

**Submission to the CFIA advance notice of possible changes to Animal  
Transportation regulations in Canada**  
May 2006

**INTRODUCTION**

Livestock transport is an integral part of the Canadian cattle industry.

The transport of cattle generally occurs at least twice during the production process; from the farm of birth to finishing facilities and then again to market. A significant percentage of Canadian cattle may be transported multiple times; between farms and/or pastures or to livestock shows and exhibitions. These journeys may be short or long in distance and duration and may involve transport by producers and or by commercial transporters. Since the introduction of national livestock transport regulations in 1975, the modes of long distance transport have shifted away from rail transport to road transport. It is estimated that Canada's commercial cattle transporters are responsible for moving approximately 110,000 triaxle loads of beef cattle annually (*ref: Calico Consulting, October 2004 CCA-AAFC Loading Density Field Study*). No figures exist for transport conducted by producers.

Transportation of beef cattle must comply with federal transportation regulations under Section XII of the Health of Animals Act and provincial regulations where they exist. Livestock transporters must also meet broader transport regulations and requirements. In some cases, transport is also subject to private marketing and animal health/biosecurity requirements as well as provincial environmental regulations. Cattle exports must also comply with the requirements of importing countries.

As such, any regulatory changes considered by the CFIA;

- Must not place the Canadian beef industry in an economic and competitive disadvantage;
- Must accommodate existing transportation and marketing infrastructures;
- Must be practical in their application and enforcement;
- Must reflect Canadian experience and data (where it exists);
- Must be knowledge-based; and,
- in the absence of Canadian derived and field-tested research, regulations must be based on proven Canadian standard operating procedures.

What follows are the recommendations of the CCA to any proposed revisions of the animal transport regulations under the Health of Animals Act, Section XII. CCA proposed wording is provided, followed by italicized explanatory notes.

**Definition of Transportation (transport):** "For the purposes of these regulations, transportation starts at the time of loading the first animal at the point of origin, continues through sales and reloading at auction markets or assembly yards and ends after unloading the last animal at final destination."

*There is a need to clearly define when transport begins and ends, as stated in the CFIA enforcement policy, within the regulations.*

**Definition of Loading Density:** “The amount of space required per animal or the weight of animals per unit of space in a vehicle or container during transportation.”

*If loading densities are to be considered in the regulations, it will need to be defined and presented in BOTH space and weight measures.*

**Definition of competent persons:** “Persons skilled and knowledgeable, either through training or experience, in the care and transport of animals and in the laws with respect to animal transport.”

See recommendation on Training of Transport Staff

**Add Animal Owner/Agent responsibilities:** “The animal owner or owner’s agent is responsible for the condition of the animals at the time of loading. Anyone who causes or allows an unfit animal as described in subsection 138(2) to be loaded shares responsibility with the carrier for the welfare of those animals during transportation.”

*Currently the regulations are unclear that owners or agents are also liable for the welfare of animals in transport.*

**Add Carrier responsibilities:** “The driver/operator of a vehicle, and or any person who is present in the vehicle for the purposes of transporting livestock are responsible for the welfare of animals at all times during transportation.”

*This is lacking in the current regulations.*

**Add Authorized authority responsibilities:** “The authorized authority under the regulations is responsible for verifying, through documentation, all inspections, for ensuring compliance, and for enforcing the regulations. A copy of all inspection documents will be provided or available to the carrier, animal owner or their agent for a period of not less than two years.”

*Currently the regulations do not specify the responsibilities of CFIA designated inspectors under the Act. Such inclusion would also meet the standard set in the OIE animal transport guidelines.*

**Transportation of unfit or at risk animals** To reword section 138.1, and to incorporate non-ambulatory and unfit/at-risk animals, as follows:

“No person shall load, cause to be loaded or transport:

Animals unable to stand without assistance or to move without being dragged or carried.

Animals that due to their condition at loading may become non-ambulatory during transportation

Animals with any condition associated with pain that will cause undue suffering during transport.

Pregnant animals that are at risk of giving birth during transportation.

Calves under the age of 7 days

Animals that have not been fed and watered within five hours of being loaded, if the expected duration of the animal's confinement without feed and water is longer than 24 hours from the time of loading."

