A Comparison of Canadian and EU Animal Welfare Standards

By

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Animal Alliance of Canada
December 11, 2011
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Understanding the EU Legislative Process

The Council of Europe (CE) is an intergovernmental body, created in 1949 to protect democracy, the rule of law, and human rights in Europe. It is comprised of 47 member countries. The European Union (EU) was founded as the European Economic Community by the treaty of Rome in 1956. From this point to the present, the EU has been developing through the introduction of several other treaties. In 1997, the Treaty of Amsterdam created the political union by establishing a common police force, a foreign policy, international security and a centralized EU citizenship.

Many laws in the EU are based on conventions or treaties constructed through the Council of Europe. Both conventions and treaties serve as agreements between member states. Several conventions, created by the CE, have been influential in European law relating to the use of animals in agriculture.

The Structure and Function of the EU

The Council of Europe (CE) is comprised of the heads of state of EU member countries. It sets the general policies and priorities of the EU and it just became an official EU institution under the Treaty of Lisbon in 2009.

The main decision-making body of the EU is the Council of the European Union (the Council), which is composed of representatives of the Member States of the EU. The functions of the Council include passing laws, coordinating economic and other policies and priorities of the EU, and other duties specified in the treaties creating the EU, including, under the Treaty of Lisbon, a commitment to animal welfare.

Directly under the Council is the subordinate Permanent Representatives Committee (PRC), which is a group of ambassadors from each member country that prepares work for the Council, and works with the EU Commission and the civil service of the individual member countries on EU matters. While the PRC has no substantive decision-making power, they can make some procedural decisions under the Council Rules of Procedure.

Another important body in the EU is the EU Commission. The members of the Commission are, by agreement of the EU members, appointed for five-year terms, subject to European Parliament approval. Since 2004, there has been one commissioner for each Member State. The most important role for the Commission is the ability to propose legislation; it has the sole authority to propose legislation in the EU. Any proposed legislation is presented by the Commission to the Parliament and the Council for adoption.

The Commission enjoys a substantial degree of independence in exercising its powers. Its job is to uphold the common interest, which means that it must not take instructions from any national EU government. As “Guardian of the Treaties”, it has to ensure that the regulations and directives adopted by the Council and Parliament are being implanted in the Member States. If they are not, the Commission can take the offending party to the Court of Justice to oblige it to comply with EU law. As the EU’s executive arm, the Commission implements the decisions taken by the Council in areas such as the Common Agricultural Policy (CAP). It has wide powers to manage the EU’s common policies, and also manages the budget for these policies.
The Commission is the executive enforcement mechanism for the treaties and laws created by the EU. The Commission also has the important role of maintaining relations with international organizations, including the WTO, which is important in international trade relations. In these relations, the EU negotiates as a block. The members of the Commission, unlike the Council and representatives elected to the European Parliament, do not represent the interests of their individual countries. Instead, the members of the Commission are to represent the interests of the entire EU region.

Another arm of the EU is the European Parliament (Parliament). Representatives to Parliament are elected by the people of EU countries, and have the duty to represent the interests of their constituents. The powers of the Parliament include the power of being able to censure and remove the Commission. The Parliament has ultimate control over the Commission. The Parliament also has the ability to put questions to the Council or the Commission, and to be consulted on and give its opinion on legislation. The most important decision-making procedure involving the Parliament is the co-decision. This procedure is used for most EU law-making and puts the Parliament on a level playing field with the Council in passing laws. Most EU legislation requires approval of the Parliament and the Council. Co-decision procedure has been expanded under the Treaty of Lisbon, increasing the role of the Parliament in the EU.

The judicial arm of the EU is composed of two courts. The first is the European Court of Justice (ECJ), which serves the role of interpreting EU law. The second is the GC, the General Court. The ECJ, in court, may call witnesses, appoint experts and order document production. The ECJ has the help of “Advocates General”, lawyers who provide analysis and advice to the members of the Court on cases pending before the body. The ECJ has determined that EU law controls over the national laws of individual countries. The decisions of the ECJ must ultimately be enforced, however, by the courts and other institutions of the individual member states. Jurisdiction over EU matters is divided between the ECJ and the GC.

Treaties

The Amsterdam Treaty

This treaty established the EU and provides the legislative framework of the EU community under which each member state must abide. A section on animal welfare was appended to the treaty, in order to provide an integrated approach to the development of a community wide protocol on the protection of animals in the EU. It defines animal welfare as a community value. It is enshrined in the Protocol (No 33) on protection and welfare of animals annexed to the Treaty.

Treaty of Lisbon

In 2007, the Treaty of Lisbon was signed by EU heads of state and government, completing the process that started with the Treaties of Amsterdam and Nice - aimed at enhancing the efficiency and democratic legitimacy of the EU and improving the coherence of its action. It amends the Treaty on European Union, the Treaty establishing the European Community and the Treaty establishing the European Atomic Energy Community. (Source: Official Journal of the European Union C 306, 17.12.2007)
**Article 13 of the Treaty of Lisbon**

This article deals with animal welfare. It states that in formulating and implementing the Union's agriculture, fisheries, transport, internal market, research and technological development and space policies, the Union and the Member States shall, since animals are sentient beings, pay full regard to the welfare requirements of animals, while respecting the legislative or administrative provisions and customs of the Member States relating in particular to religious rites, cultural traditions and regional heritage.

**Secondary Legislation**

While the treaty provides a broad legislative scope, there is also secondary legislation in the form of Regulations, Directives and Decisions regarding animal welfare in the EU.

**Regulations** are laws that are binding throughout the EU, come into effect immediately.

**Directives** are adopted by the Council in conjunction with the European Parliament or by the Commission alone. It is addressed to the Member States for the purpose of aligning national legislation. It specifies the result to be achieved, but leaves Member States with the choice of the form and method they adopt to achieve the specified result. Each Member State must enshrine in their own laws the framework for how they will achieve the objective specified in the Directive.

Unlike in Canada, if a directive has not been transposed into national legislation in a Member State, if it has been transposed incompletely or if there is a delay in transposing it, citizens can directly invoke the directive in question before the national courts.

**Decisions** are adopted either by the Council, by the Council in conjunction with the European Parliament or by the Commission. A decision is the instrument by which the Community institutions give a ruling on a particular matter. By means of a decision, the institutions can require a Member State or a citizen of the Union to take or refrain from taking a particular action, or confer rights or impose obligations on a Member State or a citizen. A decision is an individual measure, which is binding in its entirety. It addresses specified persons, which distinguishes it from a regulation.

Other instruments to establish animal welfare objectives include Recommendations and Opinions.

**Recommendations** allow the institutions, such as the European Food Safety Authority (EFSA) to make their views known and to suggest a line of action without imposing any legal obligation on those to whom it is addressed (the Member States, other institutions, or in certain cases the citizens of the Union).

**Opinions** are instruments that allow the institutions to make a statement in a non-binding fashion, in other words without imposing any legal obligation on those to whom it is addressed. The aim is to set out an institution’s point of view on a question. The EFSA often provides both opinions and recommendations on animal welfare.
The overall framework for EU action on animal welfare is set out in rolling action plans. There was the Community Action Plan on the Protection and Welfare of Animals 2006-2010, and now a Second EU Strategy on the Welfare and Protection of Animals 2011-2015 will be adopted in December 2011.

**The World Organisation for Animal Health (OIE)**

The OIE is the intergovernmental organization responsible for improving animal health worldwide. It is recognized as a reference organization by the World Trade Organization (WTO) and in 2011 had a total of 178 Member Countries. The OIE maintains permanent relations with 45 other international and regional organizations and has Regional and sub-regional Offices on every continent. Since May 2005, the World Assembly of OIE Delegates (representing the 178 Member Countries and Territories) has adopted seven animal welfare standards in the Terrestrial Code and two animal welfare standards in the OIE Aquatic Animal Health Standards Code (Aquatic Code). These standards cover:

- The transport of animals by land
- The transport of animals by sea
- The transport of animals by air
- The slaughter of animals for human consumption
- The killing of animals for disease control purposes
- The control of stray dog populations
- The use of animals in research and education
- The welfare of farmed fish during transport
- The welfare aspects of stunning and killing of farmed fish for human consumption

Since it was created, the OIE has played a key role as the sole international reference organization for animal health, directly collaborates with the Veterinary Services of all its Member Countries.

As a mark of the close relationship between animal health and animal welfare, the OIE has become, at the request of its Member Countries, the leading international organization for animal welfare.

**How does the organisation function?**

The organisation is placed under the authority and control of a World Assembly of Delegates consisting of Delegates designated by the Governments of all Member Countries. (The World Assembly of Delegates is the highest authority of the OIE.)

It comprises the Delegates of all Member Countries and meets at least once a year. The General Session of the Assembly lasts five days and is held every year in May in Paris.

Voting by Delegates within the Assembly respects the democratic principle of one country, one vote. The two main functions of the Assembly that pertain strictly to animals and animal health are:

- to adopt international standards in the field of animal health, especially for international trade;
- to adopt resolutions on the control of the major animal diseases; (The others are more administrative.)
The day-to-day operation of the OIE is managed at the headquarters situated in Paris and placed under the responsibility of a Director General elected by the World Assembly of Delegates. The Headquarters implements the resolutions passed by the International Committee and developed with the support of Commissions elected by the Delegates:

- Council
- Regional Commissions
- Specialist Technical Commissions

The OIE's financial resources are derived principally from compulsory annual contributions backed up by voluntary contributions from Member Countries.

**History of the OIE's global animal welfare initiative**

The OIE Animal Welfare Working Group was inaugurated at the 70th General Session of the OIE in May 2002 and the first recommendations of the Working Group were adopted one year later. The OIE Guiding Principles on Animal Welfare were included in the Terrestrial Code in 2004. The OIE convened a First Global Conference on Animal Welfare in February 2004. As well as the Veterinary Services in OIE Member Countries and Territories, the Conference targeted livestock producers and actors in the meat sector, veterinary practitioners and international non-governmental organizations (NGOs) working in animal welfare. The main objective of the Conference was to raise awareness of, and to explain, the OIE's animal welfare initiative.

The OIE only began its role in animal welfare in 2001 when animal welfare was first identified as a priority in the OIE Strategic Plan 2001-2005. By the end of 2004, guiding principles for animal welfare had been established, based on internationally-recognised terms such as the Five Freedoms and the Three Rs. OIE Member Countries and Territories mandated the organization to take the lead internationally on animal welfare and, as the international reference organization for animal health, to elaborate recommendations and guidelines covering animal welfare practices, reaffirming that animal health is a key component of animal welfare.

**The "Five Freedoms"**

The Council of Europe has played a key role in developing standards for Europe – the Five Freedoms – which are noted internationally. These standards are based on both scientific evidence and practical experience and also emphasize the importance of the relationship between animal health and animal welfare. Originally developed in the UK, the Five Freedoms have been adopted as voluntary guidelines that the legislation of all countries should adopt.

**The Five Freedoms as adopted by the Farm Animal Welfare Council:**

- Freedom from hunger and thirst - access to fresh water and a diet for full health and vigour,
- Freedom from discomfort - an appropriate environment with shelter and comfortable rest area,
- Freedom from pain, injury and disease - prevention or rapid treatment,
- Freedom to express normal behaviour - adequate space and facilities, company of the animal's own kind,
- Freedom from fear and distress - conditions and treatment which avoid mental sufferings.

This stated that farm animals should have freedom “to stand up, lie down, turn around, groom themselves and stretch their limbs,” a list that is still sometimes referred to as Brambell’s Five Freedoms.

As a direct result of the Brambell Report, the Farm Animal Welfare Advisory Committee (FAWAC) was set up. This was disbanded at the same time that the Farm Animal Welfare Council (FAWC) was established by the British Government in July 1979.

One of these bodies started to list the provisions that should be made for farm animals in five categories, which also became known as the Five Freedoms.

**The EU's Role in the OIE**

The EU has gone to the WTO to request changes to the requirements of trade that require countries that join the EU to upgrade their welfare standards in compliance with current EU standards and bear the costs of such upgrades.

To raise awareness of animal welfare at the global level, the EU has contributed to the work of intergovernmental organisations, such as the OIE and FAO, providing training for scientists, government officials, farm workers and veterinary officers and including animal welfare in trade agreements with third countries.

The EU has been working via the OIE and bilaterally with trading partners with the aim of lifting standards in other countries in order to have common rules. This remains work in progress.

OIE recommendations for international transport and slaughter, adopted in 2005, appear to have been influenced by EU requirements. On-farm animal welfare is now beginning to be addressed by the OIE but this will be a long-term issue. Bilateral agreements with the EU’s main current and prospective trading partners will therefore remain important for the future.

Implementation and enforcement of international standards are not directly within the OIE’s responsibilities. These are likely to remain important challenges for the future. It is clear that the EU has played a significant role in the OIE’s animal welfare activities to date and also in the development of bilateral agreements but the extent of its contribution may be under-estimated at present by some stakeholders in the EU. Continued EU initiatives will be needed if progress is to be maintained at international level.

By the late 1990s, there was growing support for the proposal that the OIE could be an appropriate, inter-governmental organization with the necessary international standing and expertise to address animal welfare issues and seek agreement on international standards.
There has, however, been a growing concern, particularly amongst some NGOs that the WTO rules-
based trading system does not adequately address consumer interests and that the credibility of, and
public support for, the WTO is thus at risk. The NGOs involved believe that the outcome of the
tuna/dolphin, shrimp/turtle and leghold trap issues support their views. These three specific cases
essentially support the view that animal welfare considerations cannot be used as a trade impediment
(RSPCA 1998). Bayvel (1993, 1996, 2000 and 2004) has reviewed the topic from both a New Zealand and
international perspective.

In parallel with the policy debate on animal welfare and international trade, initiatives have been taken
by some producers and retailers. A number of OIE member countries, including some European
countries, Australia, New Zealand, the USA and Canada have industry-led quality assurance programs, in
promoting animal welfare standards. It is preferred to, and seen to be a much more cost-effective
option than, a prescriptive regulatory approach. These schemes have, undoubtedly, had a positive
impact on animal welfare and have helped to directly address consumer concerns.

**Canada's role in OIE**

Dr. Brian Evans, Chief Food Safety Officer and Chief Veterinary Officer for Canada, CFIA, sits on the OIE Council.

Dr. Evans was appointed Canada's first Chief Food Safety Officer in 2010. Dr. Evans has been the Chief
Veterinary Officer of Canada since the inception of the CFIA in 1997 and the delegate of the Government
of Canada to the World Organization for Animal Health (OIE) since 1999. Dr. Evans also served as
Executive Vice-President of the CFIA. Before the creation of the CFIA, Dr. Evans held senior-level
positions within Agriculture and Agri-Food Canada and spent several years in private practice, focusing
on reproductive herd health.

As a member of the World Organization for Animal Health (OIE), Canada has the opportunity to provide
comments on standards and guidelines developed by the following OIE Commissions: Terrestrial Animal
Health Standards, Aquatic Animal Health Standards, and Biological Standards

**Current Statutes**

Farm animals in Canada suffer from antiquated animal welfare practices that are far below the
standards of the EU. For decades the EU has legislated improvements regarding all aspects of
the care and handling of food animals. Consequently, the EU is leading the way to more
humane food animal practices.

A comparison of Canadian and EU legislation shows how little consideration federal and
provincial governments and Canada's agriculture industry give to humane treatment of animals
raised for food.

