



Department of Primary Industries and Water

ANIMAL HEALTH AND WELFARE

13 St Johns Avenue, New Town 7008

Ph (0362) 336 875

Fax (0362) 781 875

Mick.Middleton@dpiw.tas.gov.au

consultation@animalwelfarestandards.net.au

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

The Tasmanian Department of Primary Industries and Water makes the following submission on the Public Consultation Version of the above Standards and Guidelines.

Tasmania supports the concept of enforceable national standards of animal welfare, and has recently amended its animal welfare legislation to accommodate enforceable standards and advisory guidelines. Tasmania does not however support a doctrine of absolute national uniformity of animal welfare standards. There are geographic, climatic and cultural reasons why absolute uniformity of livestock welfare standards across the country is not necessarily good law making.

Tasmania has consistently stated that it reserves the right to set higher standards where appropriate, and that it will raise, but not lower, its existing standards, to meet national ones. In addition to regulating national standards for livestock species covered by the existing model codes of practice, Tasmania also intends to adopt local standards where appropriate, including standards for non-production animals.

Tasmania's position on specific land transport standards and guidelines is presented in tabular form. Comments have been provided only where we believe a particular standard or guideline could be improved – either in terms of animal welfare outcomes or from a legal perspective. Standards and guidelines not mentioned in this submission may be taken as being endorsed.

The current document has significant deficiencies in terms of addressing the welfare of bobby calves being transported, and a separate more detailed submission is made in this regard.

Tasmania's recently amended Animal Welfare Act allows the adoption in regulations of animal welfare standards. However it is unlikely that published animal welfare standards will be adopted in their entirety. Current Government policy suggests it is more likely that the standards will be contained in legislation drafted by the Office of Parliamentary Counsel – ie will be written as law.

Some of the standards proposed in this document are subjective and may be difficult to translate into useful law.

Please contact the author if you wish to seek clarification of any of the matters raised in this submission.

Mick Middleton
Manager, Animal Health and Welfare

21 May 2008

1. Tasmania’s position on specific standards and guidelines

Section and current wording	Tasmania’s position
<p>Principles</p> <p>From a livestock welfare perspective, the stages in the transport process and the responsibilities of persons can be described clearly, as follows:</p> <ul style="list-style-type: none"> • mustering, assembling, handling and preparation of livestock, including selection as ‘fit to load’, feed and water provision, and holding periods (consignor) • loading, transport and unloading, including additional inspections of livestock and spelling periods (transporter) • after unloading (receiver). 	<p>The consignor must obviously not select animals which are unfit for the trip, but the transporter must be responsible for the final “fitness to load” assessment. It is the transporter who will assume the legal duty of care for the animals in his control, and who will be held accountable under law for the consequences of allowing unfit animals to be loaded, and subsequently transporting them.</p> <p>2nd dot point should read:</p> <ul style="list-style-type: none"> • ultimate assessment as ‘fit to load”, loading, transport and unloading, including additional inspections of livestock and spelling periods (transporter)
<p>SA 1.1</p> <p>A person in charge must exercise a duty of care to ensure the welfare of livestock under their control and compliance with the livestock transport standards.</p> <p>The responsibility for livestock welfare in the transport process is:</p> <p>i) the consignor for the mustering and assembling of livestock</p> <p>ii) the consignor for the handling, preparation, including selection as ‘fit for the intended journey’, feed and water provision and holding periods before loading</p> <p>iii) the transporter for the loading, journey and unloading including selection as ‘fit for the intended journey’ and additional inspections of livestock and spelling periods</p> <p>iv) the receiver after</p>	<p>See comments on Principles, above.</p> <p>(ii) and (iii) indicates that the responsibility for “fitness to load” is shared between the consignor and the transporter. This is reasonable and logical but may prove difficult in practice, if there is disagreement. Experience shows there will be disagreement and commercial pressures will be brought to bear. The standards need to clearly delineate responsibilities.</p> <p>“Duty of care” is all about the person with control at the time. When livestock are on a road transport vehicle duty of care obviously rests with the transporter.</p> <p>Tasmania believes the ultimate responsibility for <u>loading</u> animals fit for the trip rests with the transporter, but this should not diminish the responsibility of the consignor to <u>select and present</u> animals which are fit for the trip.</p> <p>A solution is to make the consignor responsible for selecting and presenting animals he believes are fit for the journey, and the transporter responsible for assessment of the selected animals as being fit to load.</p> <p>In addition, the transporter will also be held legally responsible for the loading density – he is the one who will be open to prosecution for problems arising</p>