- *Restricting calf transport under 7 days of age is recommended under the veal industry good production practices program.*
- *Providing a list of "at risk" conditions into the regulations could become unwieldy, risking omissions or discrepancies. For example, animals with some conditions might be suitable for short transport but not long distance transport or may be suitable if segregated. An outcome based definition – i.e. "at risk" animals that go down during transport or animals that give birth- is preferred because it is manageable and puts the onus on shippers to not ship animals that may not make the trip successfully.*
- *The current regulations say that animals have to be fed and watered within five hours if they are going to be transported for more than 24 hours. It is appropriate to incorporate this under "at-risk" animals. However the regulations must recognize that meeting this provision is the responsibility of the shipper since truckers have no way to verify compliance. Perhaps the trucker could ask for an affidavit to clear them of responsibility and to promote awareness of the requirement.*

**Segregation (section 141):** Section 141 should be reworded and an exemption added to provide for special transport of animals with reduced capacity and for animals being transported for care or treatment, as follows:

"Animals that are incompatible by nature, disposition, temperament, gender or because of substantial differences in weight or age must be segregated during transport.

Animals with reduced capacity to withstand the rigours of transport must be provided segregated space sufficient for the animal to lie down in a normal position."

*To accommodate special transport of animals generally considered at risk or unfit to travel allowances must be made to ship them if properly segregated.*

### **Protection of Animals from Injury or Sickness (Section 143):**

**Adequate construction:** "Every conveyances or any part thereof used by a carrier in transporting animals shall have;

sides and floors of sufficient structural integrity to prevent animals from falling off or through the conveyance;

walls and dividers of sufficient height to contain the animals."

**Feed, Water and Rest Intervals:**

The Canadian cattle industry supports a maximum transportation time (without feed, water or rest) for cattle that is supportable based on industry experience, available Canadian data, and practical considerations including existing infrastructures, vehicle designs and market geography. The very limited research that has been conducted on Canadian cattle transport indicates that condition of animals, vehicles, loading, and driving conditions has greater importance in assuring adequate cattle welfare than currently practiced travel times. In the absence of supportable Canadian research, the CCA does not support a reduction in travel limits.

Transport time should begin each time that feed, water and rest is provided upon offloading at auction markets, assembly yards and holding areas, or rest stops.

*A 48 hour and up to a maximum 52 hours is supportable based on industry experience, available Canadian data, and practical considerations including existing infrastructures, vehicle designs and market geography. The very limited research that has been conducted on Canadian cattle transport indicates that condition of animals, vehicles, loading, and driving conditions has greater importance in assuring adequate cattle welfare than currently practiced travel times. In the absence of supportable Canadian research, the CCA does not support a reduction in travel limits.*

The Canadian cattle industry could support lower maximum limits for recognized “at risk” and/or “special transport” animals.

*Such lower limits must take into account geographic and accessibility considerations, particularly as applied to animals going for veterinary treatment.*

**Loading density standards:**

CCA recommends that loading density standards be addressed through CFIA policy. Determination of enforcement and compliance standards should be based on reliable and generally accepted guidelines where they exist. The CCA does not support prescribed loading densities within the regulations.

*CCA can agree that all parties may benefit from a more objective measure of BOTH overloading and under loading that causes proven significant harm to the animals being transported. However, there are many complexities when determining optimal loading densities, an absence of Canadian data and field tested research, and disparities between proven industry practice and recommended best practices for cattle. Improvements to the Codes of Practice (Transportation and Beef Cattle) are necessary before they can serve as a suitable reference for enforcement purposes.*

**Training of transport staff:** “Animals must be transported and inspected by competent persons.” Where “competent” means: skilled and knowledgeable, either

through training or experience, in the care and transport of animals and in the laws with respect to animal transport.

*In the absence of any universal and accessible training and licensing or certification process for livestock transporters, employers would be responsible for employee competency. CFIA would be responsible for inspector competency.*

**Reduced Inspection Delays:**

1. It could be a requirement to display vehicle capacity in both space and weight measures where it is readily visible by inspectors.
2. It should be a requirement that livestock vehicles be given priority at all border crossings, ferry crossings and weigh stations.
3. The option of filing electronic pre-inspection forms and records should be added to reduce inspection time.

**Emergency preparedness:** “In the event of vehicle breakdowns, traffic accidents or other delays during transport, the carrier must take appropriate action to ensure the well being of the animals.”

**Consistent Adherence and Enforcement:** The Canadian Cattlemen’s Association, on behalf of the Canadian cattle industry, supports establishing regulations that are clear in their interpretation and adhered to by both those operating under the regulations and those applying the regulations.