Below is a summary of the EU's legislative process and a chart comparing Canadian and EU
legislation and animal welfare practices.
### Canada

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<th>Summary</th>
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<tr>
<td>There are three federal laws that apply to the welfare of food animals in Canada. These are the Health of Animals Act (Regulations current to 10/31/11); the Meat Inspection Act (Regulations current to 10/17/11) and the Criminal Code.</td>
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<tr>
<td>There is no legislation in Canada that governs the treatment of farm animals or protects their welfare on farms (outside of the most egregious mistreatment, which is covered under the Criminal Code).</td>
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<td>The current legislation avoids ethical principles and does not deal with the keeping, caring and housing of animals for agricultural purposes.</td>
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<td>There is no recognition of the individual needs of animals with regard to their species or development, adaptation and domestication or to their physiological, ethological or psychological needs. Thus animals are not required to have freedom of movement, freedom from fear, freedom from pain or any other freedom, and there are no provisions for on farm inspections. Thus, there is no regulation of the intensive farming system in Canada.</td>
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<tr>
<td>Both the Health of Animals Act and the Meat Inspection Act fall under the auspices of the Ministry of Agriculture and Agri-foods. The Canadian Food Inspection Agency (CFIA) administers and/or enforces the following acts:</td>
</tr>
<tr>
<td>• Food and Drugs Act*</td>
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<td>• Canada Agricultural Products Act</td>
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<td>• Meat Inspection Act</td>
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<tr>
<td>• Fish Inspection Act</td>
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<tr>
<td>• Consumer Packaging and Labelling Act*</td>
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<tr>
<td>• Health of Animals Act</td>
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<tr>
<td>• Administrative Monetary Penalties Act – This act governs the financial penalties charged when the above legislation is contravened)</td>
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<td>• Canadian Food Inspection Act</td>
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### EU

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<tr>
<td>There are a significant number of laws and directives regarding animal welfare in the EU. Some came into effect early and have been either amended or replaced. Harmonized EU-wide animal welfare rules are in place.</td>
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<tr>
<td>In this section, I will deal with the basic Conventions, Regulations and Directives that deal with animals raised for agricultural purposes. Other regulations exist for transport, treatment and housing of specific species, and slaughter will be dealt with in other sections.</td>
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<tr>
<td>Individual Member States also have their own regulations and directives which enforce the EU-wide legislation. The EU’s regulatory framework for animal husbandry offers general, basic protection to all farm animals within the EU. Member States are, however, free to adopt more rigorous national legislation. The Government of Sweden has seized that opportunity and has established animal welfare regulations that are, in several respects, stricter than the EU standard.</td>
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<td>Animal Welfare is taken a step forward from a structural and a programmatic point of view with the Lisbon Treaty. While it was only part of the protocol (No 31) in the Amsterdam Treaty and thus a part of the Treaty by declaration, Animal Welfare has now become an integral part of the new Treaty itself, in the form of Article No 13 of the Consolidated Version of the Treaty of the Functioning of the European Union, laid down under Title II of the provisions having general application (please see the text here below).</td>
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<td><strong>Broadening of scope</strong></td>
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<td>Animals are currently more protected not only by the legal-systematic structure, but also by an enlargement of scope of the Article 13. As in the former Amsterdam protocol, animals are protected as sentient beings but not only in the context of agriculture, transport, internal market and research, but now also in the political fields of technological</td>
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Health of Animals Act (Part 12)

The Health of Animals Act regulates the treatment of food animals while they are on the farm or during transport. The Canadian Food Inspection Agency is responsible for inspecting transport conditions of farm animals from loading through to transport and off-loading.

Meat Inspection Act

The Meat Inspection Act regulates the welfare of animals once they are off the truck and in a federally inspected slaughter facility. The Canadian Food Inspection Agency is responsible for inspecting these federal slaughter facilities and for having a qualified inspector on the premises during slaughter.

Criminal Code, Cruelty to Animals Provisions

Lastly, the Criminal Code governs acts of deliberate cruelty to animals, but does not cover standard industry practices, such as those that are common animal husbandry practices on farms, transportation vehicles and slaughterhouses, unless there is evidence of deliberate neglect or distress of so great a nature that it makes the animal unfit for the food production system.

There is no citizen driven mechanism for making provinces comply with the objectives of federal legislation.

Recommended Codes of Practice

The development of the codes is currently directed by the federally funded National Farm Animal Care Council, of which the Canadian Federation of Humane Societies (CFHS...) is a founding member. The CFHS... is the only animal welfare organization that is a member of the council. The CFHS... has been an active participant in the development of these codes of practice since their inception. The Codes augment the broad federal regulations. They have been developed by industry stakeholders, development and space policies, while the fisheries section is also included. This leads to a more ethically sound legislative coverage regarding the use of animals, also in sensitive areas such as, for example, cloning of farm animals for food supply and animals in experiments.

Enhanced power of the European Parliament

Apart from this direct effect of article 13 of the Lisbon Treaty there are also indirect effects that could be used in a political level in order to further the cause of Animal Welfare. To begin with, the European Parliament (EP) has now more political power in the EU legislation procedures. The co-decision procedure is now the standard procedure used and this means that all three EU institutions involved in the legislative process have to find a consensus. In addition, as the EP is the only institution directly elected by EU citizens, it represents the highest awareness level among the EU institutions regarding the protection of animals.

New opportunity to build up a democratic citizens' initiative. Following the better balance of power in the legislation process, the European citizens will also have more political opportunity to express their interests: if more than one million people are demanding the EU to deal with a certain topic, the EU is obliged to start a legislation procedure – if it concerns a political field the EU is competent for. For animal welfare, as we have seen, both prerequisites are present: animal protection is a crucial concern for the EU citizens and Animal Welfare is currently one of the EU basic principles. The Lisbon Treaty is therefore a chance for billions of all kind of animals for which we, as humans, are responsible.

THE EUROPEAN CITIZENS’ INITIATIVE

The Lisbon Treaty introduces a new form of public participation in European Union policy shaping, the European Citizens’ Initiative (ECI). As required by the Treaty, on a proposal from the European Commission, the European Parliament and the Council adopted a Regulation which defines the rules and procedure governing this new instrument (Regulation (EU) No. 211/2011 of the European Parliament and of the Council 16 February 2011 on...
the Canadian Federation of Humane Societies, animal scientists and government representatives. These are nationally developed guidelines for the care and handling of specific species of farm animals. Most of the Codes are out of date, and do not address the public’s increased attention to animal welfare concerns or the latest science on husbandry methods.

The Codes are not binding but voluntary; there are no verification or enforcement standards. The Codes are minimum standards and do little to protect the welfare of food animals in Canada. There are no penalties for failing to adhere to the Codes, nor are there any financial incentives to do so. Government subsidies to the industry do not rely on the industry’s compliance to the Codes.

Among the Codes, only the Dairy Code of Practice has been updated; it is more welfare-oriented. When I called the Dairy Farmers of Ontario, however, to ask a question about the Dairy Code on Nov 18, 2011, the receptionist didn’t know what I was talking about, so she transferred me to Steve Couture, Assistant Director of Policy. He didn’t know enough to discuss the codes. Given this fact, it seems that the Codes, although much stronger than previously, are not well-known even to those in charge of policy. (Steve directed me to Rejean Bouchard, the Director of Policy and Production, who was out of the office)

While the vast majority of codes do not promote anything but the bare minimum standards, and all the codes are voluntary, the industry and government promote Canada as having humane welfare standards and the best food safety in the world. (See Animal Welfare and Food Safety Section)

Many commodity organizations (the Canadian Pork Council, for example) have developed their own guidelines, however, these, too, are voluntary. Some commodity organizations have taken initiatives to develop an audit process (the Chicken Farmers of Canada and Canada Pork the citizens’ initiative).

The ECI will allow 1 million citizens from at least one quarter of the EU Member States to invite the European Commission to bring forward proposals for legal acts in areas where the Commission has the power to do so. The organisers of a citizens' initiative, a citizens' committee composed of at least 7 EU citizens who are resident in at least 7 different Member States, will have 1 year to collect the necessary statements of support. The number of statements of support has to be certified by the competent authorities in the Member States. The Commission will then have 3 months to examine the initiative and decide how to act on it.

In accordance with the Regulation, it will only be possible to launch the first European Citizens' Initiatives from 1 April 2012.

The European Convention for the Protection of Animals kept for Farming Purposes (CE Farming Convention) is aimed at the practices of industrial stock breeding. (It was opened for signature in 1976) The Conventions created by the CE were the first international documents setting forth ethical principles for the use of animals in agriculture. A Standing Committee with representatives from each signatory country was created by the CE Farming Convention for the purpose of elaboration and adoption of recommendations to the Contracting Parties and contained detailed provisions for the implementation of the principles set out in the Convention. (Source #1: Council of Europe, European Convention on the Protection of Animals Kept for Farming Purposes, “Explanatory Report”, http://conventions.coe.int/Treaty/EN/Reports/Html/087.htm; Source #2: Council of Europe, Biological Safety-Use of Animals by Humans )

The CE Farming Convention, purportedly drafted based on ethical principles, applies to the keeping, care and housing of animals, and in particular to animals in modern intensive stock farming systems. The general standard of treatment under the CE Farming Convention requires that:

Animals shall be housed and provided with food,
Unlike the EU, there is a general lack of government attention to animal welfare. It receives scant consideration within the Canadian government’s “Growing Forward” agricultural policy framework.

Canada compares poorly to the EU and other countries such as New Zealand and Australia, which have created national committees with a balanced membership of all stakeholders, including animal protection organizations, to advise government on animal welfare policy.

Canada's current regulations are well below the standards recommended by the World Organization for Animal Health (OIE), which advocates the Five Freedoms. There is no mention of the Five Freedoms in any of the Codes or federal or provincial legislation.

To meet ethological needs, it is necessary that an animal be able to behave in a way consistent with its normal behaviour in a natural setting.

To meet physiological and ethological needs, it is not only necessary to satisfy physical needs for survival, but also to meet behavioural and psychological parameters, so that an animal can live in a way consistent with its nature.

Other requirements of the CE Farming Convention include standards relating to freedom of movement, feeding of animals, lighting, temperature and ventilation conditions where animals are confined and inspection requirements.

These requirements can presumably be met by any number of types of regulations and the Convention does not attempt to define precisely how the standards are to be met.

The Committee endeavored to elaborate principles which are precise enough to prevent a completely free interpretation, but wide enough to allow for different needs. The underlying idea is to avoid any unnecessary suffering or injury and to secure conditions that shall be in conformity with physiological and ethological needs of the individual animals.

In 1998, Council Directive 98/58/EC on the protection of animals kept for farming purposes gave general rules for the protection of animals of all species kept for the production of food, wool, skin or fur or for other farming purposes, including fish, reptiles or amphibians. These rules are based on the European Convention for the Protection of Animals kept for Farming Purposes. They reflect the so-called 'Five Freedoms' as adopted by the Farm Animal Welfare Council in the UK. This directive lays down the minimum welfare standards for the protection of water and care in a manner which – having regard to their species and to their degree of development, adaptation and domestication – is appropriate to the physiological and ethological needs in accordance with established experience and scientific knowledge.

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<td>Canada's current regulations are well below the standards recommended by the World Organization for Animal Health (OIE), which advocates the Five Freedoms. There is no mention of the Five Freedoms in any of the Codes or federal or provincial legislation.</td>
</tr>
</tbody>
</table>

The Committee endeavored to elaborate principles which are precise enough to prevent a completely free interpretation, but wide enough to allow for different needs. The underlying idea is to avoid any unnecessary suffering or injury and to secure conditions that shall be in conformity with physiological and ethological needs of the individual animals. In 1998, Council Directive 98/58/EC on the protection of animals kept for farming purposes gave general rules for the protection of animals of all species kept for the production of food, wool, skin or fur or for other farming purposes, including fish, reptiles or amphibians. These rules are based on the European Convention for the Protection of Animals kept for Farming Purposes. They reflect the so-called 'Five Freedoms' as adopted by the Farm Animal Welfare Council in the UK. This directive lays down the minimum welfare standards for the protection of water and care in a manner which – having regard to their species and to their degree of development, adaptation and domestication – is appropriate to the physiological and ethological needs in accordance with established experience and scientific knowledge.

To meet ethological needs, it is necessary that an animal be able to behave in a way consistent with its normal behaviour in a natural setting.

To meet physiological and ethological needs, it is not only necessary to satisfy physical needs for survival, but also to meet behavioural and psychological parameters, so that an animal can live in a way consistent with its nature.

Other requirements of the CE Farming Convention include standards relating to freedom of movement, feeding of animals, lighting, temperature and ventilation conditions where animals are confined and inspection requirements.

These requirements can presumably be met by any number of types of regulations and the Convention does not attempt to define precisely how the standards are to be met.

The Committee endeavored to elaborate principles which are precise enough to prevent a completely free interpretation, but wide enough to allow for different needs. The underlying idea is to avoid any unnecessary suffering or injury and to secure conditions that shall be in conformity with physiological and ethological needs of the individual animals. In 1998, Council Directive 98/58/EC on the protection of animals kept for farming purposes gave general rules for the protection of animals of all species kept for the production of food, wool, skin or fur or for other farming purposes, including fish, reptiles or amphibians. These rules are based on the European Convention for the Protection of Animals kept for Farming Purposes. They reflect the so-called 'Five Freedoms' as adopted by the Farm Animal Welfare Council in the UK. This directive lays down the minimum welfare standards for the protection of water and care in a manner which – having regard to their species and to their degree of development, adaptation and domestication – is appropriate to the physiological and ethological needs in accordance with established experience and scientific knowledge.
all farmed animals.

Here is a summary of the EU Community-wide legislation on animal welfare.

**FARM ANIMALS**

COUNCIL DIRECTIVE 98/58/EC of 20 July 1998 concerning the protection of animals kept for farming purposes

COMMISSION DECISION 2000/50/EC of 17 December 1999 concerning minimum requirements for the inspection of holdings on which animals are kept for farming purposes (repealed)


COUNCIL DIRECTIVE 1999/74/EC of 19 July 1999 laying down minimum standards for the protection of laying hens


COUNCIL DIRECTIVE 2007/43/EC of 28 June 2007 laying down minimum rules for the protection of chickens kept for meat production

**SLAUGHTER OR KILLING OF ANIMALS**

COUNCIL DIRECTIVE 93/119/EC of 22 December
1993 on the protection of animals at the time of slaughter or killing

COUNCIL REGULATION (EC) No 1099/2009 of 24 September 2009 on the protection of animals at the time of killing

**TRANSPORT**


COUNCIL REGULATION (EC) No 411/98 of 16 February 1998 on additional animal protection standards applicable to road vehicles used for the carriage of livestock on journeys exceeding eight hours (repealed from 5 January 2007 by Council Regulation (EC) No 1/2005. References to the repealed Regulation shall be construed as references to Regulation No 1/2005.)


**INSPECTION**

COMMISSION DECISION 2006/778/EC of 14 November 2006 concerning minimum requirements for the collection of information during the inspections of production sites on which certain animals are kept for farming purposes

Provinces

There is no harmonization of animal welfare laws among provinces as there is in the EU. In fact, Quebec, North West Territories and Nunavut do not have dedicated animal protection legislation. North West Territories and Nunavut do not have significant livestock industries, however.

The Canadian SPCA in Quebec uses the Criminal Code for companion animal cases, but it is not clear how the Act is used for livestock welfare concerns.

According to Elaine Hughes, professor Faculty of Law, University of Alberta, “Given the nature of the Criminal Code, which can only prohibit and penalize but not regulate conduct due to constitutional concerns, a gap remains in Canadian [animal welfare] law.

Some provinces have their own animal welfare laws, although some date back before confederation. There are two common approaches to provincial animal welfare legislation:

- a) general animal protection legislation: this protects animals from distress, and provides the authority to remove animals from situations of neglect or harm. (This type of legislation is similar to the legislation under the criminal code in that it only applies to situations of egregious mistreatment and applies to individuals not to established practices)
- b) regulation, controls and licensing: humane slaughter, transport, and health legislation

All provinces define liability offences, often using the term "distress" to describe animals in an unfit condition. All of the provincial laws allow animals to be taken into custody when considered to be in "distress."

1. British Columbia (BC), Alberta (AB), Saskatchewan (SK) have the best livestock regulations on the books.

Member States

Throughout the EU, the Animal Welfare Laws are harmonized, however, individual member states can and do supplement the EU legislation with their own legislation, which enforces and/or strengthens the EC wide legislation.

At the Member State level, substantial resources are devoted to the implementation and enforcement of EU animal welfare policy, especially for farm animals. Total Member States expenditures in this area greatly exceed those made at EU level. There are also significant budgets for animal welfare research at EU and Member State level.

