



Meat and Livestock Australia Public Consultation Submission:

Australian Standards and Guidelines for the Welfare of Animals- Land Transport of Livestock

Meat & Livestock Australia (MLA) is a service company providing both R&D and marketing services to the red meat industry. MLA is a producer-owned company, working in partnership with industry and government to achieve a profitable and sustainable red meat and livestock industry.

MLA supports the development of Australian Animal Welfare Standards and Guidelines for the Land Transport of Livestock (Standards and Guidelines) for consistent implementation in a national legislative framework. MLA's contribution to the drafting of the Australian Welfare Standards and Guidelines for the Land Transport of Livestock has focused on achieving agreed solutions that will support good animal welfare outcomes using appropriate animal management practices. The development of the draft Standards and Guidelines has included contribution from a wide range of interested parties which has resulted in some compromises in producing the document. Any additional changes to the draft Standards and Guidelines would need to be scientifically based and proportionate to the animal welfare concern.

At commencement of the revision of existing national codes of practice for the welfare of animals the agreed aim was to develop national legal standards that would allow harmonisation of welfare legislation across Australia. The issue of national consistency and implementation of the Standards and Guidelines for the Land Transport of Livestock, is an essential element of this process that must be addressed. This is a key requirement from this process and MLA would like to reinforce the need for national harmonization to continue to be progressed and highlight the important role this will play in obtaining benefit from the considerable contributions made by stakeholders to the development of Standards and Guidelines. To facilitate this MLA continues to support the development of a Deed of Understanding or similar commitment between all states, territories and Federal Government to support national consistency in legislation following completion of the Standards. This agreement needs to encompass nationally consistent structuring, implementation and enforcement of legislation.

MLA supports the inclusion of both Standards and Guidelines in the National document however there is concern that there still appears to be widely differing views regarding the position of the Guidelines in legislation. It is essential that the interpretation of Standards and Guidelines follows that outlined in the drafted Standards and Guidelines which indicate "non compliance with one or more guidelines will not in itself constitute an offence under law". Therefore MLA will only support the Standards being adopted into legislation and will not support any process where State or Territory legislation refers to or legislates Guidelines.

MLA would like to acknowledge that the drafted Land Transport Standards will impact on industry practice and costs to industry. The Regulatory Impact Statement (RIS) estimates that the proposed standards will cost the sheep industry approximately \$10 million per annum and the cattle industry approximately \$12 million per annum not including costs which have been defined as unquantifiable or outside the impacts the RIS is required to consider.

MLA supports the proposed draft Australian Animal Welfare Standards and Guidelines for the Land Transport of Livestock (Option B in the Regulatory Impact Statement) subject to suitable resolution of the issues outlined in the following comments.

PART A: General Standards And Guidelines For The Transport Of Livestock

1. Responsibilities and Planning

MLA supports the Objectives of section 1- Responsibilities and Planning.

Standards

MLA supports the standards SA1.1 and SA 1.2 as they are written in the Public Consultation Version (Version 29 February 2008).

Guidelines

MLA recommends the following changes to the Guidelines in section 1:

GA 1.2 - Standard SA 1.1 **does not** include the consignor being responsible for the loading however the transporter is responsible for loading under SA 1.1 iii). In comparison GA 1.2 requires that *'the livestock consignor is responsible for the livestock until they are loaded onto the transport vehicle.'* which implies responsibility for ownership. This inconsistency between the Standards and Guidelines needs to be addressed. MLA proposes GA1.2 is reworded to read: *'the livestock consignor is responsible for the livestock until they are **to be** loaded onto the transport vehicle.'*

2. Stock Handling Competency

MLA supports the Objectives for section 2- Stock Handling Competency.

Standards

MLA supports standard SA2.1 as it is written in the Public Consultation Version (Version 29 February 2008).

