

23 May 2008

Animal Welfare Standards Public Consultation
PO Box 196
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Dear Sir/Madam

**Australian Standards & Guidelines for the Welfare of Animals:
Land Transport of Livestock – public consultation process**

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

RSPCA Victoria shares the same concerns about the current draft standards that have been raised in RSPCA Australia's submission. We endorse and fully support RSPCA Australia submission, however, because of the importance of this issue, and our specific experience with the transport of livestock in Victoria, we have prepared an additional submission for your consideration.

RSPCA Victoria is extremely concerned about the development process of the mandated section and the guidelines (including consultation), the standards and guidelines document itself and the RIS preparation. Our submission outlines our concerns with these issues.

Attached for your consideration are RSPCA Victoria's general comments and a detailed list of further comments on specific issues in the Standards & Guidelines.

Please contact Dr Kate Breuer, Animal Welfare Policy Officer, on (03) 9224 2285 should you have any queries.

Yours sincerely



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General concerns

1. The total time that animals are allowed to be off water

The draft Standards & Guidelines propose a maximum time off water for each species.

RSPCA Victoria asks that any withholding of water or lack of access to water before loading and at assembly should be included in the total time off water.

2. Communication of time off water throughout the transport process

The draft Standards & Guidelines state that for journeys expected to exceed 24 hours, the animals must be accompanied by a document that states the date and time that the animals last had access to water (SA1.2i on page 7). The draft Guidelines provide further guidance to owners, drivers and receivers on their communication responsibilities during the transport process.

RSPCA Victoria believes that there is a need to ensure that animals are provided with water and are seen to be drinking upon completing each stage of multi-stage journeys, and that evidence is not just paperwork. Sale and holding yards **must** always provide water for incoming animals.

3. Transport of bobby calves

RSPCA Victoria recommends that the definition of bobby calves be changed to reflect current practices of bobby calves being less than 2 weeks of age and the fact that a large number of animals is involved:

‘Bobby calves should be defined as a bovine that is less than 2 weeks old and not accompanied by its mother. They are calves that generally are slaughtered. They are not intended for rearing or heifer replacement. Any calf that is older than 2 weeks, is usually going to become a replacement or rearer calf.’

RSPCA Victoria recommends that bobby calves not be deprived of food (milk or milk replacement) for more than 12 hours regardless of whether they are being transported or are on the farm. They must be slaughtered before the next meal is due (less than 12 hours after last feed).

RSPCA Victoria recommends that bobby calves destined for slaughter be transported directly to the abattoir and not to sale yards or other locations beforehand.

4. The amount of space provided to animals being transported – loading density

RSPCA Victoria believes there is the need to recognise the variation of densities for various animal states: e.g. presence or absence of horns, wool cover, hot weather conditions etc. Such variations should be clearly expressed in the stocking density table.

5. Animal handling – lifting and dragging

The draft Standards & Guidelines state that animals (excluding poultry) must not be lifted off the ground by a single leg with the exception of sheep, goats and pigs under three months old (SA5.6ii on page 22).

RSPCA Victoria finds lifting and/or dragging an animal by any method whether that be by a single leg or two legs unacceptable, regardless of age.

6. Animal handling – use of electric prodders

The draft Standards & Guidelines allow the use of electric prodders on a number of species.

RSPCA Victoria advocates the banning of electric prodders being carried on livestock vehicles when livestock are being transported.

7. Humane destruction

Although the draft Standards & Guidelines state that the method of humane destruction must result in immediate loss of consciousness followed by death (SA6.1 on page 29), it is less specific on the timing ('at the first opportunity' – SA6.2iv) and location of humane destruction.

RSPCA Victoria recommends that animals that are unable to walk off the transport vehicle should be humanely destroyed on the vehicle. RSPCA feels that the term 'moribund' is incorrectly used in this Standard, and believes that animals that are likely to become moribund during transport should not be loaded.