UK: Animal Welfare Act 2006 – It’s your duty to care This is a general act, which does not lay down specifics of how to implement the EU-wide animal protection legislation.

Animals England, Animal Health: The Welfare of Animals (Transport) England Order 2006, No. 3260 came into force, Jan. 5, 2007. It applies to England only. It deals with the transport of animals and supports Council Regulation (EC) No. 1/2005 on the protection of animals during transport and related operations and Council Regulation (EC) No. 1255/97. It identifies the competent authority as the Secretary of State for both regulations and the enforcement is carried out by a local authority and in particular cases (more complex) by the Secretary of State. It also has several derogations with regard to animals transported on a road journey of less than 12 hours. (More under Farm Animal Transport (General)


Animal welfare is a priority issue for the Swedish Ministry of Agriculture, Food and Fisheries. Within the EU, Sweden considers itself to be on the forefront on animal welfare with stricter regulations than EU standards in several respects. This report provides an overview of Sweden’s animal welfare legislation, focusing on where it differs from EU
2. AB, SK and Manitoba (MB) have protection regulations for transport
3. AB, Ontario (ON), and Prince Edward Island (PEI) have protection regulations at auctions
4. Veterinarians now have the professional obligation to report offenses
5. Many provinces include codes of practice in their regulations. However the regulatory language is often weak and non-prescriptive.

BC has some humane slaughter provisions, vague, however, and refer to the federal Meat Inspection Act.

Alberta only marginally addresses humane slaughter under the meat inspection act.

Manitoba
Increasing the maximum fines for animal care offences to $10,000 from $5,000 for a first offence and to $20,000 from $10,000 for a second or subsequent offence. The maximum term of imprisonment will increase to 12 months from six months for a second offence. Also, a person convicted of an offence could be restricted from owning or caring for animals for life.
- Prohibiting the loading and transportation of animals that are not fit to transport and those that cannot be moved without causing suffering.
- Prohibiting the acceptance for commercial trade of animals that are not fit to transport at sites like assembling points, auction markets and shipment yards.
- Protection for operators of commercial sites who report the arrival of unfit animals.
- Protection from liability for veterinarians who report suspected cases of animal neglect or abuse.
- Updating and expanding the authority of animal protection officers, particularly in their ability to take action to prevent harm or seize animals they consider to be in abusive or abandoned situations.

Germany
The Animal Welfare Act makes it a chargeable offence:
- to abandon or leave an animal kept in a home, on a holding or otherwise in human care to get rid of it or shirk the duty of keeper or caretaker;
- to release into the wild or settle an animal bred or brought up in captivity and unprepared to feed itself in its new habitat in a species-adequate manner and un-adapted to the climate there; the provisions under hunting and nature conservation law shall remain unaffected;

In the EU, sow tethers were banned in 2006 and sow stalls will be banned in 2013.

Switzerland
These provisions ensure that pigs are not kept locked up endlessly in gestation crates or by other methods. They require that pigs be given ample rooting time with straw, roughage or other suitable material.

When sows are kept in crates, the floors can be no more than fifty percent slatted, leaving half the floor solid for comfort. Breeding boars and fattening pigs shall not be kept in crates unless they are underweight. Sows are allowed to be kept in crates unless they are underweight. Sows are allowed to be kept in farrowing pens or gestation crates in Switzerland, however, they must be given sufficient space to turn around in and long cut hay a few days before farrowing. This will allow the sow to perform nest-building activities, which is an instinctive behavior of the species. Finally, piglets shall not be kept in cages with two or more tiers and the tops of the cages must be left open.

Finland, Sweden and the UK have already passed national legislation on a unilateral basis to ban sow stalls and tethers ahead of the future EU wide bans.
**HOW ANIMAL PROTECTION IS ENFORCED**

In most provinces, the provincial SPCA enforces animal protection legislation regarding livestock (British Columbia, Alberta, Saskatchewan, Ontario, Nova Scotia, New Brunswick). In Manitoba and Prince Edward Island provincially appointed veterinarians fill this role. The RCMP or police officers are responsible for animal welfare law enforcement in the Yukon and Newfoundland/Labrador (veterinarians accompany the police as expert witnesses).

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<tr>
<th>Financial Incentives</th>
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<td>(Source: <a href="http://www.canadianpoultrymag.com/content/view/1058/38/">http://www.canadianpoultrymag.com/content/view/1058/38/</a>) Animal welfare quality assurance programs do not include financial incentives for the farmer to change their animal welfare practices to more humane standards.</td>
<td>(Source: <a href="http://ec.europa.eu/agriculture/publi/capexplained/cap_en.pdf">http://ec.europa.eu/agriculture/publi/capexplained/cap_en.pdf</a>) Common Agricultural Policy within the EU offers financial incentives to farmers to harmonize their animal welfare standards. Ensuring food safety and high animal health and welfare standards is not just a matter of regulations. The Common Agricultural Policy (CAP) offers farmers incentives to improve their performance in animal welfare. Although respecting the standards in this regard, by applying the principles of cross-compliance, benefits society as a whole this may impose considerable costs on farmers, so financial support is available to help farmers make improvements in these areas under the scope of Rural Development.</td>
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<tr>
<th>Mechanisms for Bringing Forth New Legislation</th>
<th>Mechanisms for Bringing Forth New Legislation</th>
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<tr>
<td>There is a long and drawn out process of independent bills which can be initiated by members of the public and an MP. It can take many years to get the bill to a first and then second reading and then it is voted on by the MPs and then again by the Senate. There is no guarantee that the bill will make it through either of the levels of parliament.</td>
<td>The European Commission will allow proposals for legal acts to be brought forward by citizens – such as animal welfare – if 1 million citizens from at least one quarter of the EU member states support the proposal. It is called The European Citizen’s Initiative.</td>
</tr>
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</table>
### WTO

While the federal government claims that "Canada's current voluntary framework (Codes of Practice) for farm animal welfare issues is entirely consistent with our international commitments at the WTO" in reality it is far from what the WTO recommends. Canada may claim to "have the safest food in the world", that is far from true. (See Food Safety)

### Stakeholders

**Include** Industry and Government. While the Canadian Federation of Humane Societies has a seat at the table, it has been largely ineffectual in addressing lax standards of care, due, in part, to the CFHS representative’s lack of understanding of the animal species being discussed. Recently, however, the CFHS has hired veterinarians to represent them in promoting stronger animal welfare standards in the codes. Other Animal Protection Groups are not included as Stakeholders, however.

### Attitudes

In Canada, there is a huge agricultural lobby. Food animals are governed by big money industry; most regulations are designed to protect this industry.

As property, animals may be treated like machines, regulated mainly for the benefit of the owner.

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### WTO

The EU first raised animal welfare within the WTO in 2000, an action that led to animal welfare being identified as a priority in the Strategic Plan of the OIE in 2001.

### Stakeholders


Surveys suggest that there is significant public interest in animal welfare issues and there were high levels of public engagement in EU consultations linked to reviews of legislation.

### Attitudes

Many common Canadian husbandry practices are being phased out or have already been banned in Europe.

The cruel practices that are considered common in Canada are becoming violations of animal welfare regulations in the EU. This is due to the status of animals.

As sentient beings, animals are endowed with a moral status and human beings have an advanced role in the protection of these beings. Animals need to be protected for their own sake. Animals cannot be given a moral status and still be treated as though they have none.

In Europe, there is a variety of lobby's controlling the regulation of animals.
### Drivers of Improved Animal Welfare

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<th>CAN</th>
<th>EU</th>
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<tr>
<td><strong>Government and Industry Fears</strong></td>
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<tr>
<td>Canada is driven by fears that the OIE will soon adopt the first ever global standards for the transport of live animals, including pigs. Canada fears that changes in Animal Health globally may impact Canada.</td>
<td>There are some Member States that have quite advanced animal welfare legislation for farm animals (UK, Sweden, Switzerland, the Netherlands) and the farmers in these countries fear that the higher costs they face for implementing higher welfare standards will negatively affect them in the market place, because those countries who don’t prescribe to high animal welfare standards will be able to sell their animal-based goods for less. To remedy this eventuality, the EU is attempting to harmonize their animal welfare legislation to the highest standards, so no country with poor welfare standards will have an unfair advantage in the EU.</td>
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<tr>
<td>While there is some concern within the agricultural community about harmonized world standards regarding animal welfare for international trade, Canada’s legislation is still weak, and there does not seem to be a push to strengthen the legislation or make any of the codes of practice mandatory.</td>
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<tr>
<td><strong>Industry</strong></td>
<td><strong>Industry</strong></td>
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<td>Instead of committing to improve food safety – and ensuring animal welfare contributes to this, the industry, instead, attempts to make unsubstantiated claims about Canada’s “superior” food safety.</td>
<td>Numerous companies have taken the role of ensuring that their producers raise their standards to the level that consumers want. Ben and Jerry’s, Unilever and others ensure their products meet high welfare standards.</td>
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<td>These industry groups also try to discredit the need for improved animal welfare via improved housing and stockmanship.</td>
<td>Farmers lobby for harmonized legislation since it evens the playing field for all of the industry. Those with high welfare standards are thus not penalized financially by those with low standards who can sell their goods more cheaply.</td>
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<tr>
<td>Fear-mongering tactics are used to maintain system of animal welfare as is.</td>
<td>Major Retailers in UK and other EU Member States are drivers of improved animal welfare. Higher animal welfare standards are also increasingly seen to be a prerequisite to enhancing business efficiency and profitability, satisfying international markets, and meeting consumer expectations. For example, a third of the leading global food retailers with turnovers ranging from US$25-250 billion, have public animal welfare policies.</td>
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<td>Example: Harry Pelissero (Egg Farmers of Ontario) stated concern about who is driving the changes in housing systems? ”The bigger question concerning all of intensive livestock production is this: have those regulators who bring the changes into the legislation really discussed and debated the potential unintended consequences of the de-intensification of current livestock production systems for the economy, the environment and, most importantly, the world grain/food supply? We can only hope that they have, and that they have a “plan B,” or they may well find themselves with a human welfare problem with which to contend.”</td>
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This seems to be the attitude of a majority of the old guard animal producers: that the change to more improved animal welfare conditions will cause unintended and detrimental conditions for human welfare. Animal welfare will harm human welfare. There is little discussion of how animal welfare will help food safety.

### The “Five Freedoms”

There has been no adoption of the Five Freedoms in Canada.

In Canada, there is little research on animal welfare for farm animals. For example, research by University of Guelph Executive Director of the Campbell Centre for Animal Welfare, Tina Widowski, found that if Canadian consumers are surveyed while going into a supermarket, most of us want animals to have what we would think of as perfect living conditions; however, it appears that even when we’ve said minutes earlier in the survey that we’ll pay more for eggs from what the general public would consider a more welfare-friendly environment, Canadian consumers, don’t pay more. At the supermarket we choose with our wallets.

### Consumers

Animal Industry Groups attempt to obfuscate the connection between food safety and animal welfare.

Government doesn’t take a role in informing public about connection between animal welfare and food safety.

Animal welfare is not key issue among consumers.

Gail Campbell (Consumers Council of Canada) verifies that consumers’ main interests were food safety, quality and price, with little thought of how the food is produced. She believes this opinion is due to the fact that consumers have an inherent belief and trust in the manufacturer/producer of the product.

### Consumers

In EU, 64% of consumers are concerned with animal welfare.

There is EU consumer-wide recognition that food safety and animal welfare go hand in hand.

Changing consumer attitudes have had a significant impact, particularly in EU, on the attitudes to animal welfare of scientists, the public and, through them, politicians.

Welfare aspects of animal agriculture and associated consumer preference behaviors have attracted increasing attention from agricultural economists.

Marketing initiatives by companies that have high animal welfare standards target these consumers.

The “Five Freedoms”

Introduced in the UK, they are now the basis of much of the legislation in the EU.
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<tr>
<td>Slaughterhouses and the industry animal care</td>
<td>Slaughterhouses will adopt animal welfare friendly</td>
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<td>councils appear to be resistant to any changes to</td>
<td>designs and measures which go beyond legislative</td>
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<td>improve animal welfare. View changes as providing</td>
<td>requirements in order to gain advantage from the</td>
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<td>greater costs with no economic advantages. Slaughterhouses</td>
<td>economic benefits whether these are simply better</td>
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<td>appear to be under the radar of most consumers in Canada.</td>
<td>revenues or in order to conform with customer</td>
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<td>Consumers are loath to think about where their &quot;food&quot;</td>
<td>requirements which ensures access to certain</td>
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<td>comes from and how the animals they eat are killed.</td>
<td>markets. (Example is CCTV (Closed Circuit TV Monitors in UK)</td>
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<tr>
<td>Enhanced animal welfare is not considered a marketing strategy for majority of producers or retailers in Canada.</td>
<td>Enhanced animal welfare among producers and at retail level (products which can claim to be produced with higher animal welfare standards) are viewed as a marketing opportunity.</td>
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<tr>
<th>Conferences on Animal Welfare</th>
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<td>While there are several animal welfare conferences, such as Advancing Animal Care and Addressing Market Expectations of the National Farm Animal Council, many of these conferences pay only lip service to real animal welfare. During this conference, education was emphasized as the best way to improve animal welfare on farms, as opposed to regulation and third party audits.</td>
<td>The Welfare Quality Project , Harry J. Blokhuis, Animal Sciences Group, The Netherlands; The main thrust of the Welfare Quality project is to provide practical science based tools and strategies to improve the welfare of farm animals.</td>
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<th>Growing public awareness</th>
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<td>Canadian citizens are slower to make the connection between food safety and animal welfare. In part, this is because of government and industry propaganda to ensure consumers that our food system is one of the safest in the world, and to</td>
<td>64% of EU citizens are concerned about animal welfare for farm animals and demand better standards of production. Growing awareness of farm animal conditions and industrialized agriculture ensure that, together with food safety and environmental pollution, animal welfare now plays a major role in all discussions about animal production. Recent crises such as BSE, swine fever, foot and mouth disease and avian influenza, have further increased awareness that animal production is more than just an industry. A frequent and worrying question is whether or not animal production has become unsustainable for people, animals and the environment alike. Indeed, a growing ethical concern related to production processes can be identified as a major trend in European food consumer behaviour (Steenkamp, 1996).</td>
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# Enforcement of Animal Welfare Legislation

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<th>Canada</th>
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<td>Funding for animal protection law enforcement is variable.</td>
<td>Enforcement procedures are in place, both in Member States and at EU level.</td>
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<td>Most provinces/territories receive some government funding (except for New Brunswick and Quebec, which receive none), but it is usually far less than the cost of enforcement.</td>
<td>Enforcement is the responsibility of the Member States.</td>
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<td>SPCAs responsible for enforcement often rely on fundraising efforts to cover their costs.</td>
<td>However, if the Commission considers that a Member State has failed to fulfil an obligation under this Treaty, it shall deliver a reasoned opinion on the matter after giving the State concerned the opportunity to submit its observations.</td>
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<td>Other agencies may limit their enforcement activities to responding only when a complaint is received.</td>
<td>If the State concerned does not comply with the opinion within the period laid down by the Commission, the latter may bring the matter before the Court of Justice.</td>
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<td>In Alberta the provincial government fully funds the cost of livestock protection services. The Alberta SPCA is contracted to provide these services.</td>
<td>Article 226 and 227 of the THE TREATY ON EUROPEAN UNION AND OF THE TREATY ESTABLISHING THE EUROPEAN COMMUNITY deal with member states that do not comply with the Treaty and what other member states can do. The systems appear to be functioning, but variations in enforcement undermine progress towards uniformly high standards across the EU.</td>
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<td>The main difficulties with vigorous enforcement of animal welfare provisions in Canada stem from understaffing and associated under funding.</td>
<td>Animal protection groups are able to be present at check points to ensure transporters comply with regulations.</td>
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<td>Enforcement of National and Provincial Regulations is lax or non-existent.</td>
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<td>In the case of horse slaughter, in 2010 a memo from CFIA directed its inspectors not to be on the slaughter floor because the personnel doing the slaughter were not well trained and there was no psychological assessment to ensure they were stable enough to do the job properly and without danger to the inspector.</td>
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**Based on 2003 Stats for BC**: out of 1,940 investigations, only .3% resulted in charges.