Guidelines

MLA recommends the following changes to the Guidelines in section 2:

- In GA 2.2, MLA **does not** support evidence of competency needing to *'include the following:*
 - records of on-the-job training
 - relevant records of experience
 - recognised training and staff training registers
 - induction training
 - supervisor sign-off for specific tasks'

Supporting evidence should not require all of the elements currently listed however supporting evidence **could** require one or more of the elements outlined. MLA proposes the guideline be reworded to read:

- 'Supporting evidence of competency should include **any of** the following:*
- records of on-the-job training
 - relevant ~~records of~~ experience
 - recognised training and staff training registers
 - induction training
 - supervisor sign-off for specific tasks'

3. Transport Vehicles and Facilities for Livestock

MLA supports the Objectives for section 3- Transport Vehicles and Facilities for Livestock.

Standards

MLA supports standard SA3.1 as it is written in the Public Consultation Version (Version 29 February 2008).

4. Pre-Transport Selection of Livestock

MLA supports the Objectives for section 4- Pre-transport selection of livestock.

Standards

MLA supports the standards in section 4 as they are written in the Public Consultation Version (Version 29 February 2008).

5. Loading, Transporting and Unloading Livestock

MLA does not support the current wording of the objective for section 5 - 'Loading, Transporting and Unloading'. The following changes are proposed:

'Livestock are handled, loaded, transported and unloaded in a manner that minimizes risks to livestock welfare. ~~Livestock recover their normal biological state within a reasonable time after arrival.~~ Including the words *'recover their*

normal biological state within a reasonable time' is very subjective and makes this objective very broad and undefined.

Standards

MLA supports the standards outlined in section 5 of the Public Consultation Version (Version 29 February 2008) with the following comments:

- MLA supports inclusion of the word "*predicted*" before climate conditions in SA5.2(iii).
- MLA agrees electric prodders should be used judiciously and sparingly and as a result MLA support the compromise reached regarding use of electric prodders, as outlined in SA5.7.
- MLA supports the compromise relating to muzzeling of dogs under certain conditions, as outlined in SA 5.8.

Guidelines

MLA proposes the following changes to the Guidelines in section 5:

- GA 5.12 - the reference to '*dogs that bite should be muzzled*' should be removed as it is covered by the standard **SA 5.8**.
- GA 5.29 should also include '*stopping the vehicle where appropriate, to reduce wind chill factor*'

6. Humane Destruction

MLA supports the Objectives for section 6- Humane Destruction.

Standards

MLA supports the standards in section 6 as they are written in the Public Consultation Version (Version 29 February 2008).

PART B: Species Standards And Guidelines For The Transport Of Livestock

B4 Specific Requirements for the Land Transport of Cattle

Standards

MLA supports the standards in section B4 as they are written in the Public Consultation Version (Version 29 February 2008). The basis for this support is outlined below.

SB 4.1 - Time off Water

MLA strongly supports the water deprivation times as currently drafted in SB 4.1. This has been based on sound and objective scientific evaluation of welfare outcomes following transport in Australia. Research conducted by CSRIO Livestock Industries into welfare outcomes of land transport under Australian conditions (Ferguson & Fisher et al 2007) supported that both cattle and sheep “in good physiological condition can cope with transport for periods up to 48 hours without any major compromise to their welfare.” Given this scientific information MLA believes that there is no need to include a ‘normal’ and ‘extended’ time as previously outlined in the MCOP for Land Transport of Cattle. In addition to the strong scientific evidence of appropriate welfare outcomes associated with transport up to 48 hours additional considerations for a longer transport journey are already adequately addressed through other Standards. For example in Part A:

- SA 4.1 outlines a requirement for assessment of livestock as being “*fit for the intended journey*” which means if a longer journey period is planned the animals must be fit for this journey to be undertaken.
- SA 5.2 sufficiently outlines areas that need consideration when determining water deprivation times for each species. Therefore MLA supports the maximum water deprivations as they are outlined in the cattle specific standards.
- SA 5.11 outlines ‘*the driver must inspect livestock within the first hour of the journey and then at least every three hours or at each rest stop*’. Therefore, regular inspections will be undertaken irrespective of the length of the journey so adding the additional requirement for inspections if traveling from 36 to 48 hours is introducing duplication of current Standards.
- SA 5.14, includes a requirement outlining ‘*the driver must make arrangements or take action during extreme hot or cold conditions to minimize the risk to the welfare of livestock.*’

Furthermore allowance of time off water of 48 hours for sheep and cattle is not unique to Australia. For example the *Recommended Code of Practice of the Care and Handling of Farm Animals –Transportation* (Canadian Agri-Food Research Council 2001) stipulate that “*Total time in transport and lairage during which the animals have not received feed and water from the premises of origin to final destination, should not exceed 52 hours for cattle, sheep and goats*”.

