

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

6 May 2013

Dear Sir, Madam

Australian Animal Welfare Standards and Guidelines for Cattle - Public consultation

Thank you for the opportunity to comment on the above Standards and Guidelines and its accompanying Regulation Impact Statement (RIS).

Please find attached RSPCA Australia's submission which provides comment and states the RSPCA's position on a number of the proposed Standards and Guidelines.

It should be noted that the conversion of Model Codes to Standards and Guidelines should be seen by industry as an opportunity to improve practices across their membership. It is disappointing to see that, from an animal welfare perspective, the development process has not resulted in any significant improvement for cattle in this country.

Please don't hesitate to contact us should you require further information.

Yours sincerely



Heather Neil
Chief Executive Officer
RSPCA Australia

Tel: 02 6282 8300
Sector: animal welfare organisation

RSPCA Australia Inc.
ABN 99 668 654 249

P 02 6282 8300
F 02 6282 8311
E rspca@rspca.org.au
W rspca.org.au

PO Box 265
Deakin West ACT 2600



RSPCA Australia submission

Australian Animal Welfare Standards and Guidelines for Cattle Public Consultation

6 May 2013

This submission addresses the question put in the public consultation process about how the “draft cattle welfare standards will ensure the welfare of cattle” and whether the “associated consultation RIS demonstrates the need for the standards, and identifies the key costs and benefits for cattle producers, government and the wider community”.

General comments

The lack of prescriptiveness of some Standards means that the intended outcome and the method of achieving that outcome are open to interpretation. Lack of prescriptiveness inevitably leads to lack of enforceability and RSPCA Australia seeks assurance that non-prescriptive Standards will be strengthened where this lack of enforceability could lead to poor animal welfare.

RSPCA Australia believes that greater improvement to the welfare of cattle in Australia could be achieved by adopting the more prescriptive and higher welfare guidelines into the Standards rather than reflecting current industry practice without significantly raising the bar.

The Standards and Guidelines

Preface

The Preface states that the standards “are based on current scientific knowledge, recommended industry practice and community expectations.” For the standards to be based on community expectations, the level of animal welfare must be higher than the baseline proposed in the draft standards.

1. Responsibilities

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

RSPCA Australia is concerned that this standard is open to interpretation and does not provide adequate assurance that the elements of responsibility (as detailed in G1.1) are adequately conveyed.

The standard needs to include the elements of responsibility listed under G1.1.

2. Feed and water

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

RSPCA Australia is concerned that this standard is open to interpretation and does not provide adequate assurance that cattle are provided with sufficient feed and/or water to meet biological needs. It is unacceptable to allow cattle to starve to death or die of thirst, but it is equally unacceptable to allow cattle to reach a body condition score of 1 (i.e. skin over bone) or to deny them water at least daily.

The standard must require daily access to water.

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

RSPCA Australia is concerned that this section of the Standards offers little protection for cattle seeking shade or shelter outside of extreme conditions. For example, it is clear from simple observation that both

Bos primigenius indicus and *Bos primigenius taurus* cattle will access shade when it is available. From the many expressions of concern we receive from members of the public, particularly during the summer, it is also clear that the general public believe that a paddock that provides shade is preferable over one that doesn't.

The section must include a standard that requires cattle to have access to shade/shelter

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.

RSPCA Australia is concerned that this standard is open to interpretation and does not provide assurance that the essential elements of an adequate facility as mentioned in G4.1 through G4.5 will be available.

The standard needs to include the elements of responsibility listed under G1.1 through G4.5.

5. Handling and management

S5.1 (2) drop except to land and stand on its feet; or ...

RSPCA Australia is concerned that this standard conveys a message that it is acceptable to drop rather than place animals back on the ground.

The standard must not allow cattle to be dropped.

S5.1 (3) strike in an unreasonable manner, punch or kick; ...

RSPCA Australia is concerned that this standard is open to interpretation. Striking in an "unreasonable" manner will mean different things to different people, and the aim should be to convey the message that animals shouldn't be hit at all.

The standard must not allow cattle to be struck.

S5.3 A person must consider the welfare of cattle when using an electric prodder, ...