**Based on 2002 Stats**:  
AB: out of 1,013 investigations, only 1.1% resulted in charges  
SK: Of 492 investigations (only 308 were livestock related) only 1.6% charged  
MB: out of 218 investigations (107 related to  

cattle, horses, swine), only 1.4% charged
ON: Of 15,020 investigated (1148 livestock related) only 1.2% charged
New Brunswick (NB): of 1,344 investigations, (188 livestock related), only .4% charged
No data for other provinces

### Voluntary Efforts on Animal Welfare

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<td>During a September 2002 workshop on the consultation of farm animal welfare and the codes of practice, chair of the workshop, Dr. Jim Ballantyne, Director of Technical Service, Maple Leaf Pork stated the opinion that most consumers in Canada believe that good farm animal handling practices already take place. This belief is also generally held by those individuals whose livelihood depends on animal agriculture. Tina Widowski, Director of the Campbell Centre on the Study of Animal Welfare at the University of Guelph, recently did a study about consumer attitudes about animal welfare and found that a majority of Canadians favoured good animal practices; however, their stated beliefs did not conform with their grocery purchases. (ie: when it came to the time to buy animal products, consumers did not choose cage free eggs, etc.) During a conference on animal welfare coordinated by the Poultry Industry Council, Widowski presented her findings, which, in essence, gave producers the message that there was no need to change over to more humane husbandry practices. Farmers do not believe that high animal welfare standards are a part of sustainable agriculture. Their focus is on the costs involved.</td>
<td>Non-legislative actions are playing a beneficial role in improving animal welfare, and include stakeholders, including NGO stakeholders, working together to achieve clearly defined objectives, i.e. Austria’s phase out of beak trimming of laying hens, UK stopping the shooting of male calves, and EU Declaration supporting phase out of pig castration, and retail corporations stopping the sale of cage eggs, and raising the welfare standards for meat. (McDonalds, Unilever)</td>
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### Legislation On Imports/Exports

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<td><strong>Legislation</strong></td>
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| TRADE IN MEAT PRODUCTS  
Section 7 of the Meat Inspection Act regarding exports does not mention health of animals: (though there is reference to the requirement of the meat product meeting the requirements of the country to which it is exported. However, Canada's animals from which the meat products come are well below EU and US standards.)  
7. No person shall export a meat product out of Canada unless  
(a) it was prepared or stored in a registered establishment that was operated in accordance with this Act and the regulations;  
(b) that person provides an inspector with evidence satisfactory to the Minister that the meat product meets the requirements of the country to which it is being exported; and  
(c) that person obtains a certificate from an inspector authorizing the export of that meat product.  
Canadian animals that are exported are not protected by Canadian transport standards, and can end up in countries where they receive little or no protection.  
A concern is that in the EU, Canada is seen, perhaps, as a progressive country in terms of animal welfare. There is reference in discussion of the potential for OIE to set Global Animal Welfare standards, that Canada has gained valuable experience with our voluntary codes of practice, and that industry-led quality assurance programmes might be preferential to regulations internationally. (Source: [http://www.daff.gov.au/animal-plant-health/welfare/aaws/aaws_international_animal_welfare_conference/the_globalisation_of_animal_welfare_a_new_zealand_and_australian_perspective_on_recent_developments_of_strategic_significance#Animal%20welfare](http://www.daff.gov.au/animal-plant-health/welfare/aaws/aaws_international_animal_welfare_conference/the_globalisation_of_animal_welfare_a_new_zealand_and_australian_perspective_on_recent_developments_of_strategic_significance#Animal%20welfare)) | Article 30 of the TREATY ON EUROPEAN UNION AND OF THE TREATY ESTABLISHING THE EUROPEAN COMMUNITY specifies that:  
The provisions of Articles 28 and 29 shall not preclude prohibitions or restrictions on imports, exports or goods in transit justified on grounds of public morality, public policy or public security; The focus of the legislation is the protection of health and life of humans, animals or plants.... Such prohibitions or restrictions shall not, however, constitute a means of arbitrary discrimination or a disguised restriction on trade between Member States.  
Two issues identified:  
1. The need to harmonize third world countries, which want to trade with EU, and need to harmonize third countries that want accession into the EU.  
2. Need for harmonization of animal welfare standards globally.  
Import rules in the European Union for poultry (including hatching eggs) and poultry products (including egg products) are fully harmonised and the European Commission acts as the competent authority on behalf of the 27 Member States. The EU Commission is the sole negotiating partner for all non-EU countries in questions related to import conditions.  
A European Parliament Resolution on the Animal Welfare Action Plan called for imports of eggs into the EU to comply with the same conditions as those of the EU, and for this to apply equally to shell eggs and egg products. (Source: [http://www.wto.org/english/tratop_e/agric_e/negs_bkgnd06_export_e.htm](http://www.wto.org/english/tratop_e/agric_e/negs_bkgnd06_export_e.htm)) |
Concerns about International Trade Issues and Animal Welfare

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<td>EU</td>
<td>A concern is that in the EU, Canada is seen, perhaps, as a progressive country in terms of animal welfare.</td>
<td>There has been a growing concern, particularly amongst some non-governmental organisations (NGOs), (Bowles 2000; RSPCA 1998; RSPCA et al 1998; RSPCA &amp; Eurogroup for Animal Welfare 1999; RSPCA 2000), that the WTO rules-based trading system does not adequately address consumer interests and that the credibility of, and public support for, the WTO is thus at risk.</td>
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<tr>
<td>There is reference in discussion of potential for OIE to set Global Animal Welfare standards, that Canada has gained valuable experience with our voluntary codes of practice, and that industry-led Quality Assurance programmes might be preferential to regulations internationally.</td>
<td>The NGOs involved believe that the outcome of the tuna/dolphin, shrimp/turtle and leghold trap issues support their views. These three specific cases essentially support the view that animal welfare considerations cannot be used as a trade impediment (RSPCA 1998). Bayvel (1993, 1996, 2000 and 2004) has reviewed the topic from both a New Zealand and international perspective.</td>
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<tr>
<td>A number of OIE member countries, including some European countries, Australia, New Zealand, the USA and Canada have industry-led quality assurance programs, more or less promoting animal welfare standards. It is preferred to, and seen to be a much more cost-effective option than, a prescriptive regulatory approach by the industry.</td>
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Legislation on Farm Animal Transport (General)

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<tr>
<td>CAN</td>
<td>EU</td>
<td>Legislation</td>
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<tr>
<td>Part XII of the Canadian Food Inspection Agency’s Health of Animals Regulations defines conditions for the humane transportation of all animals in Canada by all modes of transport.</td>
<td>Three pieces of legislation govern the transport of animals in the EU:</td>
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<tr>
<td>The Canadian Food Inspection Agency regulations come into effect when the animal is loaded for transport and continue throughout its</td>
<td>1. COUNCIL REGULATION (EC) NO 1/2005 ON THE PROTECTION OF ANIMALS DURING TRANSPORT AND RELATED OPERATIONS</td>
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<tr>
<td>journey.</td>
<td>This regulation governs transport within EU member states and from one member state to another. The</td>
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time in transit, including refueling periods and market auction stays, until the animal is unloaded at the final destination. (Source: http://www.inspection.gc.ca/english/anima/trans/infrae.shtml)

The Health of Animals Regulations Part XII: prohibit overcrowding, transportation of incompatible animals in the same stall, transportation of animals unfit to travel; and specify appropriate conditions for loading and unloading of animals, adequate feeding and watering regimes, maximum transit times, minimum rest periods, bedding requirements and states that animals that become compromised while in transit must not be transported beyond the closest area where they can receive proper medical care.

- segregate animals of different species, of substantially different weights and ages, or if incompatible by nature.
- allow animals to stand in a natural position.
- provide for drainage and absorption of urine.
- either spread sand or have the vehicle fitted with safe footholds in addition to adequate bedding.
- ensure that animals unloaded for feed, water and rest remain at least 5 hours, and longer if necessary for all of the animals to have access to feed and water.

YOU MUST NOT
- transport a sick or injured animal where undue suffering will result, or when the animal is liable to give birth.
- continue to transport an animal that is injured, becomes ill, or is otherwise unfit to travel.
- load or unload animals in a way that would cause injury or undue suffering.
- crowd animals to such an extent as to cause injury or undue suffering.
- transport animals if injury or suffering is likely to be caused by inadequate construction of the vehicle, insecure fittings, undue exposure to the weather or inadequate ventilation.
- use ramps, gangplanks or chutes that are inadequately constructed or maintained and

text of the Council Regulation No. 1/2005 ensures harmonisation across all Member States and is used to avoid any national interpretation and hence divergence. Responsibility for the welfare of animals will be more clearly defined at each stage during transport.


(IT AMENDS: The European Convention for the Protection of Animals during International Transport. (1968) )

The amended Convention lays down detailed rules applicable to all animal species and which reflect successive amendments to EU legislation. This regulation governs the transport of animals from EU member countries across the frontier into non-member countries.

It does not govern traffic within the non-EU member state. The competent authorities of the country of dispatch shall decide whether the transport is in conformity with the provisions of this Convention. Nevertheless the country of destination or intermediate countries may dispute whether any particular transport conforms with the provisions of this Convention. Such a consignment shall, however, be detained only when it is strictly necessary for the welfare of the animals.

Each Contracting Party shall take the necessary measures to avoid or reduce to a minimum the suffering of animals in cases when strikes or other unforeseeable circumstances in its territory impede the strict application of the provisions of this Convention. It will be guided for this purpose by the principles set out in this Convention.

3. **EUROPEAN COMMUNITIES (ANIMAL TRANSPORT AND CONTROL POST) REGULATIONS 2006 (S.I. NO. 675 OF 2006).**
would be likely to cause injury or undue suffering to the animals.

- confine monogastric animals, such as horses and pigs, in a motor vehicle for longer than 36 hours unless the animals are fed, watered and rested on a vehicle that is suitably equipped for the purpose.
- confine ruminants, such as cattle, sheep and goats, in a motor vehicle for longer than 48 hours unless they can reach their final destination in 52 hours or the animals are fed, watered and rested on a vehicle that is suitably equipped for the purpose.
- load an animal for a trip of more than 24 hours without first providing food and water within 5 hours before loading.

The Canadian Food Inspection Agency claims to enforce the regulations through routine inspections, unannounced site inspections and response to reports of non-compliance. In reality, this is not true. There is not the will, funding, nor the staff to do so. Transport vehicles can wait until evening to unload animals at slaughter plants, to by-pass inspection, hiding a bevy of illnesses and injuries.

Long-distance transport is commonplace, and animals often are transported even longer distances internationally. When animals from the U.S. cross the border into Canada, their transport time begins at zero, and is subject to Canada’s longer transport regulations, no matter how long they have been transported to the border from the time they have boarded the transport vehicle originally.

Canadian transport standards are all too vague on issues of temperature control and ventilation.

No driver training in animal welfare, in the species they transport, in loading and unloading. Untrained and inexperienced drivers with no experience handling the animal species they transport.

Canadian Farm Animal Transport Regulations governing the length of time farm animals can be

It states that whether within or outside the criminal jurisdiction of the State, any person fails to comply with any of the provisions of these Regulations, the Animal Transport Regulation or the Control Post Regulation, the Minister may have regard to failure in relation to the granting, revocation or suspension of the approval of a transporter, vehicle, vessel, control post or certificate of competence under these Regulations.


(Refer below.)

The current regulations allot different travel times and space requirements to the separate species of animals according to a chart indicating the length of journey and whether there is water on board with the animals.

Generally, animals are only allowed eight hours of continuous transport in "basic vehicles," then must be fed, given water and rested. In "higher standard vehicles," allowable journey times are increased to nine hours for calves and piglets, fourteen hours for other cattle, sheep and goats and twenty-four hours for pigs, if there is continuous access to water.

The directive requires that animals kept in compartments have above head ventilation and that the compartments be big enough to allow animal to stand in a natural position.

There are also several other provisions concerning mandatory route plans, on-the-spot checks of compliance with the regulations, and transport documents.

Member States, like Ireland, comprise their own regulations with regard to enforcing the EU wide regulation within its jurisdiction. Ireland has the EUROPEAN COMMUNITIES (ANIMAL TRANSPORT AND CONTROL POST) REGULATIONS 2006 Council Regulation (EC) No. 1/2005 of 22 December 2004 on the protection of animals during transport and related operations and amending Directives 64/432/EEC and 93/119/EC and Regulation (EC) Mp 1255/97 Council Regulation amending Regulation
transported without food, water and rest are among the longest in the industrialized world.

No regulations for unloading after transport, no time limits for when animals arriving at destination must be unloaded. ????
No requirements for air flow or continuous water supply

Cows, sheep and goats may be legally without water, food or rest for 52 hours of transport within Canada, plus an additional 5 hours for loading and off-loading.

It is legal for transported cattle to go 81 hours without food before slaughter (5 hours before loading, 52 hours in transport, plus an additional 24 hours upon arrival at the slaughter plant.)
Newly hatched chicks can be transported 72 hours before a stop is required for water and food.

Many of the prohibitions regarding farm animal transport are vague and subject to interpretation. For instance Canada’s animal transport regulations permit beating animals during loading and unloading, stipulating “No person shall beat an animal being loaded or unloaded in a way to cause injury or undue suffering.”

Regulations prohibit transport of any animal that is ill, injured, pregnant or fatigued, but only if such transportation does not cause “undue” suffering. In either case, it is not specified what constitutes “undue” suffering, which is left to the interpretation of drivers and handlers, even though they have no training in animal behaviour or the animal species they are transporting.

The United Nations Food and Agriculture Organization (UN FAO) describes animal transport as “ideally suited for spreading disease”13 – yet Canada puts no limit on how long the entire journey can be and the food, water and rest intervals are among the longest in the industrialized world.

(EC) No. 1/2005 on travelling times, space allowances and navigation systems.

Food and water must be available in sufficient quantity for voyages lasting longer than 12 hours, NOT including loading and unloading time.
According to the Canadian Food Inspection Agency (CFIA), “an ongoing reduction of slaughter facilities and concentration of the industry in fewer locations, the size of the country and live animal trade ties to the United States make long distance transportation of livestock a necessity.”

### Provinces

**Manitoba**

It is the only province in which the Codes of Practice are fully enforceable.

Manitoba’s Animal Care Amendment Act, which amends its Animal Care Act, prohibits the loading or transport of an animal that is unfit by reason of infirmity, illness, injury, fatigue or any other cause and if the animal is unable to stand or would suffer unduly during transport.

There is also a prohibition of unloading or accepting unfit commercial animals, and reporting procedures are required if an animal is not accepted. It excludes generally accepted animal practices.

The amended act does protect persons reporting information contravening the act from liability, with regard to commercial animals, respecting standards and requirements for the operation of commercial animal markets and commercial animal assembling stations, including standards or requirements relating to hygiene, sanitation, recordkeeping and the feeding, watering and handling of those animals in those premises. The amended act can impose a lifetime ban from owning animals.

**Alberta**

Livestock Transport Regs under Livestock and Products Act deal mostly with inspection, allowing the inspector to inspect any vehicle. Refers to poultry, not other animals.

**Saskatchewan**

Saskatchewan Regulations 242/78 (effective August 1, 1978) as amended by Saskatchewan

### Member State

**UK**


This Order came into force, Jan. 5, 2007. It applies to England only. It deals with the transport of animals and supports Council Regulation (EC) No. 1/2005 on the protection of animals during transport and related operations and Council Regulation (EC) No. 1255/97. It also includes derogations from inspection and approval, for requirements for continuous access to water, for insulated roof requirements, from temperature requirements, for ventilation system requirement and from temperature monitoring requirements for road journeys under 12 hours.

