter of common sense for anyone who has ever suffered a minor burn, let alone been branded for several seconds with a fired iron, it is inarguable that this causes severe and long-lasting pain for the cattle. Considerations of welfare, rather than economics and indifference, must be paramount.

Recommendation: That a standard be introduced requiring that any cattle being identified using any form of branding or ear mutilation be provided with a pre- and post-procedure pain relief regime sufficiently effective and long-lasting to ensure the animal’s welfare and wellbeing.

- g. **G5.24-G5.29:** It is completely unjustifiable that caretakers simply be urged to consider whether they should not brand wet or weak cattle, whether they should ensure the iron is only applied for the correct time and whether to perform ear marking in a way that minimises the risk of infection and tearing.

A common theme throughout the draft materials and the behaviour of the industry, self-interest and expediency are permitted to override the most essential rights of the animals for no supportable reason. To not even mandate that only dry cattle be branded or that equipment be maintained in a sharp and sanitary condition is reprehensible.

Recommendation: That G5.24 – G5.29 be promoted to the status of standards.

6. Castration, dehorning and spaying

- a. **S6.1:** As invasive procedures with associated risks of mishandling and infection, it is inappropriate to allow laypersons to castrate and dehorn cattle without professional supervision.

Recommendation: That S6.1 be amended to only allow castration and dehorning of cattle to be performed by or under the direct supervision of a qualified veterinarian.

- b. **S6.2:** The standard permits castration without pain relief for all calves less than 6 months old, or 12 months old for those at their first yarding.

As the RIS acknowledges, castration is one of the most painful and stressful of invasive procedures inflicted upon cattle.

When used appropriately, sedatives and analgesics substantially reduce the animals' pain and distress. In PETA's view, pain relief should be employed for all castration procedures irrespective of the animal's age.

Recommendation: That S6.2 be amended to remove all words following "when castrating cattle".

- c. **S6.3:** The standard states that "appropriate tools and methods" must be used to castrate cattle. While the guidelines expand on recommendations for what these might be, as the enforceable portion of the document, the standard should anchor to a sufficiently detailed statement regarding what will and will not be considered appropriate.

Recommendation: That S6.3 be clarified to detail what methods of castration are deemed to be appropriate and how that is to be assessed.

- d. **G6.1:** Classifying an obligation to restrict performing surgical procedures to only situations where there are no alternatives as a guideline renders it entirely impotent. In addition, allowing caretakers to elect to perform the procedures solely for management reasons regardless of welfare is unacceptable.

Recommendations: That G6.1 be:

- i. promoted to the status of a standard;
- ii. amended to include a basis for assessment, focused on considerations relevant to the safety and wellbeing of the cattle, of when a situation truly supports the claim that "there are no alternatives"; and
- iii. amended to provide that surgical procedures should only be done where they result in all three listed benefits, rather than any one (remove "either" and both instances of "or", and insert "and" after "better herd management").

- e. **S6.4:** Dehorning and disbudding both result in physiological, neuroendocrine and behavioural changes evidencing intense pain and distress and carry the associated risk of various diseases.

While as noted below PETA believes that breeding naturally polled cattle should be a priority for industry, for those cattle who are dehorned pre- and post-operative analgesia should be administered in all instances.

Recommendation: That S6.4 be amended to remove all words following “when dehorning”.

- f. S6.5: This standard requires that a person “must consider the welfare of the calf when using caustic chemicals for disbudding”.

The phrasing is as hollow and meaningless here as it is in S5.3 above. Once again, a caretaker merely need pause a moment to contemplate the welfare implications of their actions in order to satisfy the whimsically worded requirement.

Recommendation: That S6.5 be clarified to underscore that:

- i. persons disbudding calves only do so if the procedure is essential for the lifetime welfare of the individual animal and the herd; and
 - ii. the welfare and wellbeing of the animal is the governing principle regarding decisions made at all stages of and in relation to all aspects of the procedure.
- g. **G6.18:** As the accompanying discussion paper notes, the affordable Beef CRC DNA test now allows Australian beef producers to identify naturally polled cattle with greater than 90% accuracy. There appears to be no bar, then, to beef producers aggressively pursuing this avenue as a way to phase out dehorning entirely.