RSPCA Victoria recommend that suitable equipment (e.g. a sharp knife) be carried by the person responsible for the welfare of the animal at all times, to ensure effective humane killing where a captive bolt has been used. Furthermore, it is essential that these people are competent in the bleeding out procedure.

8. The Regulatory Impact Statement (RIS)

While RSPCA fully supports the introduction of Standards as a means of improving animal welfare, we believe consistent implementation and regulation through state/territory legislation is critical.

RSPCA Victoria believes that a statement about the need for uniform legislation across states and territories in Australia should be included in the preamble of the Standard to ensure effective and uniform enforcement throughout Australia.

RSPCA Victoria feels that the ability or not to implement legislation across states and territories, should have been addressed in the RIS.

In looking at alternatives to the proposed Standards, the RIS has assessed various options, including Standards that are said to create a higher level of welfare for the animals concerned (see options B1, E and E1 on page 48 of the RIS). Option B1 looks at the effect of increasing the minimum age at which bobby calves can be transported from 5 to 8 days old. Options E and E1 look at the effect of increasing minimum spelling time from 4 hours to 6 and 12 hours respectively.

The selection of some of the alternatives appears to be based on a predominantly economic basis and not on welfare outcomes. Many of the issues cannot be measured in economic terms. There is no justification provided for the selection of the alternatives (e.g. why select 8 days for the transport of bobby calves and not 10 days?)

RSPCA Victoria is concerned that the RIS has not take into account the capacity or likelihood to enforce the mandated section. The Standards in their current form contain both the mandated section and the non-mandated guidelines in the one document. The guidelines are much more detailed and specific and therefore can be more easily audited and enforced than the mandated section. Notes, tables, drawings and other specific data we believe provide a lot of useful and enforceable detail. These details should be in the mandated section of the standards. Enforcement of the poorly specified mandated section would be very difficult, almost impossible, to achieve without the details listed in the guidelines. Given our experience in enforcing POCTAA, RSPCA Victoria is extremely concerned that despite the changes from non-mandated Model Codes of Practice to a Mandated Standard, enforceability of the standard and the laws will not improve and an improved welfare outcome will, therefore, not be achieved.

RSPCA Victoria strongly supports the case put by RSPCA Australia in regard to the Standards development process. Furthermore, it is our understanding that Dairy Australia drafted their own section. We are concerned at the bias this may have caused in the development of the standards and the RIS.

Due to the large number of concerns that the RSPCA has identified with regard to the standards and the RIS, we have not nominated any one of the alternatives presented in the RIS as our preferred option. Greater emphasis on welfare outcomes needs to be considered and presented

before we will feel comfortable to select one proposed option over another.

Summary of RSPCA Victoria’s comments on the draft *Australian standards and guidelines for the welfare of animals: Land transport of livestock*

Public Consultation Version – 29 February 2008

Page no./ Standard	Current wording	RSPCA Victoria comment
SA1.2	Emergency contacts	Emergency contact requires more detail – ensuring that the all the emergency contacts for all stages of the journey are listed on the planning document.
SA 1.1 and 1.2		There is insufficient attention to the planning in these sections e.g. there is no specification about access to feed.
SA 1.2	.. there must be one or more documents...	One document should cover the whole journey irrespective of number of stages.
Chapter 3 Objective	...designed, maintained and operated....	Insert the term ‘constructed’
SA3.1	..constructed, maintained and operated....	Insert the term ‘designed’
SA3.1	...in a way that minimises risks....	There has been some question as to whether the term “minimises risk” is sufficiently clear and not too open to interpretation. Suggest including the term “minimises risk” in the Glossary and defining it as, e.g.: “ <i>managing a situation so as to avoid causing pain, injury or distress to livestock</i> ”.
SA3.1	i) be appropriate to contain..	This needs to be defined more clearly to ensure that body parts of the animals are not exposed. Further detail is required, e.g. the space between bars on vertical walls need to be appropriate for each species.
SA3.1	New point vi)	There needs to be a point outlining a cleaning program, emphasising cleaning, drying and bedding provision.
GA3.4	...should not significantly pollute...	The term ‘significantly’ is vague and open to interpretation. It should be clearly defined.
SA4.1	ii) not visibly dehydrated	Dehydration can not be diagnosed visibly. Suggest use the terms, ‘visibly ill or unwell’.
GA4.6	..reasonably expected to be reached..	Planning should ensure that such terminology should not be used and further ensure that it is not needed.
SA5.1	..maximum permitted time off water is reached, livestock must be provided with water, food and rest before starting another journey.	Livestock must be provided with water, food and rest if the maximum permitted time off water is reached, regardless of whether they begin a new journey or not.
SA5.2	i)...longer journey..	“longer’ needs to be clearly defined.
SA5.2	ii)... assessed fitness	How and where is the fitness assessed. This needs to be clearly defined.
SA5.3	..minimise risk...	There has been some question as to whether the term “minimises risk” is sufficiently clear and not too open to interpretation.
SA5.3	viii) new point	Age needs to be added to the list of factors considered for