Electric prodders can cause pain and distress. RSPCA Australia advocates for the use of low-stress livestock handling be that on-farm, during transport or at slaughter.

The standard must not permit the use of electric prodders.

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

The presence of a dog is stressful to cattle as they are seen as a predator. Dogs should not be used to move cattle in confined spaces, e.g. yards. Dogs should not be used on cows with calves at foot or on young cattle. The standard should specify that, where necessary, a basket muzzle be used to ensure the dog can breathe properly, pant while running and drink properly. The muzzle should only be used while the dog is working.

The standard must not permit the use of dogs to move cattle under 6 months old.

The standard should specify that a basket muzzle be used.

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

RSPCA Australia believes that animals should only be tethered when there is no alternative means of confinement. It should only be carried out on a temporary basis and only for short periods of time. Tethered animals may become distressed if isolated from conspecifics for long periods. More humane methods of confining an animal to a specific area such as a secure yard or fenced paddock should be considered before tethering.

The standard must not permit permanent tethering or tethering for long periods.

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

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

RSPCA Australia supports the use of humane restraining devices that do not cause injury, suffering or (respiratory) distress and potentially death to the animal concerned. Electro-immobilisation should not be used as a substitute for poor or inadequate handling facilities such as yards and races. It should be noted that the OIE, in Chapter 7.9 “Animal welfare and beef cattle production systems” of the Terrestrial Animal Health Code, states that “electroimmobilisation should not be used.”

The standard must not permit electro-immobilisation.

G5.14 Permanent tethering should be avoided.

RSPCA Australia believes that animals should only be tethered when there is no alternative means of confinement. It should only be carried out on a temporary basis and only for short periods of time. Tethered animals may become distressed if isolated from conspecifics for long periods. More humane methods of confining an animal to a specific area such as a secure yard or fenced paddock should be considered before tethering.

The guideline should be a standard that does not permit permanent tethering.

G5.24 Hot-iron branding of wet cattle should be avoided.

G5.25 The correct time period of application and temperature of the iron should be used when hot-iron branding.

RSPCA Australia believes that hot-iron (fire) branding is an unacceptable means of identification causing obvious pain and distress to the animal. Those states/territories where branding is a legal requirement should require alternative, more humane, methods of identification.

The guidelines should be removed and a standard is required that does not permit hot-iron branding.

G5.29 Ear marking and tattooing instruments should be sharp and clean, with relevant hygiene techniques followed.

RSPCA Australia believes that mutilation of the ear, either through notching or cutting, is an unacceptable means of identification causing obvious pain and distress to the animal. Alternative, low-impact methods of identification should be investigated.

The guideline should remove reference to “ear marking” and a standard is required that does not permit ear marking.

6. Castration, dehorning and spaying

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

Castration is a painful procedure regardless of age; however, the standard only requires pain relief for animals over 6 months of age. It should be noted that the OIE, in Chapter 7.9 “Animal welfare and beef cattle production systems” of the Terrestrial Animal Health Code, states that “where practical, cattle should be castrated before the age of three months, or at the first available handling opportunity beyond this age.” RSPCA Australia believes that where invasive procedures are carried out, they should be conducted with pain relief. As a matter of urgency, industry should progress research to develop affordable and effective pain relief options that can be used on farm by competent operators. To expedite this, the standard should be written in a way that requires those carrying out painful procedures to use pain-relieving technologies by say the end 2015. Given the timeframe for endorsement and implementation, this would provide an additional stimulus to bring to market new products that provide a viable alternative to conducting painful procedures without pain relief.

The standard must require pain relief for all animals regardless of age.

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

Dehorning is a painful procedure regardless of age; however, the standard only requires pain relief for animals over 6 months of age.

The standard must require pain relief for all animals regardless of age.

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

Caustic chemicals cause pain and have the additional risk of getting into the calves’ eyes or other sensitive areas.

The standard must not permit the use of caustic chemicals for disbudding.

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

Spaying can compromise the health and welfare of cows and even result in death. DOT is preferable to other forms of spaying (flank or webbing) but still painful. Spaying should be conducted with pain relief. As a matter of urgency, industry should progress research into alternative methods of pregnancy control for cattle.