**Ireland**

Member States, like Ireland, comprise their own regulations with regard to enforcing the EU wide regulation within its jurisdiction. Ireland has the [EUROPEAN COMMUNITIES (ANIMAL TRANSPORT AND CONTROL POST) REGULATIONS 2006](#) that puts the Council Regulation (EC) No. 1/2005 into effect. It also has additional guidelines for Vehicles Seeking Approval for Transportation of livestock (cattle, sheep, goats, pigs) by road and ferry off the Island of Ireland. (See attachment)

Saskatchewan has the most extensive legislation on transport. It outlines the minimum space requirements for road or train journeys for horses, sheep, cattle and pigs, details which animals must be separated during transport. (b) crippled, injured, sick or disabled animals must be separated from other livestock by a partition; (c) any animal that becomes crippled, injured, sick or disabled during transport, or that dies during transport, must be unloaded at the nearest stockyard for treatment or disposal at the vehicle owner’s expense.

Animals to be unloaded periodically for feed, water and rest:
(1) Where animals have been on a vehicle for 12 hours or more and the animals are unloaded for feed and water, such animals shall not be reloaded for a minimum of five hours to ensure that the animals have ample opportunity for access to feed, water and a period of rest. (2) an inspector may demand that animals be unloaded at any time.

### Inspection During Transport

<table>
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<tr>
<th>Canada</th>
<th>EU</th>
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<tbody>
<tr>
<td><strong>Legislation</strong></td>
<td><strong>Legislation</strong></td>
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<tr>
<td>Federal: <em>The Health of Animals Act (Transport of Animals)</em></td>
<td>Three pieces of legislation govern the inspection of animals during transport in the EU:</td>
</tr>
<tr>
<td>Alberta: <em>Livestock Transport Regs under Livestock and Products Act</em> (protects animals during transport)</td>
<td>1.COUNCIL REGULATION (EC) NO 1/2005 ON THE PROTECTION OF ANIMALS DURING TRANSPORT AND RELATED OPERATIONS</td>
</tr>
<tr>
<td>Saskatchewan: <em>Livestock Inspection and Transportation Regs under Animal Products Act</em></td>
<td>This regulation governs transport within EU member states and from one member state to another. The text of the Council Regulation No. 1/2005 ensures harmonisation across all Member</td>
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<tr>
<td>Ontario: <em>Transporting Non-Ambulatory Animals</em></td>
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Regulations and livestock inspection during transport under Livestock and Livestock Products Act

Quebec: Regulation Respecting Food under the Food Products Act (Some sections relate to the transport, holding and slaughter of animals)

The above are the only provinces with legislation dealing with the transport of animals. The Provinces below have animal cruelty legislation that would only deal with extreme instances of negligence and abuse.

- BC has Prevention of Cruelty to Animal Act
- MB has The Animal Care Act
- NB has SPCA Act
- Nova Scotia has Animal Cruelty Prevention Act
- Newfoundland has Animal Protection Act
- PEI has Part IV of the Animal Protection Section of the Animal Health and Protection Act
- Yukon has the Animal Protection Act
- Northwest Territories has the Herd and Fencing Act, which allows officers to kill any animal severely injured, diseased or pained that it would be cruel to let the animal live.

States and is used to avoid any national interpretation and hence divergence. Responsibility for the welfare of animals will be more clearly defined at each stage during transport.


(IT AMENDS: THE EUROPEAN CONVENTION FOR THE PROTECTION OF ANIMALS DURING INTERNATIONAL TRANSPORT. (1968)

The amended Convention lays down detailed rules applicable to all animal species and which reflect successive amendments to EU legislation.

This regulation governs the transport of animals from EU member countries across the frontier into non-member countries. It does not govern traffic within the non-EU member state.

The competent authorities of the country of dispatch shall decide whether the transport is in conformity with the provisions of this Convention. Nevertheless the country of destination or intermediate countries may dispute whether any particular transport conforms with the provisions of this Convention. Such a consignment shall, however, be detained only when it is strictly necessary for the welfare of the animals.

Each Contracting Party shall take the necessary measures to avoid or reduce to a minimum the suffering of animals in cases when strikes or other unforeseeable circumstances in its territory impede the strict application of the provisions of this Convention. It will be guided for this purpose by the principles set out in this Convention.


It states that whether within or outside the
criminal jurisdiction of the State, any person fails to comply with any of the provisions of these Regulations, the Animal Transport Regulation or the Control Post Regulation, the Minister may have regard to failure in relation to the granting, revocation or suspension of the approval of a transporter, vehicle, vessel, control post or certificate of competence under these Regulations.

However, where a person would, in complying with such provisions, contravene the criminal legislation of the state in which the failure occurred (proof of which shall lie on him or her), the provisions of this paragraph shall not apply. Member States, like Ireland, comprise their own regulations with regard to enforcing the EU wide regulation within its jurisdiction. Ireland has the EUROPEAN COMMUNITIES (ANIMAL TRANSPORT AND CONTROL POST) REGULATIONS 2006.

<table>
<thead>
<tr>
<th>Health of Animals Act: Sections of Regulations that pertain to Inspection (Sections 32-36, 38-41)</th>
<th>Council Regulation (EC) No. 1/2005: Sections of Regulations that pertain to Inspection (Article 7, Article 14, Article 15, Article 20, Article 21, Article 27, Article 28)</th>
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<tr>
<td><strong>Inspectors and Officers</strong></td>
<td><strong>Article 7</strong></td>
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<tr>
<td><strong>Designation</strong></td>
<td><strong>Prior inspection and approval of means of transport</strong></td>
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<tr>
<td>32. (1) The President of the Canadian Food Inspection Agency may designate under section 13 of the Canadian Food Inspection Agency Act analysts, inspectors, veterinary inspectors and officers for the purposes of this Act.</td>
<td>1. No person shall transport animals by road for a long journey unless the means of transport has been inspected and approved under Article 18(1).</td>
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<td>2. No person shall transport by sea, for more than 10 nautical miles, domestic Equidae and domestic animals of bovine, ovine, caprine or porcine species from a Community port unless the livestock vessel has been inspected and approved under Article 19(1).</td>
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<td>3. The provisions of paragraph 1 and paragraph 2 apply to containers used for the transport of domestic Equidae or domestic animals of bovine, ovine, caprine or porcine species by road and/or</td>
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38. (1) For the purpose of detecting diseases or toxic substances or ensuring compliance with this Act and the regulations, an inspector or officer may

(a) subject to section 39, at any reasonable time, enter and inspect any place, or stop any conveyance, in which the inspector or officer believes on reasonable grounds there is any animal or thing in respect of which this Act or the regulations apply;

(b) open any receptacle, baggage, package, cage or other thing that the inspector or officer believes on reasonable grounds contains any animal or thing in respect of which this Act or the regulations apply;

(c) require any person to present any animal or thing for inspection in such manner and under such conditions as the inspector considers necessary to carry out the inspection;

(d) examine any animal or thing in respect of which this Act or the regulations apply and take samples of it;

(e) require any person to produce for inspection or copying, in whole or in part, any record or document that the inspector or officer believes on reasonable grounds contains any information relevant to the administration of this Act or the regulations; and

(f) conduct any tests or analyses or take any measurements.

Operation of data processing systems and copying equipment

(2) In carrying out an inspection at any place under this section, an inspector or officer may

(a) use or cause to be used any data processing system at the place to examine any data contained in or available to the system;
(b) reproduce any record or cause it to be reproduced from the data in the form of a print-out or other intelligible output and take the print-out or other output for examination or copying; and

(c) use or cause to be used any copying equipment at the place to make copies of any record or other document.

Issues also included are:

Use of force

Seizure

SEARCH Warrant

Search and seizure powers

Execution of search warrant

**Inspection Agency**

The Canadian Food Inspection Agency veterinarians have the responsibility of inspecting farm animals in transport vehicles. In addition, each province has their own inspection and enforcement personnel, such as SPCA constables, police officers, provincial Minister of Ag designated inspectors to ensure compliance with their own provincial regulations.

There is a paucity of inspectors to ensure all transport vehicles transporting farm animals comply with the regulations. As a result spot check inspections of animal transport vehicles on Canadian highways are infrequent.

Weak enforcement of transport regulations means animals that are diseased, injured or in pain are transported in violation of the law.

2. The competent authority shall inspect the following before and during any loading/unloading of livestock vessels to ensure that:

(a) the animals are fit to continue their journey;

(b) loading/unloading operations are being carried out in compliance with Chapter III of Annex I;

(c) feed and water arrangements are in accordance with Section 2 of Chapter IV of Annex I.

Other sections deal with certificate of competence, compliances with any international agreements, long journeys for domestic Equidae and domestic animals of bovine, ovine, caprine and porcine species, official veterinarians of exit points and border inspection posts, when animals are not fit to complete their journey, On-the-spot checks and Technical Rules on Fitness for Travel.

1. No animal shall be transported unless it is fit for the intended journey, and all animals shall be transported in conditions guaranteed not to cause them injury or unnecessary suffering.

2. Animals that are injured or that present physiological weaknesses or pathological processes shall not be considered fit for transport and in particular if:
   a. They are unable to move independently without pain or to walk unassisted;
   b. they present a severe open wound, or prolapse;
   c. They are pregnant females for whom 90% or more of the expected gestation period has already passed, or females who have given birth in the previous week;
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<td>3. However, sick or injured animals may be considered fit for transport if they are:</td>
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<td>a. slightly injured or ill and transport would not cause additional suffering; in cases of doubt, veterinary advice shall be sought;</td>
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<td>d. animals that have been submitted to veterinary procedures in relation to farming practices such as dehorning or castration, provided the wounds have completely healed.</td>
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<td>4. When animals fall ill or are injured during transport, they shall be separated from the others and receive first-aid treatment as soon as possible. They shall be given appropriate veterinary treatment and if necessary undergo emergency slaughter or killing in a way that does not cause them any unnecessary suffering.</td>
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<td>6. Lactating females of bovine, ovine and caprine species not accompanied by their offspring shall be milked at intervals of no more than 12 hours.</td>
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**Article 3:** Of International Transportation Regulation specifies that before animals are loaded for international transport they shall be inspected by an authorised veterinary officer of the exporting country who shall satisfy himself that they are fit for transportation and then issue a certificate which identifies the animals, states that they are fit for transportation and records the type of vehicle used. Each member state has its own veterinary inspectors at loading station and at designated border veterinary inspection posts.

**Check Points**

- There is no separate piece of legislation concerning check points.

**Check Points**

- Council Regulation (EC) No. 1255/97 of 25 June 1997 concerns the Community criteria for staging points and applies only to staging points accommodating for at least 24 hours domestic solipeds and domestic animals of the bovine, ovine, caprine and porcine species in
In summary, this legislation recognizes that in order to improve animal welfare certain conditions must be in place including obligatory breaks at “staging points” that are able to accommodate domestic solipeds and domestic animals of the bovine, ovine, caprine and porcine species;

(Please refer to the Regulation for more)

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### Animal Welfare and Food Safety

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<td><strong>Legislation</strong></td>
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<td><strong>Federal Meat Inspection Act, 1990</strong> - An Act respecting the import and export of and interprovincial trade in meat products, the registration of establishments, the inspection of animals and meat products in registered establishments and the standards for those establishments and for animals slaughtered and meat products prepared in those establishments. No Meat may be exported out of Canada or conveyed from one province to another unless it was prepared or stored in a registered establishment. It authorizes regulations regarding operations of registered establishments. Deals with fines for indictable offenses. (Sect. 21) Fines up to $250,000 and 2 yrs imprisonment; Summary convictions: Fines up to $50,000, and 6 mos imprisonment. Describes inspection process, equipment and facilities to be used, procedures to be followed, standards to be maintained to ensure humane treatment during slaughter of animals. The CFIA is the federal government agency that is responsible for inspection. It is not a forward-thinking body, nor does it provide independent scientific advice on issues of food safety or animal welfare with regard to food safety. The CFIA handles inspection of federally licensed plants. Their role is:</td>
<td>There is numerous legislation governing food safety <strong>COUNCIL REGULATION (EC) No 1099/2009</strong> protects animals at the time of killing and incorporates the OIE Terrestrial Animal Health Code guidelines for the slaughter of animals and for the killing of animals for disease control purposes. Those international guidelines contain recommendations concerning the handling, restraining, stunning and bleeding of animals in slaughterhouses and the killing of animals in cases of outbreak of contagious diseases. The OIE Terrestrial Animal Health Code emphasise the responsibility of food business operators to ensure food safety. Slaughterhouses are also subject to a pre-approval procedure whereby the construction, layout and equipment are examined by the competent authority to ensure that they comply with the corresponding technical rules on food safety. Animal welfare concerns should be better integrated into slaughterhouses, their construction and layout, as well as the equipment used therein. <strong>The European Food Safety Authority (EFSA),</strong> is the risk assessment body regarding food and feed safety. It is independent from government and industry, though it works in close collaboration with national authorities and in open consultation with its stakeholders, including animal protection stakeholders, EFSA provides independent scientific</td>
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</table>
a. registration and inspection of slaughter and processing establishments of meat products;
b. inspection and grading of exports and meat products for interprovincial trade;
c. inspection of imported meat products;
d. process, formula, labelling policy and program development, registration and verification;
e. verifying that food advertising complies with requirements;
f. retail inspection including enforcing label regulations at retail; and

g. residue testing.

advice and clear communication on existing and emerging risks.

It was established by Regulation (EC) No 178/2002 of the European Parliament and of the Council of 28 January 2002, which lays down the general principles and requirements of food law.

The activities of EFSA are carried out by the Panel on Animal Health and Welfare (AHAW). The Panel provides independent scientific advice to the European Commission, European Parliament and Member States on all aspects of animal health and welfare for food producing animals. Its scientific opinions focus on identifying methods to reduce unnecessary pain, distress and suffering for animals and to increase welfare “where possible”.

The Food and Veterinary Office (FVO) serves the European Commission and is responsible for ensuring that Community legislation on food safety, animal health, plant health and animal welfare is properly implemented and enforced. It conducts:

- Veterinary Inspections
- Plant Health Inspections
- Contamination of Food and Feed Materials Inspections
- Food Hygiene Inspections
- Food Irradiation Inspections
- Genetically Modified Food Inspections
- Pesticides Inspections:

And it prepares reports to the Commission.

Other Regulations pertain to food safety:

Regulation (EC) No 882/2004 of the European Parliament and of the Council of 29 April 2004 on official controls performed to ensure the verification of compliance with feed and food law, animal health and animal welfare rules


Those Regulations emphasise the responsibility of food business operators to ensure food safety.

Slaughterhouses are also subject to a pre-approval procedure whereby the construction, layout and equipment are examined by the competent authority to ensure that they comply with the corresponding technical rules on food safety. Animal welfare concerns should be better integrated into slaughterhouses, their construction and layout, as well as the equipment used therein.

<table>
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<tr>
<th>Attitudes</th>
<th>Reality</th>
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<tr>
<td>There is little recognition of the connection of animal welfare and food safety, even though scientific evidence identifies animal welfare as inextricably linked to animal health, public health and food safety. No regulation of farm practices is in place to avert the onset or outbreak of disease.  NO federal or provincial laws protect animals from established farm practices that systemically undermine animal welfare and health. Industry organisations such as the Cattlemen's Association lobby to contain “the scope of any new on farm animal care and housing standards or regulations...be restricted to animal health emergenc[ies]... that require a rapid response to control and contain disease outbreaks.” ¹ In doing so, these industry organizations fail to address significant food safety issues that result from poor animal welfare.</td>
<td>The Canadian Medical Association Journal slammed the country’s food-safety system for what it called “major failings” related to the tracking of food-borne illnesses. (Source: Food-safety system failing Canadians, group says, jessica leeder — GLOBAL FOOD REPORTER. Globe</td>
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<tr>
<td>National law concerning the protection of animals at the time of slaughter or killing has an impact on competition and, accordingly, on the operation of the internal market in products of animal origin. It is necessary to establish common rules in order to ensure fair trade. Attitudes take into consideration that an animal's welfare, their health status, level of stress prior to slaughter etc. has a direct impact on the quality of the product from that animal.</td>
<td>Denmark and UK have best food safety.</td>
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</table>
Recent University of Saskatchewan study gave Canada a mediocre rating on its food-safety performance compared with 16 other developed nations, the editorial cited "inadequate surveillance systems" and lack of a national farm-to-fork traceability system as key problems. With regard to food traceability, Canada ranked "poor", the OECD's Food Safety Performance World Ranking said.