unloading.	<p>as a result of overloading. This is recognised in SA5.4. Transporters are often subjected to commercial pressure to increase loading densities.</p> <p>Tasmania suggests rewording (iii):</p> <p>“the transporter for the loading, loading density, journey and unloading including final assessment of selected animals as being ‘fit for the intended journey’ and additional inspections of livestock and spelling periods”</p>
<p>SA2.1 A person involved in handling, selection, loading, transporting and unloading livestock must be competent to perform their required task, or must be supervised by a competent person.</p>	<p>Agreed in principle but too subjective for enforcement as read. Establishing a competency framework is probably beyond the scope of the current exercise.</p>
<p>SB1.4 Alpacas known to be in the last 4 weeks of pregnancy must be transported under veterinary advice unless the journey is less than 4 hours in duration.</p>	<p>Should readmust <u>only</u> be transported under veterinary advice unless....”</p> <p>There are other instances requiring insertion of “only” - eg SB2.3, SB3.4, 4.3 and 8.4</p>
<p>GB1.2</p> <p>Conditions that could decrease alpaca welfare during transport and should be considered unfit for transport might include lethargic alpacas, and alpacas with profuse diarrhoea, disease, or wounds or abscesses. A decision to transport an alpaca with the above conditions should be made after considering the welfare of the animal concerned and the treatment and management options.</p>	<p>This guideline is poorly worded. Easily corrected by replacing “unfit for transport” with “in assessing fitness to load”.</p> <p>Similar poor wording appears elsewhere, and is amenable to the same easy cure - eg GB2.2, 3.1, 5.2 and 8.2</p>
<p>GB 1.21 and others</p>	<p>The term “power” in all of the firearms guidelines is inconsistent with the use of the term “muzzle energy” in GA 6.10, which is the correct term.</p>
<p>GB2.9 and others</p>	<p>Should references to ramp slope be to <u>maximum</u> slope?</p>
<p>SB4.1 and 4.5</p>	<p>See separate submission on bobby calves</p>
<p>GB9.1 (i) lameness conditions where a</p>	<p>Should read “lameness conditions where a pig can not place weight on all legs”</p>

<p>pig can place weight on all legs</p>	
<p>GB 9.8 In hot weather, strategies should be considered to minimise heat stress and avoid windburn and sunburn. As a guide, 5% fewer pigs should be loaded in very hot weather.</p> <p>Note Other strategies should include, but are not restricted to, deferring loading or travel during cooler times of the day or at night; using tarpaulins and shade cloth, hoses, sprays, misters; wetting bedding in accordance with biosecurity regulations, providing water; and making sure vehicles transporting pigs are not stationary.</p>	<p>Heat stress has caused significant losses in pigs awaiting loading onto ships to cross Bass Strait. On commercial docks it is not possible to keep them moving or offer much in the way of relief. “Hot” and “very hot” are entirely subjective. The current Tasmanian Road Transport standard says pigs need 10% more space when the temperature is over 25 degrees. The Bass Strait standard says pigs should not be transported when the shade temperature anywhere along the route is expected to exceed 38 degrees.</p> <p>Tasmania is likely to adopt a less subjective guideline, and may even consider a separate standard for transporting pigs in hot weather.</p>
<p>SB 10.1</p> <p>Time off water must not exceed the time periods given below:</p> <p>Poultry 24 Chicks 60^a following take off^b</p> <p>a Normal allowable time off water is 72 hours, allowing 12 hours for hatching time before removal (take off) from the hatchery</p> <p>b Water deprivation time allowed can be up to 72 hours if provided with hydrating material in the transport container</p>	<p>A guideline is required for chicks which have reached their maximum time off water. eg “Chicks unable to be brooded within 72 hours of hatching should be destroyed humanely”</p>
<p>GB 11.8</p>	<p>Re woolly sheep, a rule of thumb which appears to be in common use, and could be considered as a practical guideline, is to reduce numbers by one sheep per 3m pen for every extra 25mm of wool.</p>

2. “Bobby calf” provisions.