A standard is required that permits DOT (but not flank spaying or webbing) and requires pain relief where spaying is considered necessary. A standard is required that ensures alternative spaying methods are taken up as soon as they become available.

G6.2 Surgical procedures should be done with pain relief. Operators should seek advice on current pain minimisation strategies.

RSPCA Australia believes that where invasive procedures are carried out, they should be conducted with pain relief. As a matter of urgency, industry should progress research to develop affordable and effective pain relief options that can be used on farm by competent operators. To expedite this, the standard should be written in a way that requires those carrying out painful procedures to use pain-relieving technologies by say the end 2015.

Given the timeframe for endorsement and implementation, this would provide an additional stimulus to bring to market new products that provide a viable alternative to conducting painful procedures without pain relief.

The guideline should be removed and a standard is required that ensures pain relief is provided for invasive procedures.

G6.19 Disbudding should be done in preference to dehorning.

RSPCA Australia strongly supports the breeding of poll (hornless) animals to preclude the need for disbudding or dehorning. Where it is believed to be necessary to remove horns, the procedure should be carried out before the horn bud attaches to the skull as disbudding is less painful than dehorning.

The guideline should be removed and a standard is required that requires disbudding rather than dehorning when horn removal is being considered.

G6.22 The hair around horn buds should be clipped before using caustic chemicals for disbudding.

Caustic chemicals cause pain and have the additional risk of getting into the calves' eyes or other sensitive areas.

The guideline should be removed and a standard is required that does not permit the use of caustic chemicals for disbudding.

G6.25 The dropped ovary technique (DOT) for cattle spaying should be used in preference to other surgical methods, where possible.

Spaying can compromise the health and welfare of cows and even result in death. DOT is preferable to other forms of spaying but still painful. Spaying should be conducted with pain relief. RSPCA Australia encourages research into alternative methods of pregnancy control for cattle.

The guideline should be removed and a standard is required that permits DOT but requires pain relief where spaying is considered necessary. A standard is required that ensures alternative methods are taken up as soon as they become available.

7. Breeding management

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

G7.8 Herd management strategies should be adopted to minimise or eliminate the need to induce calving.

G7.9 Cows subject to an induction program should be inspected twice daily. Any cow requiring calving assistance or treatment should receive this intervention at the first opportunity.

G7.10 Calving induction should only be done when necessary for the welfare of the individual cow or calf.

RSPCA Australia does not support the use of induced calving as a management practice to regularise milk production in a dairy herd. Induction may cause adverse welfare problems including maternal death as a result of infection due to retained membrane, calving difficulty and photosensitisation.

S7.3 should be strengthened to ensure that induction is only carried where it is necessary for the welfare of the cow or calf, not as a routine measure to achieve a more compact calving pattern to regularise milk production.

Electro-ejaculation

A previous version of the Standards & Guidelines included the following guideline: Semen collection using an artificial vagina should be used in preference to electro-ejaculation. This guideline has been removed in the latest draft and should at the very least be reinstated at a guideline.

A standard is required that does not permit the use electro-ejaculation due to the potential for pain and distress.

8. Calf-rearing systems

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

G8.6 Where there are two or more calves on a property, calves housed in single pens should be able to see neighbouring calves.

From an animal welfare perspective, calves should be housed in groups where they can have contact with one another. Management practices to control disease can be adjusted.

A standard is required that does not permit the housing of calves in individual pens.

10. Beef feedlots

The title of this section should refer to “beef cattle” rather than “beef” feedlots. It is the live animal being lotfed, not the end product.

S10.1 A person in charge must ensure a minimum area of 9 m² per Standard Cattle Unit for cattle held in external pens.

The welfare of animals in feedlots can be enhanced by providing enrichment, for example, through the provision of physical exercise.

A standard is required that ensure animals held in feedlots are provided with an opportunity to exercise (“acclimation”) outside of their home pen.

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

Cattle in feedlots should be provided with a diet that avoids the risk of acidosis and allows animals to chew their cud.

A standard is required that ensures animals held in feedlots are provided with adequate roughage in the diet.