"Canada does not have well-established farm-to-fork traceability systems for any food product," the report states, noting Canada is the only country to earn a lower grade in this area in 2010 than in 2008. (Source: http://www.upi.com/Top_News/US/2010/06/03/Denmark-Australia-Safest-food-systems/UPI-54491275577900/#ixzz1fsFZsC4R

11-13 million cases of foodborne illness across country each year. (Source: http://foodsafety.cpha.ca/pregnant-women/)

2008 Listeriosis Outbreak left 22 people dead. Sheila Weatherill, appointed by Prime Minister Harper to investigate what led to the listeriosis outbreak. After a four month study, Ms. Weatherill delivered a report. The majority of Ms Weatherill's 57 recommendations were aimed at the Canadian Food Inspection Agency (CFIA).

A nationwide investigation by CBC Marketplace Researchers found that chicken bought at major supermarkets across Canada is frequently contaminated with superbugs – antibiotic-resistant bacteria. Out of 100 package chicken samples, 2/3 had bacteria and all were resistant to at least one antibiotic, while some were resistant to up to 8 different antibiotics. (Source:
Superbugs in Canadian chicken? Yes, and US too, Maryn McKenna, Wired Science at Wired.com)

The Public Health Agency of Canada is warning B.C. poultry farmers and veterinarians to stop using a bovine antibiotic on chickens. The agency believes the practice is behind a significant spike in drug-resistant Campylobacter bacteria found in chicken tested from grocery stores.

The bacteria are resistant to an antibiotic commonly used to treat respiratory infections in human beings and cattle. The dramatic spike in the bacteria was first noticed during routine sampling of BC chicken from grocery stores in 2009. Levels have remained stubbornly above normal in this province ever since.

Positive tests for the resistant strain of Campylobacter in retail chicken have ranged as high as 40 per cent in BC and 28 per cent in Saskatchewan.

The rate of human Campylobacter poisoning in BC has been about 30 per cent above the national average during the past 10 years, according to the BC Centre for Disease Control.

**Inspection**

Food inspection deficit.

The CFIA cannot accurately determine the demand on its inspection resources and the number of required inspectors to monitor food safety.

The CFIA has not retained third-party experts to conduct a resources audit.

Significant problems with implementation strategies. No understanding of how many plants an inspector should be responsible for or the appropriateness of rotation of inspectors.

Inspectors approve of plants food safety systems, even though they are inadequate. Regulatory capture issues: Inspectors have allegiances to plant management rather than to the public.

**Inspection**

The FVO works to assure effective control systems and to evaluate compliance with EU standards within the EU, and in third countries in relation to their exports to the EU. The FVO does this mainly by carrying out inspections in Member States and in third countries exporting to the EU.

Each year the FVO develops an inspection programme, identifying priority areas and countries for inspection. In order to ensure that the programme remains up to date and relevant, it is reviewed mid-year. These programmes are published on this website.

The findings of each inspection carried out under the programme are set out in an inspection report, together with conclusions and recommendations.
They do not report food safety violations. The CFIA does not ensure inspectors receive timely education and training specific to each function which they perform.

Gaps in the knowledge and abilities of inspection staff. Inspectors don’t regularly receive a mandatory program on current trends in science and technology in the processing of food, including compliance and verification processes.

The CFIA does not equip its inspectors with modern technology (e.g. e-note pad) to increase their efficiency.

The CFIA has not amended its meat inspection system (CVS) to ensure
a) the appropriate human resources are available to respond to workload requirements;
b) comprehensive training based on required competencies and skills; timely delivery of ongoing training;
c) supervision of inspection staff structured to encourage enterprise and accountability.

The Canadian Food Inspection Agency does not ensure that the Office of Food Safety and Recall has dedicated resources to undertake all the CFIA activities concerning recalls.

Past food safety audits by the Auditor General of Canada to the "Farm to Fork" Haines report following the Ontario Meat Regulatory and Inspection Review have repeatedly called for action to improve Canada’s food safety system. An overhaul has yet to be taken.

In the wake of the deadly listeriosis outbreak in the summer of 2008, independent investigator Sheila Weatherill said a resources audit by outside experts was needed because the Canadian Food Inspection Agency implemented its new inspection system without conducting a full assessment of resources required.

And after determining that the inspectors assigned to the Maple Leaf facility "appear to

The competent authority of the country visited is given the opportunity to comment on the reports at draft stage. You can search the inspection reports and the comments of the countries visited, on this website.

The FVO makes recommendations to the country’s competent authority to deal with any shortcomings revealed during the inspections. The competent authority is requested to present an action plan to the FVO on how it intends to address any shortcomings. Together with other Commission services, the FVO evaluates this action plan and monitors its implementation through a number of follow-up activities.

In 2008, the FVO carried out 228 inspections. An FVO inspection covers:

- food safety;
- animal health;
- animal welfare;
- plant health.

On this basis, 69% of the inspection objectives in 2008 concerned food safety. However, following the “farm to fork” approach, many food safety inspections also cover some animal health and welfare elements.

In 2008, The total number of completed inspections of the FVO was 228, of which 160 took place in Member States, 8 in candidate countries and 60 in third countries.
have been stressed due to their responsibilities at other plants," Weatherill said the audit also should include an analysis of how many plants for which an inspector should be responsible.

**Government and Industry Commitment**

NO federal or provincial laws protect animals from established farm practices that systemically undermine animal welfare and health. Provincial animal protection legislation deals with specific incidences of animal abuse but excludes established industry practices. Voluntary codes of practice do not mandate improved animal welfare.

Agriculture Minister Gerry Ritz conceded the government has not conducted an external audit to determine how many inspectors are needed to police Canada's meat plants and there are no plans to do so.

Insufficient focus on food safety among senior management in both the public and private domains.

Even though there was evidence of contamination on production lines producing ready-to-eat meats months before the outbreak, these trends were not being monitored to identify the recurring presence of the bacteria. There was a lack of understanding about intergovernmental protocols to deal with such emergencies, which created confusion about who should do what and when. Government approval processes for new food additives and techniques, with a direct bearing on food safety, were not prioritized or fast-tracked. Information did not always make its way to the senior ranks of the public service and company headquarters which exacerbated these challenges. There were also cases of inadequate decision making which was apparent, for example, in implementing a new program designed to improve food safety. In addition, some policies and directives were vague leaving them open to interpretation, thus

**Government and Industry Commitment**

The FVO makes recommendations to the country’s competent authority to deal with any shortcomings revealed during the inspections. The competent authority is requested to present an action plan to the FVO on how it intends to address any shortcomings. Together with other Commission services, the FVO evaluates this action plan and monitors its implementation through a number of follow-up activities. **Country profiles**

Where appropriate, it may highlight areas where the Commission may need to consider clarifying or amending legislation or areas where new legislation might be required. In this way, the results of FVO inspections contribute to the development of EU legislation.

In addition, the FVO produces other reports, such as general overview reports that summarise the results of a series of inspections to a number of Member States on the same subject or the annual EU-wide pesticide residues monitoring reports.

The FVO also publishes an annual report on its activities, which reviews the progress of its inspection programme and presents the global results.

The FVO is part of the Health and Consumers Directorate-General and it is based in Grange, Co. Meath, Ireland. The number of staff working in the FVO has increased from 74 in 1997 to its present complement of 163. Of these, 81 are inspectors, who participate regularly in on-the-spot inspection missions, with the balance consisting of management and support staff. Staff are organised in six units with different responsibilities within the FVO (see the Directorate-General's organisational
creating opportunity for problems.

The second, related area of concern was the state of readiness. It appeared there was not enough advance planning and preparation on a number of fronts, which left people unprepared when the outbreak struck. Examples include the shortage of workers needed to handle surge capacity in times of emergency, summer vacation with substitutes who did not always understand their roles, the lack of exercises to sort out these issues in advance of an actual crisis, insufficient training for food inspectors charged with the new inspection procedures, and confusion over where lab samples should be sent.

The third observation was the lack of a sense of urgency at the outset of the outbreak. For instance, key pieces of information and even personnel were unavailable over a given weekend delaying decisions until the start of the following work week. Another key element was the differing views on when to warn the public about the potential harm from certain foods. Once the gravity of the situation was recognized, emergency operations centres were not immediately activated, if at all. As well, some who might have been prominent on the national stage were not as visible as expected.

The fourth area that left room for improvement was communications - to members of groups at increased risk for listeriosis, health professionals and the general public. Canadians generally do not understand which level of government, let alone what organization has specific jurisdictional responsibility for public health or food safety. What they do know is that they want someone to explain to them, simply and clearly, what is happening and what they should be doing to protect themselves. Subsequent polling, along with the personal anecdotes of family members and others who shared their views during this investigation, indicated that communications about the outbreak did not provide the information they needed. There was near unanimous agreement that Canadians were confused following news of the food recalls.

The European Food Safety Authority (EFSA), established by Regulation (EC) No 178/2002 of the European Parliament and of the Council of 28 January 2002, which lays down the general principles and requirements of food law, establishing the European Food Safety Authority (EFSA)

The activities of EFSA are carried out by the Panel on Animal Health and Welfare (AHAW). The Panel provides independent scientific advice to the European Commission, European Parliament and Member States on all aspects of animal health and welfare for food producing animals. Its scientific opinions focus on identifying methods to reduce unnecessary pain, distress and suffering for animals and to increase welfare “where possible”. Official controls in the food chain have also been reorganised by the adoption of Regulation (EC) No 882/2004 of the European Parliament and of the Council of 29 April 2004 on official controls performed to ensure the verification of compliance with feed and food law, animal health and animal welfare rules (4) and Regulation (EC) No 854/2004 of the European Parliament and of the Council of 29 April 2004 laying down specific rules for the organisation of official controls on products of animal origin intended for human consumption.
Ritz has always maintained that the government is acting on all 57 Weatherill recommendations with a special $75-million investment. But after being pressed Thursday about a resources audit by NDP deputy agriculture critic Malcolm Allen, Ritz confirmed that an external auditor has not been hired and indicated there are no plans to do so.

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<tr>
<th>Provincial Commitment</th>
<th>Member State Commitment</th>
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<tr>
<td>Each Province had legislation regarding Meat Inspection: Alberta Agriculture and Rural Development’s (ARD) is the provincial agency that develops and administers food safety legislation and policy. This web page provides a brief overview of the Meat Inspection Act and Meat Inspection Regulation.</td>
<td>The EU Food and Veterinary Office compels Member States to comply with legislation. Each member state has its own legislation which can enhance EU-wide legislation. The FVO is responsible for ensuring compliance with EU Regulations.</td>
</tr>
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The Meat Inspection Act (Alberta) provides for the inspection and licensing of abattoirs. ARD licenses abattoirs and inspects processes and products to ensure compliance with the legislation.

The Meat Inspection Act and Meat Inspection Regulation provide for the licensing of abattoirs and the inspection of meat and meat products. This legislation ensures that Albertans are provided with safe, wholesome meat and meat products.

Ontario Meat Inspection Act, 1990

Raising the standard of farm animal welfare in Ontario through the regulation of minimum standards ought to be an integral part of Bill 204.

Ontario: The Animal Health Act does not provide the Ontario Ministry of Agriculture, Food and Rural Affairs with an enabling framework to regulate animal welfare on-farm, assembly yards, and sales facilities, doesn’t include provision of euthanasia when necessary, does not provide for non-disease animal emergencies.

While Member States vary in their commitment to food safety and animal welfare, the role of the FVO is inform the the country’s competent authority to deal with any shortcomings revealed during the inspections of the FVO. The competent authority is requested to present an action plan to the FVO on how it intends to address any shortcomings. Together with other Commission services, the FVO evaluates this action plan and monitors its implementation through a number of follow-up activities.
Industry undermines animal welfare measures that could contribute to food safety. In Ontario, The Cattlemen’s Association has requested that “the scope of any new on farm animal care and housing standards or regulations...be restricted to animal health emergencies...that require a rapid response to control and contain disease outbreaks.” ¹

Citing a recent University of Saskatchewan study that gave Canada a mediocre rating on its food-safety performance compared with 16 other developed nations, the editorial cited “inadequate surveillance systems” and lack of a national farm-to-fork traceability system as key problems.

Summer of 2008 -- the largest meat recall in Canadian history. Processed meat products (including poultry) from a Maple Leaf-owned plant in Toronto were found infected with listeria monocytogenes. In the end, thousands of Canadians became sick and at least 20 people died.

Late January 2009, meat from Cappola – a wholly owned subsidiary of Maple Leaf in Toronto tested positive for listeria pathogens.

Spring 2009 a Maple Leaf owned plant in Hamilton, Ontario accidentally released listeria-infected wieners into the marketplace.

In 2007, meat from Cappola exported to the U.S. tested positive for listeria in a random test done by the USDA. The meat was turned back by U.S. officials and destroyed. Audit documents obtained by CBC, however, also revealed that U.S. inspectors raised health concerns three times about the Cappola plant. Included in the U.S. officials’ concerns was that Cappola’s employees’ work boots were covered with "residues of products from the previous day’s production" (Source: CFIA Investigates After Listeria Found in Meat from Toronto Plant, Canadian Broadcasting Corporation, January 24, 2009. www.cbc.ca).

In 2002 Cappola was also forced to recall over 1,000 kilograms of sausage due to salmonella infection in 2002.

Increased industry commitment. Slaughterhouses will adopt animal welfare friendly designs and measures which go beyond legislative requirements in order to gain advantage from the economic benefits whether these are simply better revenues or in order to conform with customer requirements which ensures access to certain markets. (Example is CCTV in UK)

Enhanced animal welfare among producers and at retail level (products which can claim to be produced with higher animal welfare standards) are viewed as a marketing opportunity.