The discussion paper also notes that the test has not been validated for breeds used for dairy, that an equivalent test is not currently available, and that breeders of cattle used for dairy are “over burdened with options” as they are already selecting cattle for reasons such as productivity and “marketing purposes (i.e. production of A2 milk)”, and for this reason “[t]he introduction of polled animals into the Australian dairy herd will be a slow process and will not result in any quick, large gains”. Presumably, the gains to the calves who would no longer be forced to endure the agony of disbudding or dehorning are not thought worthy of consideration as sufficiently “large” here. As the draft materials purport to protect cattle welfare, they need to do better than this rather cynical lamentation.

Recommendation: That G6.18 be promoted to the status of a standard and reworded to require caretakers using cattle for both meat and milk to take all necessary steps to convert their herds to naturally polled cattle at the earliest possible opportunity

- h. **S6.7:** The discussion paper on spaying notes that the Australian Veterinary Association’s cattle spaying policy provides that “the surgical flank spaying of cattle may only be performed by veterinarians with the use of appropriate anaesthesia and analgesia”.

As this is an inarguably invasive, painful and distressing procedure, PETA concurs. This is particularly vital given, as the discussion paper notes, currently there is no requirement for competence to be formally assessed.

Recommendation: That S6.7 be amended to remove all words following “must be a veterinarian”.

- i. **S6.8:** The discussion paper on spaying acknowledges that all methods of spaying “are associated with a degree of pain” and notes the Meat and Livestock Australia report acknowledging that both flank and DOT spaying result in acute pain and distress to cattle for up to eight hours.

It is nonsensical, then, to require pain relief only where the flank approach is used.

Recommendation: That S6.8 be amended to remove the words “when performing the flank approach for”, and “of” (or that Option C - Variation C1: pain relief for all spaying be adopted in some similar form).

7. Breeding management

- a. **S7.3:** The standard permits calving induction as long as it is “done under veterinary advice”.

It is unjustifiable for caretakers of cattle used for dairy to put cattle through such an intrusive and risky procedure if such induction is merely to maximize milk production or otherwise entirely unrelated to the welfare of mother or calf.

As worded, the standard leaves the decision whether to induce calving entirely to the person in charge, regardless of whether the course is recommended by a veterinarian, and simply requires that once that decision is made, the induction be done “under veterinary advice”. The standard should be amended to clarify (as is currently classified as an optional consideration in G7.10) that calving induction should only occur pursuant to veterinary advice where it is necessary to protect the welfare of the mother or her calf.

Recommendation: That S7.3 be amended to remove the words “done under veterinary advice” and insert the words “only done where a veterinarian advises it is necessary for the welfare of the individual cow or calf, and under veterinary supervision” (or that Option C - Variation C6: banning induction of early calving except for veterinary requirements be adopted in some similar form).

- b. **G7.3:** Providing cattle with a sheltered, well-drained area in which to give birth, where they can be adequately supervised but not disturbed unless essential, is surely a fundamental welfare matter.

Recommendation: That G7.3 be promoted to the status of a standard.

- c. **G7.5:** Similarly, the obligation to urgently treat or if necessary euthanise injured and severely distressed mothers must be an enforceable

requirement. Caretakers should not merely be urged but specifically compelled to take immediate and satisfactory action here.

Recommendation: That G7.5 be promoted to the status of a standard.

8. Calf-rearing systems

G8.1, G8.4-G8.7, G8.10-G8.14: Like much of the Australian public, PETA is opposed to the particularly cruel confinement of calves for veal production.

While the practice continues, it is manifestly unacceptable for the only legally enforceable standards to be that caretakers must feed and inspect the calves daily; ensure that pens allow calves only enough room to turn, lie and stretch; ensure sufficient iron in the calves' diet and ensure faeces and urine do not accumulate "to the stage that compromises calf health and welfare".