Bobby calves are dairy calves which are unwanted for rearing. They are a low value by-product of milk production, and are transported, traded and slaughtered for meat, skins and by-products. They are probably the most vulnerable class of livestock commonly transported. The producer has no financial incentive to do any more than to keep them alive until they can be taken away. Unless they are reared, they cannot be value-added in any way. The dairy goat industry equivalent are euthanased.

It is not sufficient to concede these points and then base bobby calf standards on industry requirements.

SA4.5 Fitness for journey.

SA4.5 is useful, but does not acknowledge the vulnerability of orphaned neonates. Tasmania disagrees entirely with the view that “no objective improvements are possible in this area” .

Dairy Australia publishes “Fit for Sale” guidelines for bobby calves, as part of their “Dairy Welfare – We Care” initiative. The March 2008 edition says:

Bobby calves destined for transport to processors must be in their fifth day of life or older, be free of drug residues and be fed within six hours prior to delivery to the point of sale or collection. They should be bright, robust, and able to rise unassisted. They should not be lethargic, listless or immature. Sick or injured calves must be treated appropriately or humanely destroyed.

Common indicators that calves are fit to transport to processors include dry withered navel cords, more than 23 kg liveweight and hooves that are firm and worn flat.

Some of these fitness indicators (dry cords, minimum weight) are also included in the National Vendor Declaration scheme for bobby calves.

Tasmania applies the following “fitness for trade and transport” standards for bobby calves, developed with industry, and similar to those published by Dairy Australia:

To be suitable for transport, sale or slaughter, calves including bobby calves must:

- be at least 4 days old (or 3 weeks old in the case of artificially induced calves)
- weigh at least 23 kg (Friesian) or 15 kg (Jersey)
- have been fed on colostrum, milk or milk replacer.

- be free from drug residues
- have a navel cord which is wrinkled, withered and shrivelled and not pink or red coloured, raw or fleshy
- have hooves that are firm and worn flat and not bulbous with soft unworn tissue
- be in good health, alert and able to rise from a lying position; they should not be listless and unable to protect themselves
- be strong enough to withstand the stress of travel and have been adequately fed; not obviously diseased, not malformed, blind or disabled in any way; and not be wet and cold.

The above include indicators of maturity and strength, and collectively set assessable standards for “fitness to transport”. Importantly, they afford protection to consignors and transporters in that by complying they are able to demonstrate they took “all reasonable measures” to ensure the welfare of the animals, thus discharged their duty of care under Tasmania’s Animal Welfare Act. The requirement to take “all reasonable measures” is central to the concept of duty of care.

Tasmania has consistently stated it will raise but not lower existing standards to meet national ones. Tasmania therefore intends to include the above indicators in our future standards.

Tasmania is not concerned with the issue of inconsistency, although it is easily addressed in this case. It is agreed that consistent standards will be an advantage to industry where livestock can move across state boundaries. In this case, SB4.6 stops bobby calves crossing Tasmania’s state boundary, so a higher standard in this State will not disadvantage anyone transporting bobby calves elsewhere. In addition we are not imposing higher standards on Tasmanian producers, merely maintaining the current accepted ones.

SB4.1 Time off water

The measure “time off water” is not relevant to bobby calves. There should be a separate standard, referring to time off liquid feed, along the lines of:

Calves between 5 and 30 days old travelling without mothers, must be given an appropriate liquid feed at least every 18 hours.

The LTS process has been informed that 18 hours is “too short for industry requirements” and that the industry practice is to feed bobby calves every 24 hours. At best this constitutes feeding for short term survival. It is hard to argue that once per day feeding of these animals constitutes “taking all reasonable measures” to ensure their welfare.