Major Retailers in UK and other EU Member States are drivers of improved animal welfare. Higher animal welfare standards are also increasingly seen to be a prerequisite to enhancing business efficiency and profitability, satisfying international markets, and meeting consumer expectations. For example, a third of the leading global food retailers with turnovers ranging from US$25-250 billion, have public animal welfare policies.
### Stunning and Other Methods of Rendering Unconscious before Slaughter (General)

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<th>Canada</th>
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<td><strong>Legislation</strong></td>
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<td>Meat Inspection Act, PART III governs the stunning of animals designated for food in Canada. The Sections of the Act that pertain to stunning are 79-80:</td>
<td>COUNCIL REGULATION (EC) No 1099/2009 of 24 September 2009 on the protection of animals at the time of killing, regulates stunning in the EU</td>
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<td>79. Every food animal that is slaughtered shall, before being bled, (a) be rendered unconscious in a manner that ensures that it does not regain consciousness before death,</td>
<td>Addresses problems with stunning procedures and notes that certain operations related to stunning technique presents certain drawbacks.</td>
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<tr>
<td>80. No equipment or instrument for restraining, slaughtering or rendering unconscious any food animal shall be used by any person for those purposes (a) unless the person is, by reason of the person’s competence and physical condition, able to do so without subjecting the animal to avoidable distress or avoidable pain; or (b) where the condition of the equipment or instrument or the manner in which or the circumstances under which the equipment or instrument is used might subject the animal to avoidable distress or avoidable pain.</td>
<td>Considers that pain, distress or suffering should be considered as avoidable when business operators or any person involved in the killing of animals breach one of the requirements of this Regulation or use permitted practices without reflecting the state of the art, thereby inducing by negligence or intention, pain, distress or suffering to the animals.</td>
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| | - On stunning: the Regulation does not require loss of consciousness to be immediate and only requires stunning to be “without pain”. Certain forms of stunning can cause substantial suffering while not actually being painful. |
| | - On stunning for poultry: despite scientific evidence provided by the European Food Safety Authority (EFSA) that the practice is “extremely painful,” the Regulation fails to phase out the shackling of live poultry. |
| | - It also permits the use of very high frequencies for stunning poultry. Scientific research clearly shows that high frequencies result in ineffective stunning in many cases. Such high frequencies should have been prohibited. |

The Governor in Council may make regulations for (f) prescribing the equipment and facilities to be used, the procedures to be followed and the standards to be maintained in registered establishments to ensure humane treatment and slaughter of animals and hygienic processing and handling of meat products;

While many recommendations put forward by the EFSA have not been adopted, there is a provision, which recognizes the importance of continuing the discussion in the future. To this end, the Commission should prepare and submit to the European Parliament and to the Council a report on the various stunning methods for poultry, and in particular multiple-bird water bath stunners.
<table>
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<th>Methods Used</th>
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<td>✓ delivering a blow to the head by means of a penetrating or non-penetrating mechanical device in a manner that causes immediate loss of consciousness, ✓ exposure to a gas or a gas mixture in a manner that causes a rapid loss of consciousness, or ✓ the application of an electrical current in a manner that causes immediate loss of consciousness; or ✓ in the case of a bird or a domesticated rabbit, by rapid decapitation.</td>
<td>Electrical stunning electrodes are placed across the animal's brain and a current is applied for a few seconds. This is mainly used for sheep and for pigs, although can also be used for calves and cattle. (Electrical stun-killing is sometimes used where the heart is stopped.) Captive bolt stunning uses a gun-like device to deliver a blow to the animal’s head, which may penetrate the skull. This method is mainly used for adult cattle but can also be used for adult pigs, sheep and calves. Waterbath electrical stunning is used for poultry; conscious birds are hung by their feet from metal shackles, which form one electrode, on a conveyor belt. Their heads are then dipped into an electrified water bath. Gas stunning or stun/killing (mainly carbon dioxide, CO2): used for pigs, poultry and fish.</td>
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<tr>
<th>Problems with Legislation</th>
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<tr>
<td>In Canada, there appears to be no recognition in the legislation that certain approved stunning methods are inadequate or cause pain. Section 79 (b) which addresses the need to avoid equipment or methods that cause pain or distress is not enforced and does not advise against waterbath stunning for poultry or Carbon Dioxide Stunning for Pigs.</td>
<td>The European Food Safety Authority has adopted two opinions on the welfare aspects of the main systems of stunning and killing of certain species of animals, namely on the welfare aspects of the main systems of stunning and killing the main commercial species of animals, in 2004, and on the welfare aspects of the main systems of stunning and killing applied to commercially farmed deer, goats, rabbits, ostriches, ducks, geese and quail, in 2006. Community law in this area has yet to be updated to take into account those scientific opinions. Recommendations to phase out the use of carbon dioxide for pigs and the use of water bath stunners for poultry are not included in this Regulation because the impact assessment revealed that such recommendations were not economically viable at present in the EU. Other recommendations were excluded from this Regulation because they referred to technical parameters that should be part of implementing measures or Community guidelines. Recommendations on farm fish are not included in this Regulation because there is a need for further scientific opinion and economic evaluation in this</td>
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Slaughter

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<th>Canada</th>
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<td><strong>Legislation</strong></td>
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<td>Sections 61 to 80 of the Meat Inspection Regulations set standards for the humane handling and slaughter of food animals in federally inspected slaughter facilities. Canadian Food Inspection Agency inspectors stationed at every federally registered slaughter establishment monitor the handling and slaughter of food animals.</td>
<td>In September 2009, COUNCIL REGULATION (EC) No 1099/2009 was adopted. It applies to the protection of animals at the time of killing. It amends Council Directive 93/119/EC. (See below) This Regulation recognizes that large discrepancies – lax adherence or non-adherence -- have been observed between the Member States in implementing that Directive 93/119/EC and major welfare concerns and differences effected the competitiveness between business operators.</td>
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<tr>
<td>61. Every operator and every person engaged in the handling and slaughtering of a food animal in a registered establishment shall comply with sections 62-80.</td>
<td>Regulation sets new measures to ensure slaughterhouses comply with animal welfare standards:</td>
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<tr>
<td>62. (1) No food animal shall be handled in a manner that subjects the animal to avoidable distress or avoidable pain.</td>
<td>• Slaughtermen are required to hold a certificate of competence which can only be granted after they have passed an examination</td>
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<tr>
<td>62. (2) No goad or electrical prod shall be applied to the anal, genital or facial region of a food animal.</td>
<td>• Slaughterhouses need to designate one of their staff as their Animal Welfare Officer who will take a leading role in ensuring compliance with the Regulation’s welfare rules</td>
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<tr>
<td>63. (1) Different species of food animals shall be kept separate from each other.</td>
<td>• Slaughterhouses are required to draw up Standard Operating Procedures.</td>
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<td>63. (2) Every food animal that is obviously diseased or injured shall immediately be segregated from apparently healthy food animals.</td>
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<tr>
<td>63. (3) Every food animal that is a potential danger to other food animals shall immediately be segregated from those other food animals.</td>
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<td>64. Every holding pen that is used for food animals awaiting slaughter shall be provided with adequate ventilation and shall not be used in a manner that results in overcrowding.</td>
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<tr>
<td>65. Every food animal in a holding pen awaiting slaughter shall be provided with access to potable water, and shall, if held for more than 24 hours, be provided with feed.</td>
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Section 80: No equipment or instrument for restraining, slaughtering or rendering unconscious any food animal shall be used by any person for those purposes

a) Unless the person is, by reason, of the person’s competence and physical condition, able to do so without subjecting the animal to avoidable distress or avoidable pain; or

b) Where the condition of the equipment or instrument or the manner in which or the circumstances under which the equipment or instrument is used might subject the animal to avoidable distress or avoidable pain.

Canada’s Recommended Codes of Practice, provide vague recommendations for the slaughter of farm animals species. There is recognition of the need for the examination of on-farm slaughter techniques against humane criteria, but no process in place for doing so.

### Enforcement

Enforcement of the Regulations are inadequate.

Animals are frequently handled roughly, frightened and subjected to repeated shocks with electric prods as they are moved along the line. Government inspectors have been absent when animals are slaughtered; some animals are inadequately stunned (rendered unconscious) before being hoisted upside down to have their throats cut.

Canada’s *Meat Inspection Act*, which dictates humane slaughter standards, is not being applied for monogastric (single-stomached) animals, such as pigs.

### Enforcement

UK - About 19% of red meat slaughterhouses with CCTV monitors. Businesses are keen to demonstrate to FSA that they have the highest standards of animal welfare and have not put up resistance to FSA monitoring footage. Driving factors to adopt monitors include individual businesses and major retailers, including Marks & Spencer, Tesco, J. Sainsbury, Iceland, Waitrose and others.

In Denmark, “Independently monitored assurance schemes, covering all pig suppliers to Danish Crown and Tican, require full compliance with all relevant legislation, in addition to more demanding requirements regarding welfare, safety
CFIA does not act swiftly when undercover footage demonstrates breaches in Meat Inspection Act. CCTV Equipment has not been recommended or adopted.

"The Danish authorities also carry out an annual programme of 'unannounced audits' to pig producers to ensure full compliance with all aspects of welfare legislation in Denmark. He said Denmark expects every EU country to introduce the new rules from January 2013.

**Canadian Attitudes on Slaughter – Drivers of Legislation**

There is no recognition by the legislative authority, such as the CFIA, that slaughter is a matter of public concern.

Most of research on animal welfare during slaughter comes from studies outside of Canada. While much research exists, it is ignored by industry and government.

The average Canadian does not like to think about the conditions under which animals are slaughtered and are therefore may be less vocal about improving those conditions.

As such, animal welfare concerns about how animals are slaughtered do not affect most public attitudes about agricultural products.

Campaigns toward better conditions for animals during slaughter, especially horses, is driven by animal protection organizations. However, animal protection organizations are not considered partners with the agriculture industry and government.

**EU Attitudes on Slaughter – Drivers of Legislation**

Animal welfare is a Community value that is enshrined in the Protocol (No 33) on protection and welfare of animals annexed to the Treaty establishing the European Community (Protocol (No 33)).

The protection of animals at the time of slaughter or killing is a matter of public concern that affects consumer attitudes towards agricultural products. In addition, improving the protection of animals at the time of slaughter contributes to higher meat quality and indirectly has a positive impact on occupational safety in slaughterhouses.

National law – law of each Member State – concerning the protection of animals at the time of slaughter or killing has an impact on competition and, accordingly, on the operation of the internal market in products of animal origin. It is necessary to establish common rules in order to ensure the rational development of the internal market in those products.

**Provinces**

**Member States**

Sweden:

Under Directive 93/119/EEC, Member States retain the right to authorize religious slaughter without pre-stunning within their own territory.

According to Swedish regulations, the slaughter of un-stunned animals is prohibited in all circumstances except in extreme emergencies. All animals must be stunned when the blood is drawn. Other measures may not be taken during slaughtering until the animal is dead.
Swedish regulations do not allow traditional slaughtering methods such as halal and kosher. Pre-stunning by electric shock has, however, become more accepted within the Muslim community in Sweden. Nevertheless, this modified halal method is not commonly practiced in Sweden and there is demand for imported halal- and kosher meat.

Electric shock may only be used on poultry and sheep in Sweden.

Germany
German Animal Welfare Act:
Vertebrates may be killed only under anaesthetic or painlessly where reasonable under the circumstances. Where killing of a vertebrate without anaesthetic is authorized, either as part of sportsmanlike hunting or pursuant to other provisions, or forms part of a permissible pest control campaign, the killing may be carried out only if it causes no more than unavoidable pain. Only persons with the requisite expertise and skills may kill a vertebrate. Persons professionally or commercially engaged in stunning or killing vertebrates have to furnish proof of such expertise.

Pig Welfare

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<td><strong>Legislation</strong></td>
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<tr>
<td>No federal legislation protects the welfare of pigs.</td>
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laying down minimum standards for the protection of pigs has been substantially amended several times: 2001 and 2008. (See directives below)  
**COUNCIL DIRECTIVE 2008/120/EC** of 18 December 2008 laying down minimum standards for the protection of pigs (codified)  
Legislation recognizes the need to establish common |
minimum standards for the protection of pigs kept for rearing and fattening in order to ensure rational development of production. The above directives govern the general welfare of pigs.

2006: The EU banned the tethering of sows. Member States shall ensure that the construction of or conversion to installations in which sows and gilts are tethered is prohibited. From 1 January 2006 the use of tethers for sows and gilts shall be prohibited.

2013: The EU will not allow the confinement of sows except for the period of one week prior to and four weeks after farrowing.

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<tr>
<th>Provinces</th>
<th>Member States</th>
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| The Codes of Practice for Pigs approves intensive confinement. Considers sow stalls better for pigs, Loose housing is looked upon as more expensive, harder to manage, and less efficient than traditional stall housing. Housing methods are not geared to improved animal welfare but to increased profitability and production. Only Manitoba enforces the codes of practice for pigs. | Sweden
Regulations for pigs are more specific than the EU regulations and go far beyond what is proscribed in the directives above. According to Swedish legislation, the weaning period for piglets must be at least 4 weeks. EU regulations also require 4 weeks, unless the piglets are moved into specialized housing that has been emptied and thoroughly cleaned and disinfected before the introduction of a new group. Piglet housing must be separate from housing for sows. Under these conditions, the EU weaning period can be 3 weeks. Requirements on freedom of movement are stricter under Swedish legislation than EU. Sows must be kept loose during the entire breeding and gestation cycle. If necessary, individual sows or gilts may be confined for a maximum of one week around farrowing.

In addition, Sweden is the only country in the EU that regulates the maximum number of hogs per housing unit - 200 for continuous breeding and 400 for animals raised in cycles.

Legislation has passed in Norway and Switzerland that will ban castration of pigs starting in 2009. Certain major supermarkets in the Netherlands have announced that they will no longer sell meat from castrated pigs unless the animals received anesthesia prior to the procedure. The fast food chain McDonald’s of the Netherlands has announced that it will no longer sell products containing pork from castrated pigs. A similar announcement has been made by Burger King in...
the Netherlands.

UK
For instance, the United Kingdom (UK) passed its own version of the sow stall ban back in 2003. It specified that the ban is not in effect “for the period between seven days before the predicted day of farrowing and the day on which the weaning of her piglets (including any fostered by her) is complete,” according to the Code of Recommendations for the Welfare of Livestock from the UK’s Department for Environment, Food and Rural Affairs.

Switzerland
It is required that pigs be given ample rooting time with straw, roughage or other suitable material. These provisions ensure that pigs are not kept locked up endlessly in gestation crates or by other methods. When sows are kept in crates, the floors can be no more than fifty percent slatted, leaving half the floor solid for comfort. Breeding boars and fattening pigs shall not be kept in crates unless they are underweight. Sows are allowed to be kept in farrowing pens or gestation crates in Switzerland, however, they must be given sufficient space to turn around in and long cut hay a few days before farrowing. This will allow the sow to perform nest-building activities, which is an instinctive behavior of the species. Finally, piglets shall not be kept in cages with two or more tiers and the tops of the cages must be left open.

Netherlands
Tethers have been banned since 2002 and sow stalls have been banned from 2008.

Finland, Sweden and the UK have passed national legislation on a unilateral basis to ban sow stalls and tethers ahead of the future EU wide bans.

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<th><strong>Housing</strong></th>
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<tr>
<td>All provinces use gestation crates.</td>
<td>I Council Directive 2008/120/EC regulates the wide variety of conditions in which pigs find themselves, with detailed direction in the requirements of the Member States. From 1 January 2013 the provisions below shall apply to all holdings</td>
</tr>
<tr>
<td>Tethering is not banned.</td>
<td>From the outset, it states that the welfare of pigs appears to be compromised by severe restrictions of</td>
</tr>
</tbody>
</table>
space. There are provisions in the directive for the housing of sick, injured or attacked pigs (pigs in aggressive groups) – they may be temporarily kept in individual pens large enough to turn around easily if this is not in contradiction with specific veterinary advice.

Pigs should benefit from an environment corresponding to their needs for exercise and investigatory behaviour. The welfare of pigs appears to be compromised by severe restrictions of space.

When pigs are kept in groups, appropriate management measures for their protection should be taken to improve their welfare.

Sows prefer to have social interactions with other pigs when provided with freedom of movement and environmental complexity. Keeping sows in continuous close confinement should therefore be prohibited.

Member States shall ensure that the construction of or conversion to installations in which sows and gilts are tethered is prohibited. From 1 January 2006 the use of tethers for sows and gilts have been prohibited.

Member States shall ensure that sows and gilts are kept in groups during a period starting from four weeks after the service to one week before the expected time of farrowing.

The pen where the group is kept must have sides greater than 2,8 m in length. When fewer than six individuals are kept in a group the pen where the group is kept must have sides greater than 2,4 m in length.

Sows and gilts must have permanent access to manipulable material.

The Directive specifies the size of the unobstructed floor area available to each weaner or rearing pig and the total unobstructed floor area available to each gilt after service and to each sow when gilts and/or sows are kept in groups.