It is a particularly bleak outlook for calves raised and killed for their flesh if the above is all that caretakers must do to comply with the law in this area. In PETA's view the matters dealt with in the guidelines listed above - affording such basic protections as ensuring that singly-housed calves can see neighbouring calves, that the surrounds are safe and clean and dry and feeding equipment be hygienically maintained, that sick calves receive immediate treatment, that calves are ensured at least a meagre 1.5-2m² and sufficient bedding – must surely be implemented as standards to allow all calves raised for their flesh to have at least some modicum of concern extended for their basic welfare needs.

Recommendation: That G8.1, G8.4-G8.7, and G8.10-G8.14 be promoted to the status of standards.

9. Dairy management

- a. **S9.3:** As the discussion paper notes, despite the total absence of evidence that tail docking results in any benefit whatsoever for animal or human, 10% of Australian dairy farmers still perform the procedure. PETA can only assume this is out of habit or some other entirely insupportable rationale.

As some producers continue to view the procedure as an alternative to competent and diligent herd management and supervision, the standard as currently worded would arguably allow producers to tail dock on a herd basis as a preventative "treatment" against injury or disease. It should be amended to clarify that docking should only be performed where a veterinarian has determined it is essential to treat an injured or diseased animal.

Recommendation: That S9.3 be amended to remove the words "and only to treat injury or disease" and insert the words "that it is essential as a treatment for an individual animal that is injured or diseased".

- b. **G9.1-G9.6:** Similarly as regards the relegation of many basic protections to the status of standards in the veal production section discussed above, PETA objects to dairy farmers being merely urged, rather than required, to ensure that basic matters of cleanliness, inspection and treatment are addressed.

The only legally enforceable standard proposed to be universally imposed on dairy farmers is to inspect lactating dairy cows daily. All other matters of the most minimal, basic nature are mere recommendations. It is simply “advised” that caretakers regularly test and maintain milking machinery, strive to minimise the risk of injury and disease, implement lameness and mastitis management strategies, ensure that cows have access to drinking water in hot weather, and so on. It is frankly obscene that industry sees fit to classify these matters as optional luxuries.

Recommendation: That G9.1-G9.6 be promoted to the status of standards.

10. Beef feedlots

- a. The note following this section’s standards simply notes “Shade or cover is provided in some feedlots”. As the draft materials acknowledge throughout, heat stress is of fundamental concern in beef feedlots. It is wholly unacceptable for the document purporting to ensure the welfare of animals held in feedlots to lamely note that some shade is sometimes provided, and then meekly suggest consideration of shade and shelter in the guidelines.

There is no reason for the industry’s continued failure to design and construct feedlots that provide adequate shade and protection other than economics and indifference.

Recommendation: That a standard be introduced that requires all external pens to provide shade or cover sufficient to ensure each penned animal’s welfare.

- b. **S10.1:** Cows are intelligent, curious, social animals. Simply requiring that feedlots provide a minimum area allowance fails to address the need for enrichment and mental stimulation in such a barren environment.

Recommendation: That S10.1 be amended to additionally require persons in charge to ensure that external pens are sufficiently enriched to meet the cattle’s psychological needs.

- c. **G10.3:** While S10.8 requires cattle in feedlots be inspected daily, it is merely a recommendation that “[a]ll cattle should be observed standing and moving during daily inspection”. There no further elaboration on what course should be taken if they are not.

Recommendation: That G10.3 be promoted to the status of a standard, and amended to insert the words “Any cattle that are not must receive immediate veterinary care and treatment as necessary”.

- d. **G10.6, G10.8, G10.9, G10.11, G10.14:** These guidelines that address new, young and pregnant cattle, who are already particular vulnerable before being introduced to the harsh environment of a feedlot, and bare minimum care requirements of ensuring that spoilt feed is removed and clean water provided, should inarguably be mandatory rather than optional matters.

Recommendation: That G10.6, G10.8, G10.9, G10.11, G10.14 be promoted to the status of standards.