

Commentary Commentaire

Concerns with the new animal transport regulations

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As a veterinarian who formerly worked with the Canadian Food Inspection Agency (CFIA) for many years, I was extremely disappointed to read the newly promulgated animal transport regulations (www.gazette.gc.ca/rp-pr/p1/2016/2016-12-03/html/reg2-eng.html). The new regulations were scheduled to come into effect in February, 2020. It has been over 40 years since these regulations were updated and yet the new regulations create few improvements and, in many cases, are far worse than the previous regulations. The CFIA has estimated that 98% of commercial shipments of animals in Canada are already in compliance with the newly amended animal transport regulations. There are, however, an estimated 14 million animals per year that may be suffering during transportation, of which 1.6 million animals per year are reported dead on arrival at their final destination. So, by CFIA's own estimates, the new regulations will be doing little to nothing to improve these figures.

Maximum transport times, allowing for animals to be transported without food, water, and rest, have been slightly reduced in the new regulations. However, these new transport times have not been reduced adequately to reflect current scientific knowledge. For example, transport times for spent hens were initially proposed to be reduced from 36 hours to 12 hours, but due to industry's objection, the new maximum time for spent hens was increased to 24 hours. As another example, the scientific literature indicates that horses become stressed and compromised from dehydration and starvation after just 24 hours, yet the new federal animal transport regulations allow for horses to be transported for up to 28 hours without food, water, and rest. A recently announced proposal will result in a 2-year delay for implementing the enforcement of the maximum transport times for cattle in the new regulations. It was also recently announced that there will be a 2-year transition period for other species which will focus feed, water, and rest requirements on "compliance promotion" through combination of "education and awareness measures." Even with the new regulations, Canada will still be permitting longer transport times than the EU, Australia, New Zealand, and even the US when it comes to maximum allowable transport times without food, water, and rest for animals.

There has been a requirement introduced in the new regulations for the training of employees of commercial carriers of animals. The training must cover subjects such as animal behavior,

animal handling, restraint, loading densities, and transportation methods. However, training of an employee is not required if the commercial carrier verifies that the employee already has the necessary knowledge and skills.

The new animal transport regulations are largely outcome-based (e.g., adequate space, sufficient head room, weather protection), rather than prescriptive. What that means is there are fewer yardsticks provided in the new regulations (e.g., prescribed loading densities, allowable temperatures/humidity for the transport of animals). This is very important in light of the fact that the government chose not to require mandatory enclosed conveyances with temperature and humidity control for the transport of animals in this country of extreme weather conditions. Outcome-based regulations will be next to impossible to enforce. For example, if animals are found dead on arrival at an abattoir, it will be more difficult for an inspector to deal with an infraction when there are fewer prescribed regulations to invoke. Assessments will be very subjective and therefore easily challenged by industry. Will an outcome-based system actually improve the welfare of animals in transit and if so, how will that be measured?

The CFIA has removed the segregation requirements for larger horses (over 14 hands), rams, boars, bulls, and cows with suckling calves. The new regulations simply stipulate that no one shall transport animals in the same container that are incompatible unless they are segregated. However, it is virtually impossible to assess compatibility at the time of loading, and regardless, compatibility can change over the time of transport. The segregation requirement is a clear example of prescriptive regulations offering more protection for the welfare of animals in transit.

The new federal animal transport regulations are inadequate to protect the welfare of animals being transported in that they do not support the guiding principles of the OIE Terrestrial Code: freedom from hunger, malnutrition and thirst, freedom from fear and distress, freedom from physical and thermal discomfort, freedom from pain, injury and disease, and freedom to express normal patterns of behavior. The International Air Transport Association (IATA) has recently amended its Live Animal Regulations to allow large draft horses to be shipped by air unsegregated in wooden containers. The IATA has refused to provide the rationale for these amendments, despite my numerous requests. The new animal transport regulations have also removed the previous requirement for horses' heads not to come in contact with the tops of shipping containers. These shipments are in direct contravention of the OIE Terrestrial Animal Health Code which requires that all horses over 57 inches (145 cm)

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must be segregated and that horses being shipped by air have at least 8 inches (20 cm) of head clearance so the horses can maintain adequate balance, especially during take-off and landing, and also to prevent them from kicking, fighting, and trampling one another. This is another example of prescriptive regulations offering more protection to the welfare of animals compared with outcome-based regulations. Canada, being an OIE member country, should be adhering to the OIE Terrestrial Animal Health Code.

The Humane Society International (HSI) is also concerned about the new animal transport regulations and has published an open letter to the former Minister of Agriculture signed by many concerned organizations and veterinarians (<https://www.hsi.org/wp-content/uploads/assets/pdfs/letters/2019/letter-MacAulay-EN-020619.pdf>). The HSI has also issued a statement expressing disappointment with the new regulations (<https://www.hsi.org/news-media/new-transportation-laws-022019/>).