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

Cattle will seek shade when it is available regardless of whether they are breeds adapted to hotter climates (*Bos primigenius indicus*) or southern breeds (*Bos primigenius taurus*) and feedlots should aim to provide shade to meet this need in a manner that doesn't compromise the ability to dry out the pens following wet weather.

A standard is required that ensures that animals held in feedlots are provided with shade/shelter.

G10.1 Feedlots should be accredited under a third party, audited quality-assurance system.

A quality assurance system exists for the feedlot industry and where such schemes exist they should be taken up by industry to ensure certain minimum standards are met and regularly assessed. The RIS estimates that there are over 1760 feedlots that are not accredited (450 are) and the level of welfare of animals in these feedlots is completely unknown. Recognising that some feedlots are opportunistic, it should be a requirement for commercial lotfeeders to participate in a recognised quality assurance scheme.

This guideline should be reflected in a standard that requires all lotfeeders to be accredited under a third-party audited quality assurance scheme.

G10.12 Changes in the diet should be managed to minimise digestive upset to cattle.

Cattle in feedlots should be provided with a diet that avoids the risk of acidosis and allows animals to chew their cud.

This guideline should be a standard which is strengthened to ensure that animals held in feedlots are provided with adequate roughage in the diet to avoid acidosis.

11. Humane killing

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

It should not be permitted to kill a farm animal by a blow to the head - the method requires considerable skill for it to be successful at the first attempt. The recent AVMA euthanasia guidelines state: "Manually applied blunt force trauma to the head is not acceptable for calves because their skulls are too hard to achieve immediate destruction of brain tissue leading to unconsciousness and death."

The standard must require all cattle, including calves under 24 hours old, to be killed using either a firearm or captive bolt.

Regulation impact statement

It is clear from the comments provided above that **RSPCA Australia supports option C** with all variations imposed. In other words, the Animal Welfare Standards and Guidelines will only deliver a significant and meaningful improvement to cattle welfare in this country if the following requirements are included: pain relief for all spaying; banning flank spaying and webbing; banning permanent tethering; banning the use of dogs on calves; banning caustic dehorning; banning induction of early calving except for veterinary requirements; and, banning electro-immobilisation. We are aware that these options will incur a cost for cattle producers.

According to page x, variation C3 (**banning permanent tethering**) would not result in higher costs than Option B, therefore there is no reason why this should not be implemented. We also feel that, contrary to what is stated on page x of the RIS, **banning caustic dehorning** will result in greater welfare benefits than Option B.

We are pleased to note that page 18 of the cattle RIS acknowledges that the **existing MCOP is inadequate**, and - on page 19 - states that the primary problem being addressed by the proposed standards and alternative options is overall risks to animal welfare. We would therefore be extremely disappointed if the financial cost analysis which dominates the document resulted in the implementation of options that are financially motivated at the expense of animal welfare.

Page 21 of the RIS makes an assumption that **welfare-related assurance schemes**, if they were to exist for cattle, would only appeal to a small percentage of consumers and would therefore be of limited benefit to producers. At present, the percentage of consumers seeking higher welfare animal products may be small but it is increasing. Retailer interest in this sector has never been higher and it is only a matter of time before the popularity of higher welfare eggs, chicken and pork is translated to beef and dairy. Cattle producers on the front foot, in other words, those already working to higher welfare standards (i.e. higher than those proposed under Option B) will benefit greatly when this time comes.

RSPCA Australia does not agree with the statement on page 34 of the RIS that suggests that **calving induction** poses little risk to the cow. Induction may cause adverse welfare problems including maternal death as a result of infection due to retained membrane, calving difficulty and photosensitisation to name a few.

RSPCA Australia does not agree with the following statement on page 36: "Given the reduced availability of guns and captive bolt slaughter devices, the use of **blunt trauma** by a single blow to the head of a calf is regarded as a humane and practical method of killing very young animals." Competent use of a firearm or captive bolt is the most humane way to kill a calf and firearms are required on-farm to kill animals over 24 hours old. Industry should actively promote the safe, effective and humane use of such firearms.