		determining loading density.
GA5.40	Whole section including note	The definition of mandatory and voluntary is unclear and of great concern to us. The glossary definitions are unclear.
SA6.2	i) on moribund livestock	Livestock that have severe or painful injuries, disease, pain or are suffering should be humanely destroyed. Cast animals that are suffocating and where assistance on to or off transport does not help them resume normal posture should also be humanely destroyed.
SA6.6		Reference to the species specific diagrams should be made in the standards for each species. The note under the standard should be moved to the standards under SA6.6.
GA6.4 and GA6.5	Points 1 to 4	Aspects of these guidelines need to be included in the standards under SA6.4.
<p>General comment for SB section</p> <p>Each section must describe and address the following issues in the standards:</p> <ol style="list-style-type: none"> 1. fitness to travel. 2. handling and segregation during transport 3. water deprivation 4. spelling requirements 5. stocking density at normal and extreme weather conditions. 6. facilities 7. special conditions e.g. pregnancy, injured animals, drought 8. human destruction <p>For example under SB6, stocking densities, handling, vehicle specifications and fitness of animals are not described for ratites.</p> <p>For most species, the above issues are covered in the guidelines. Many of the points under the guidelines need to be moved to the standards. This is true for most sections under SB. Specific points have been made for some species in the table below, but not for all species. Please consider these points for all species.</p>		
SB1.2	iv) ...another journey	This term needs to be clearly defined. Is it after 72 hours?
SB1.3	..for 36 hours, they must be spelled for 24 hours...	This appears to be contradictory to SB1.2. The whole section is vague and unclear and needs clarification.
SB1.7	ii) ...firearm, captive bolt, lethal injection or blunt trauma...	Blunt trauma should not be specified, as it should only be used on animals less than 24 hours old. It is unlikely that an animal will be transported so young.
SB1.7	ii) ...firearm, captive bolt, lethal injection or blunt trauma...	It should be mandatory for all transporters to carry a sharp knife to ensure effective bleeding after captive bolt use.
GB1.1	Additional considerations for alpaca welfare should be made for long-distance travel	The term 'long-distance' requires clarification. A time needs to be defined.
SB4.8	ii) ...firearms, captive bolt, lethal injection or blunt trauma...	Blunt trauma should not be specified, as it should only be used on animals less than 24 hours old. It is unlikely that an animal will be transported so young.
SB4.8	ii) ...firearms, captive bolt, lethal injection or blunt	It should be mandatory for all transporters to carry a sharp knife to ensure effective bleeding after captive bolt use.