Guidelines

MLA proposes the following changes to the Guidelines:

Loading Densities

GB 4.10 - The space allowances for livestock 100-200 kg liveweight are currently not included in the table. This section should be completed however if robust information is not available to allow completion of this table it is recommended that the rows for liveweights 100, 150 and 200kg be deleted from the table. MLA strongly supports GB4.10 and the minimum space allowance remaining as a guideline rather than being moved to a standard. As outlined for GB 11.8 this is particularly important given there is not sufficient information to support appropriate adjustments in relation to changes in class of animals, size and body condition, horn status and climatic conditions to make this a Standard. As a guideline this information will assist livestock producers and transporters in determining appropriate stocking densities to achieve SA5.3.

B11 Specific Requirements for the Land Transport of Sheep

Standards

MLA supports the standards in section B11 as they are written in the Public Consultation Version (Version 29 February 2008). The basis for this support is outlined below.

SB 11.1 - Time off Water

MLA strongly supports the water deprivation times as outlined in SB 4.1 above. MLA believes that there is no need to include a 'normal' and 'extended' time as previously outlined in the Draft Land Transport of Sheep MCOP. The rationale for this is outlined above in SB4.1 for cattle and these arguments are equally applicable to the time off water for sheep.

Guidelines

MLA proposes the following changes to the Guidelines:

Loading Densities

GB 11.8 - MLA strongly supports GB11.8 and the minimum space allowance remaining as a guideline rather than being moved to a standard. This is particularly important given the minimum space allowance table for sheep is calculated based on a set wool length, live weight and no horns. As a guideline this information can be used to assist livestock producers and transporters in determining appropriate stocking densities however there is not sufficient information on appropriate adjustment in relation to changes in wool length, class of animals, size and body condition, horn status and climatic conditions to make this a Standard. The information in GB 11.8 will be a helpful guide to assist industry to achieve the requirements for standard SA 5.3.

GB 11.9 - MLA proposes the following amendment to this Guideline: *'The above stocking densities represent the minimum area that should be allowed for a group of sheep or lambs that have an average live weight as specified and in half wool. The floor area allowed for each animal should increase as wool length increases or may decrease for newly shorn sheep. An increased area per animal should also be allowed where sheep are horned.*'

Regulatory Impact Statement

MLA supports the need for a Regulatory Impact Statement (RIS) to document the estimated benefits and costs of implementing the Australian Standards and Guidelines for the Land Transport of livestock.

Specific concerns with elements of the RIS:

Base Case

On page vii, the RIS outlines that *“the term ‘base case’ means the situation that would exist if the proposed standards were not adopted... The base case includes the relevant state and territory animal welfare legislation...It also includes all relevant existing model codes of practice”*. MLA believes that the costs of the proposed standards are not adequately reflected in the RIS because of the base case assumption. While the RIS acknowledges *‘At present, the model codes of practice are referenced in uneven or different ways in the various state/territory animal welfare Acts and Regulations.’* it does not identify which jurisdictions currently include the MCOP in their legislation.

The current MCOP have been adopted into legislation in some jurisdictions but they are not currently underpinned by legislation in all states and territories. Therefore a significant deficiency of the current RIS estimate of costs associated with the implementation of the Standards and Guidelines is an overestimate of the current case and a resultant underestimate of the costs of implementing the Standards. MLA strongly supports the RIS including an accurate estimation of the costs that would be associated with the introduction of the Standards which would require an accurate comparison of the **current case** in each jurisdiction against the proposed Standards.

Measuring Benefits of Standards Implementation

Three measures are proposed to evaluate and review the effectiveness of the Standards. This includes whether the Standards have been:

- officially adopted by government jurisdictions,
- implemented by livestock transport industry and,
- accepted by the Australian community.

None of the proposed evaluation measures will provide an indication of the welfare outcomes that are being achieved and whether they are an improvement relative to the current situation. Additional measures need to be included to allow determination of the impact of the Standards on welfare outcomes.