Page 37 of the RIS addresses the issue of **national consistency** in animal welfare arrangements. RSPCA Australia supports national consistency if the animal welfare outcomes are indeed meaningful and represent a genuine improvement in conditions for cattle across Australia. However, the development of Standards to date has not resulted in significant improvements other than, of course, the fact that Standards (in contrast to the MCOP arrangements) are enforceable. This means that RSPCA Australia will continue to support jurisdictions that choose to implement regulations that result in higher animal welfare outcomes than those intended by the Standards. As an animal welfare organisation, it is our aim to promote uptake of animal husbandry and management practices that are in the best interest of the animal concerned. Page 38 of the RIS provides examples of areas where jurisdictions have differing regulations than those proposed in this cattle Standard. RSPCA Australia will be most disappointed if these jurisdictions are effectively required to lower their animal welfare standards simply for the sake of national consistency. Instead, the cattle Standards should aim for a similar, higher level of animal welfare.

Page 69 of the RIS suggests that standard 5.7 provides sufficient safeguards around the use of **electro-immobilisation (EI)** and that a ban on the practice would not further improve animal welfare. Standard 5.7 proposes EI only be used on cattle that are over 6 months old. Standard 5.8 proposes that EI not be used as an alternative to pain relief. Electro-immobilisation is used mainly in northern Australia on properties where adequate facilities for yarding and, particularly, confining animals are lacking. Electro-immobilisation is used so that the operator can safely carry out painful invasive procedures. But if, for example, the procedure is used to carry out dehorning and the animal has been yarded for the first time and is greater than 6 months but less than 12 months old, proposed standard 6.4 does not require pain relief in this circumstance. This effectively makes proposed standards 5.7 and 5.8 meaningless - EI is not being used as an alternative to pain relief (it is a method of restraint and, for this particular age of animal, pain relief is not required) and the animals are often over 6 months old when procedures are carried out. The statement regarding EI on page 98 of the RIS effectively underlines the meaninglessness

of proposed standard 5.8. It is not unreasonable to expect cattle producers - be they large or small - to have appropriate facilities available to restrain animals for routine procedures.

RSPCA Australia does not agree with the statement on page 99 of the RIS that states that the **delivery of epidural anaesthesia** require a high degree of expertise. Temporary paralysis/paresis is possible but the risks are small if you have training, use the correct dose, and top up only as needed. There is a huge reduction in risks to the operator and excellent pain relief for the cow.. Rather than identifying barriers, industry should be seeking opportunities for delivering pain relief in a practical and cost-effective manner.

On page 101 of the RIS, reference is again made to the difficulty of incorporating **pain relief** into routine invasive husbandry procedures. Proposed standards 6.2 and 6.4 are effectively meaningless as these procedures (castration and dehorning) are carried out well under 6 months of age in southern Australia and, for most animals in northern Australia, at less than 12 months of age. The requirement for pain relief is limited to the relatively small number of animals that meet the conditions required while the vast majority would continue to be subjected to the procedure without pain relief - i.e. the *status quo* is maintained. It should be noted that the OIE, in Chapter 7.9 "Animal welfare and beef cattle production systems" of the Terrestrial Animal Health Code, states that "anaesthesia or analgesia under the recommendation or supervision of a veterinarian should be considered."

Page 103 of the RIS points out that **spaying** has been practiced for 60 years in northern Australia and is presented as a procedure that increases the animal's chance of survival as well as improving weight gain. However, it is clear that spaying also presents considerable welfare risks to the animal concerned. In addition to developing alternative, non-invasive pregnancy control technologies, focussing on improved bull management offers an opportunity to improve production as well as genetics. Where spaying is considered necessary, and until such time as alternatives are available, the DOT procedure should be applied and accompanied by pain relief. Cattle Council of Australia is currently overseeing the development of a Unit of Competency for DOT lay spayers. Instruction in the administration of pain relief could be easily incorporated as an additional skill for these technicians.

At the very least, the cattle standards should ensure that husbandry or management practices are conducted so that a level of animal welfare is provided that is not lower than that recommended by the OIE, in Chapter 7.9 "Animal welfare and beef cattle production systems" of the Terrestrial Animal Health Code.

SUBMISSION ENDS