	trauma...	
SB5.5	ii) ...firearms, captive bolt, lethal injection or blunt trauma...	Blunt trauma should not be specified, as it should only be used on animals less than 24 hours old. It is unlikely that an animal will be transported so young.
SB5.5	ii) ...firearms, captive bolt, lethal injection or blunt trauma...	It should be mandatory for all transporters to carry a sharp knife to ensure effective bleeding after captive bolt use.
GB5.2	Conditions that could cause deer welfare to decline...	This should be a standard
GB5.14	Transporting deer during extremely hot weather....	This should be a standard
SB6	...another journey	This term needs to be clearly defined. What sort of spell is needed for chicks after each 12 hour journey without water?
SB6		Details on stocking density, handling, vehicle design and fitness need to be added to the standards. Many of the guidelines need to be made into standards.
GB6.1 to 6.4	Fitness	Elements of these guidelines need to be incorporated into the standards.
GB 6.6 to 6.8, 6.11	Loading density	Elements of these guidelines need to be incorporated into the standards. The note under the table needs to be incorporated into the standards.
GB6.12 to 6.19	Vehicle, containers and facilities	Elements of these guidelines need to be incorporated into the standards.
GB6.20 to GB6.24	Temperature	Elements of these guidelines need to be incorporated into the standards.
SB7.3	i) ...firearm, captive bolt, lethal injection or bleeding out	It should be mandatory for all transporters to carry a sharp knife to ensure effective bleeding after captive bolt use, and for bleeding out. Operators must be competent in the technique of bleeding out to ensure humane destruction.
SB7.3	ii) ...firearm, captive bolt, lethal injection, bleeding out or blunt trauma...	Blunt trauma should not be specified, as it should only be used on animals less than 24 hours old. It is unlikely that an animal will be transported so young.
SB7.3	ii) ...firearm, captive bolt, lethal injection, bleeding out or blunt trauma...	It should be mandatory for all transporters to carry a sharp knife to ensure effective bleeding after captive bolt use, and for bleeding out. Operators must be competent in the technique of bleeding out to ensure humane destruction.
GB7.12	Loading density table	This table needs to be incorporated into the standards.
GB7.1	Fitness	Elements of these guidelines need to be incorporated into the standards (SB7.1) to provide timelines..

GB7.10	...time off water should only be extended	It is not acceptable to extend the length of time off water beyond 48 hours.
GB7.2	..decision to transport goat...	This should be a standard.
GB7.4 to 7.10	Food and water	Elements of these guidelines need to be incorporated into the standards.
SB9.5	i)... firearm aimed in the frontal or temporal position, captive bolt....	It should be mandatory for all transporters to carry a sharp knife to ensure effective bleeding after captive bolt use. Operators must be competent in the technique of bleeding out to ensure humane destruction.
SB9.5	ii) for piglets less than 15 kilograms are blunt trauma, firearm, captive bolt or lethal injection ...	Blunt trauma should not be specified, as it should only be used on animals less than 24 hours old. It is unlikely that an animal will be transported so young.
SB9	Note under standards	This note should be incorporated into the standards. What are the scientific grounds for the different spelling times?
SB10	Poultry	See General points for SB section. Details in the guidelines need to be incorporated into the standards.
SB11	Sheep	See General points for SB section. Details in the guidelines need to be incorporated into the standards.
SB11.3	Humane destruction	See SB5.5.

Appendix 1 – Glossary

Term	Current wording	RSPCA Victoria comment
Bobby Calf	A calf not accompanied by its mother, less than 30 days, weighing	RSPCA Victoria recommends changing this definition to two weeks old.
Moribund	An animal that is unable to stand, exhibits signs of distress or insensibility, and is judged to have little chance of recovery after reasonable attempts have been made to assist it.	Replace “recovery” with “regaining the capacity to stand and walk unassisted”.
Nature of journey		Add “weather conditions” to factors.
Spell – mandatory and Spelling, spell or		The difference between these two terms is confusing. Clarification is needed.

spelling period - voluntary		
Standards		Clarification is needed. Are the standards only items in SA and SB?
Water deprivation time		This definition is unclear. It needs simplifying without losing the specificity.
Weak	Livestock that are sufficiently affected so they do not meet the 'normal' criteria for the journey but are able to be managed for successful transport.	What is "'normal' criteria"? This needs clarification.
Welfare of livestock	Any component of the livestock welfare state that is recognised as being important for the species in question in an everyday sense. The normal expectations of welfare that would apply to a livestock species in a normal situation.	Recognised by whom? Whose expectations and what are normal situations?