It is entirely reasonable to expect bobby calves to be fed at each milking – ie at least twice per day, given the concentration of labour around the dairy at these times, and the abundance of milk.

The Dairy Australia bobby calf guidelines recognise the basic needs of these animals, by stating:

“Bobby calves must receive food and fluids for maintenance and growth, to minimise periods of hunger and for disease prevention”

This is useful guidance from the industry itself, in that it recognises some of the five freedoms apply also to bobby calves – in particular freedom from hunger – and in requiring feeding for maintenance and growth sets the bar somewhat above feeding for survival.

Notwithstanding the above, if we accept a maximum food deprivation time of 24 hours for calves *in situ*, there is a good case that this should be considerably less than 24 hours for calves in transit, in recognition of their greater energy needs - having to brace themselves against movement, maintain body temperature in often cold conditions, cope with numerous stressors etc.

The 18 hours maximum liquid feed deprivation time should be retained for calves where there is any land transport involved. It could be argued that calves which have to go without liquid feed for longer than this due to the “industry need” to transport them long distances should be euthanased instead of being transported.

Tasmania agrees that the transport time/distance requirements in GB4.3 should be reinstated as standards. In other words, there should be a standard establishing maximum journey duration and distance at 10 hours and 500km respectively.

A 10 hour maximum transport time will assist all links in the transport chain comply with a 18 hour feed deprivation time.

The requirement for consignors to feed calves within 6 hours of loading is a sensible requirement, and has support from the public face of the industry, in that it is included (as a “must”) in the above Dairy Australia guidelines. It’s effect is to force producers to feed bobby calves on the morning of pick up. Removing it allows producers (ie consignors) to last feed the calves the day prior to collection. This simply saves money by saving a feed. The calves will then be loaded sometime during the next day – ie some 12-18 or more hours later.

Removing this requirement greatly decreases the prospects of the rest of the transport/slaughter chain being able to comply with any reasonable maximum liquid feed deprivation time, (eg 18 hours), and transfers the problem of unprofitable calf feeding from the producer, who has the means to do it, to someone else, who usually hasn’t.

SB4.5 is unequivocal in its intention to mandate a calf feed every 18 hours. SB4.5 requires calves “be prepared and transported to ensure not more than 18 hours since last feed” The words “be prepared” rightly imply the consignor has a major part to play in limiting feed deprivation time by feeding the calves close to loading.

For all the above reasons, Tasmania strongly supports the reinstatement of the requirement to feed within 6 hours of loading, and also recommends a guideline for transporters giving them some basis to refuse to load calves which have not been fed within this time (which usually means on the morning of pick-up.)

Summary

SB4.1 should be amended by removing the reference to water deprivation time for calves 5-30 days old travelling without their mothers, and adding:

“Calves between 5 and 30 days old travelling without mothers, must be given an appropriate liquid feed at least every 18 hours”.

SB4.5 should be amended to include currently used strength and maturity indicators, and a requirement to feed within 6 hours of collection:

“Calves between 5 and 30 days old travelling without mothers must:

- I. weigh at least 23 kg (Friesian)
- II. have been fed on colostrum, milk or milk replacer.
- III. Have been fed within 6 hours prior to loading
- IV. have a navel cord which is wrinkled, withered and shrivelled and not pink or red coloured, raw or fleshy
- V. have hooves that are firm and worn flat and not bulbous with soft unworn tissue
- VI. be in good health, alert and able to rise from a lying position; they should not be listless and unable to protect themselves
- VII. be strong enough to withstand the stress of travel and have been adequately fed; not obviously diseased, not malformed, blind or disabled in any way; and not be wet and cold.
- VIII. be protected from cold and heat
- IX. be prepared and transported to ensure not more than 18 hours since last feed
- X. have an auditable and accessible record that identifies the date and time that the calves were last fed, unless the journey is between rearing properties and is less than 6 hours duration.”

An additional standard should be included mandating maximum journey time and distance:

“Calves between 5-30 days old travelling without mothers not be transported for a time exceeding 10 hours, or a distance exceeding 500 kilometres — whichever comes first”

This would require consequential amendments to GB4.3.