The Directive provides the type of flooring – continuous solid flooring-- with an area reserved for drainage and openings.
<table>
<thead>
<tr>
<th><strong>Farrowing Crates</strong></th>
<th>In addition, see Sweden under Member State section.</th>
</tr>
</thead>
<tbody>
<tr>
<td>The Codes of Practice for Pigs advocate for farrowing crates.</td>
<td><strong>Farrowing Crate</strong></td>
</tr>
<tr>
<td>Council Directive 2001/88/EC ensures that sows and gilts are kept in groups during a period starting from four weeks after the service to one week before the expected time of farrowing.</td>
<td>The pen where the group is kept must have sides greater than 2.8 m in length. When fewer than six individuals are kept in a group the pen where the group is kept must have sides greater than 2.4 m in length.</td>
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<thead>
<tr>
<th><strong>Gestation Crates</strong></th>
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<tbody>
<tr>
<td>The Codes of Practice for Pigs recommend sow stalls.</td>
<td><strong>Gestation Crates</strong></td>
</tr>
<tr>
<td>Gestation stalls are generally 26-28 inches wide by 7 feet long, with metal bars and cement floors. The sows can lie down, stand up or sit, and may be able to walk a few steps forward and back. However, they typically do not have enough room to turn around. Because they have very little control over their environment, they may experience stress from a number of factors, including: being housed next to an aggressive neighbour, inability to avoid a wet lying area or inability to avoid insects. They are also deprived of the ability to express some important natural behaviours they are highly motivated to perform such as roaming, rooting, building nests and controlled interactions with other animals. Physical problems result in pig production in Canada: Abnormal behaviours (repetitive, fixed and apparently functionless behaviours such as bar-biting), lameness (caused by joint inflammation and lesions from rubbing against concrete), and chronic stress.</td>
<td>At least three countries have already stopped the use of gestation crates altogether. A ban will effectively reach the rest of the EU by 2013 when all countries will have phased out the use of gestation crates entirely. (Sweden, and UK total ban and Denmark ban by 2014) The Council Directive 2001/88/EC amends the Council Directive 91/630/EC laying down minimum standards for the protection of pigs. The Directive bans the use of individual stalls for pregnant sows and gilts during a period starting from 4 weeks after service to 1 week before the expected time of farrowing and the use of tethers. It also mandates: • Improve the quality of the flooring surfaces, • Increase the living space available for sows and gilts, • allows the sows and gilts to have permanent access to materials for rooting, From 1 January 2003 these requirements were applicable to all holdings newly built or rebuilt. From 1 January 2013 these provisions shall apply to all holdings.</td>
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<tr>
<th><strong>Food</strong></th>
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<tbody>
<tr>
<td>Code allows for skip day feeding. Via a permit, farmers can feed garbage to pigs</td>
<td>Member States are directed (Directive 2008/120/EC to ensure that sows and gilts kept in groups are fed using a</td>
</tr>
</tbody>
</table>
unless the garbage is from the farm and is from a non-commercial source.

**Training of Workers in Humane Treatment of Pigs**

The Codes caution workers to avoid pulling ears and not to pull legs in directions that they don't naturally move. They also advocate the use of electric prods, canvas slappers, recommending that the electric prods not be used on the face or genitals. However, workers poke the electric prods through the port holes of the truck and are unable to see what part of the body the prod is coming in contact with.

**Training of Workers In Humane Treatment of Pigs**

Member States shall ensure that:
1. any person who employs or engages persons to attend to pigs ensures that the person attending to the animals has received instructions and guidance on how to treat them humanely.
2. appropriate training courses are available. In particular such training courses must focus on welfare aspects.

**Research**

Some research by industry on housing for pigs. There is no legislative mandate to conduct research on pig welfare (or any farm animal welfare topic).

When research is conducted, it is usually for higher, more cost effective production which greatly compromises pig welfare.

**Research**

Extensive research is being conducted on pig welfare, with directives specifying what research must be conducted. Governments of more than half the member states fund research on pig welfare issues. The main themes are floor design, group housing, environmental enrichment, castration and farrowing pens.

The Directive of 2008/120/EC directed the Commission on the basis of an opinion from the European Food Safety Authority, to actively pursue scientific research into the best pig rearing system(s) from the point of view of pig welfare.

Research through other Council Directives examined the welfare various aspects of housing and husbandry systems for farmed pigs, adult breeding boars, farrowing and pregnant sows., and critical welfare issues in housing design and the welfare consequences of inadequate flooring, restricted space, improperly designed housing, lack of foraging material -- which may lead to frustration and lack of bulky or high-fibre feed which is associated with frustration and pain due to stomach ulcers.
I have listed several directives legislating the research on pig welfare.

1. Preferably before 1 January 2005 and in any event by 1 July 2005, the Commission shall submit to the Council a report, drawn up on the basis of an opinion from the European Food Safety Authority. The report shall be drawn up taking into account the socioeconomic consequences, the sanitary consequences, the environmental effects and different climatic conditions. It shall also take into account the development of techniques and systems of pig production and meat processing which would be likely to reduce the need to resort to surgical castration. If need be, the report shall be accompanied by appropriate legislative proposals on the effects of different space allowances and floor types applicable to the welfare of weaners and rearing pigs.

Not later than 1 January 2008 the Commission shall submit to the Council a report, drawn up on the basis of an opinion from the European Food Safety Authority. The report shall cover in particular:
(a) the effects of stocking density, including group size and methods of grouping the animals, in different farming systems on the welfare, including health, of pigs;
(b) the impact of stall design and different flooring types on the welfare, including health, of pigs, taking into account different climatic conditions;
(c) the risk factors associated with tail-biting and recommendations to reduce the need for tail-docking;
(d) further developments of group-housing systems for pregnant sows, taking account both of pathological, zootechnical, physiological and ethological aspects of the various systems and of their health and environmental impact and of the different climatic conditions;
(e) the determination of space requirements, including the service area for individually housed adult breeding boars;
(f) further developments of loose-house systems for sows in the service area and for farrowing sows which meet the needs of the sow without compromising piglet survival;
(g) consumers’ attitudes and behaviour towards pigmeat in the event of different levels of
improvement in the welfare of the animals;
(h) socioeconomic implications of the various systems
of rearing pigs and their effects on the Community’s
economic partners.
The report may, if necessary, be accompanied by
appropriate legislative proposals.

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<tr>
<td>Canada’s current codes of practice for pigs do not meet EU standards</td>
<td>Any live animals brought into the EU would automatically be required to meet all applicable EU and Member State Legislation. There are, however, specific trade agreements member states can develop with particular non-EU nations, and it seems like these may contravene certain regulations.</td>
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<thead>
<tr>
<th>Castration</th>
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<tr>
<td>The Code approves of castration of piglets and farmers are not required to use an analgesic. No effort to ban castration in current 1993 code.</td>
<td>EU pig farmers signed a voluntary declaration to end surgical castration under the condition that the practice would be withdrawn by 2018 if methods for assessment, measurement and detection of boar taint were developed. After 1 January 2012, no surgical castration will take place without recognised analgesia and/or anaesthesia and, after 1 January 2018, no surgical castration will take place at all. Legislation has passed in Norway and Switzerland that will ban castration of pigs starting in 2009. Certain major supermarkets in the Netherlands have announced that they will no longer sell meat from castrated pigs unless the animals received anaesthesia prior to the procedure. The fast food chain McDonald’s of the Netherlands has announced that it will no longer sell products containing pork from castrated pigs. A similar announcement has been made by Burger King in the Netherlands. Norway and Switzerland have either banned or plan to ban pig castration. More and more European retailers are specifying pig meat from intact males. Castration can no longer be justified because continuing the practice causes unnecessary animal suffering and keeping males intact has proved practical. Recent research findings from the European scientific community, plus slaughterhouse initiatives in Germany and the Netherlands, show ending pig castration is both</td>
</tr>
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</table>
feasible and economically viable.

No pigs are castrated in UK and Ireland
• Only pigs used in specialised productions are castrated in Cyprus, Spain and Portugal
• Vaccination to reduce boar taint are in use
• Castration without anaesthesia and prolonged analgesia are not allowed in Norway
• Voluntary “ban” on castration without anaesthesia or/and analgesia in NL, Austria and Germany

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<tr>
<th>Transport</th>
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<tr>
<td>Pigs are electrically shocked and beaten off the trucks into holding pens at slaughterhouses.</td>
<td>The use of instruments which administer electric shocks shall be avoided as far as possible. In any case, these instruments shall only be used for adult bovine animals and adult pigs which refuse to move, and only when they have room ahead of them in which to move.</td>
</tr>
<tr>
<td>It is recommended that pigs are not fed before loading if trip will not be longer than 24 hours. If longer, the animals must be fed and watered within 5 hours of loading. Pigs can be confined on a truck for 36 hours without food water or rest</td>
<td>Shocks shall last no longer than one second, be adequately spaced, and shall only be applied to the muscles of the hindquarters. Shocks shall not be used repeatedly if the animal fails to respond.</td>
</tr>
<tr>
<td>In basic vehicles journey time must not exceed 8 hours. In vehicles that meet additional requirements, adult pigs can travel 24 hours without stopping, providing they have continuous food and water on board.</td>
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</tr>
<tr>
<td>Piglets (heavier than 10 kg can go for 9 hours travel, with at least 1 hour rest on lorry plus water (and food, if necessary), then a further 9 hours travel. After journey, pigs must be unloaded, fed, watered and rested for 24 hours before any further travel.</td>
<td>Piglets (heavier than 10 kg can go for 9 hours travel, with at least 1 hour rest on lorry plus water (and food, if necessary), then a further 9 hours travel. After journey, pigs must be unloaded, fed, watered and rested for 24 hours before any further travel.</td>
</tr>
<tr>
<td>Transporter must carry documentation stating the animal’s origin, ownership, place of departure, intended destination and expected journey time. All transporters must also hold either a “short journey” for travel of 8 hours or less or long journey authorisation to transport animals, issued by a competent authority. From</td>
<td>Transporter must carry documentation stating the animal’s origin, ownership, place of departure, intended destination and expected journey time. All transporters must also hold either a “short journey” for travel of 8 hours or less or long journey authorisation to transport animals, issued by a competent authority. From</td>
</tr>
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</table>
January 2008, all transporters (drivers/handlers) must have a valid certificate of competence, attained only after assessment of various welfare-focused competencies by an independent body.

Vehicles used to transport animals on long journeys must be inspected and granted approval by the authorities before it can be used. All member states are expected to carry out checks on vehicles and animals in transit and at the end of the journey. The European Commission supervises this and requires all Member States to report on their checking operations.

### Stunning

Meat Inspection Act, PART III: Sections 79 – 80 govern the stunning of farm animals. Please refer to the section on Stunning (General) for more detailed information.

Pigs are stunned, using one of two methods. Electric tongs can be placed on their temples, sending an electrical current though their brain which is supposed to result in a temporary loss of consciousness.

Alternately, CO2 gas can be pumped into an airtight chamber, causing the pigs to lose consciousness after about 30 seconds. Both procedures are problematic.

Electrical stunning is imprecise and its effectiveness is reliant upon the competency of the employee. Often the voltage is inadequate to stun the pigs properly. CO2 gas causes the pigs to panic and hyperventilate prior to losing consciousness.

### Slaughter

Slaughter regulations fall under the Meat Inspection Act, PART III: Examination, Inspection, Humane Treatment and Slaughter, Packaging and Labelling.

There is no separate section on slaughtering pigs and no provisions for pigs are within the Meat Inspection Act.

After stunning, the pigs are shackled by their
rear legs to an overhead trolley system. They are hoisted upside down and moved to the "sticker" who severs their jugular vein and carotid artery. As the pigs bleed to death, they are conveyed through a scalding tank to bleach their skin. Next they are disembowelled, dismembered, and packaged for sale in your local grocery store.

<table>
<thead>
<tr>
<th>Mutilations</th>
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<tbody>
<tr>
<td>There is no legislation to prohibit tail docking, tooth clipping, etc. These procedures are regularly performed without anaesthetic.</td>
<td>COUNCIL DIRECTIVE 2008/120/EC of 18 December 2008 laying down minimum standards for the protection of pigs (codified) discusses farm practices involving mutilation to pigs.</td>
</tr>
</tbody>
</table>
| Article 4.8. Interventions All procedures intended as an intervention carried out for other than therapeutic or diagnostic purposes or for the identification of the pigs in accordance with relevant legislation and resulting in damage to or the loss of a sensitive part of the body or the alteration of bone structure shall be prohibited with the following exceptions:  
  - a uniform reduction of corner teeth of piglets by grinding or clipping not later than the seventh day of life leaving an intact smooth surface; boars' tusks may be reduced in length where necessary to prevent injuries to other animals or for safety reasons,  
  - docking of a part of the tail,  
  - castration of male pigs by other means than tearing of tissues,  
  - nose-ringing only when the animals are kept in outdoor husbandry systems and in compliance with national legislation.  
Neither tail-docking nor reduction of corner teeth must be carried out routinely but only where there is evidence that injuries to sows' teats or to other pigs' ears or tails have occurred. Before carrying out these procedures, other measures shall be taken to prevent tail-biting and other vices, taking into account environment and stocking densities. For this reason inadequate environmental conditions or management systems must be changed. Any of the procedures described above shall only be carried out by a veterinarian or a person trained as provided in Article 6 and experienced in performing the applied techniques. |
with appropriate means and under hygienic conditions.

If castration or docking of tails is practised after the seventh day of life, it shall only be performed under anaesthetic and additional prolonged analgesia by a veterinarian.

(See attached COUNCIL DIRECTIVE 2008/120/EC of 18 December 2008 laying down minimum standards for the protection of pigs (codified))

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**Poultry Welfare**

**Canada**

**Legislation**

There is no separate federal legislation governing poultry

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**EU**

**Legislation**

Two directives exist:


Conventional cages will have to be phased out in the EU by 1 January 2012 since found unacceptable for animal welfare reasons. Member States are primarily responsible for the implementation of the directive, since its adoption in 1999. The ban comes into effect on 1 January 2012, from when egg producers are required to provide hens with larger and more comfortable cages, which include nesting and scratching areas that allow more natural behaviour.

The hens kept in the enriched cage systems and the non-cage systems must also have a nest, perching space of 15cm per hen, litter to allow pecking and scratching and unrestricted access to a feed trough measuring at least 12cm per hen in the cage.

Article 7 of the Directive provides that all egg production units must be registered with the competent authorities in Member States. They must each have a distinguishing number which will be used to trace eggs back to the farm where they were produced.

The arrangements for registrations laid out in Commission Directive 2002/4/EC have been adopted by the Commission after consultation of the veterinary representatives of the
<table>
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<tr>
<th>Provinces</th>
<th>Member States</th>
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<tbody>
<tr>
<td>BC</td>
<td>Switzerland</td>
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<tr>
<td></td>
<td>In Switzerland, breeding birds and layers of all species shall be provided with protected, darkened, soft-floored or litter lined nesting boxes. All other domestic poultry can be kept on suitable perches or a slatted floor. Ducks must be given bathing facilities. Beaks shall not be clipped as to prevent birds for feeding normally. Chicks selected for killing shall not be piled on top of one another while still alive.</td>
</tr>
<tr>
<td>Norway</td>
<td>banned beak clipping and beak burning.</td>
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<tr>
<td>UK</td>
<td>has legislation that is against the most severe types of forced molting, namely, a total deprivation of food, water and light.</td>
</tr>
<tr>
<td>Sweden</td>
<td>SPECIFIC REGULATIONS FOR LAYING HENS</td>
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<td></td>
<td>Since 1999, Sweden has banned the use of non-enriched cages. All cages must be equipped (enriched) with a nest, a roost and litter. Hens must have at least 750 cm² of cage area per animal. Effective January 1, 2012, EU requirements will be the same as in Sweden.</td>
</tr>
<tr>
<td>Sweden</td>
<td>SPECIFIC REGULATIONS FOR BROILERS</td>
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<td></td>
<td>Currently, there are no EU animal welfare standards for broilers. The European Commission has, however, proposed legislation that sets out a maximum stocking density of 30 kg/m² for live birds. For producers who also meet the requirements on ventilation and water access laid down in this proposal, stocking densities of up to 38 kg/m² are allowed.</td>
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<tr>
<td></td>
<td>Sweden has national legislation on animal welfare standards for broilers. With regard to stocking density, the corresponding figures in Swedish legislation are 20 kg/m² and 36 kg/m², respectively.</td>
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</table>
UK
To overcome the fact that no European agreement was reached on enforcement of the Ban on Battery Cages, the British government has instead been working closely with the domestic egg industry, processors, food manufacturers, the food service sector and retailers to reach a voluntary consensus that they won't sell or use battery-farmed eggs which will help British consumers to avoid unwittingly buying them.

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<tr>
<th>Labelling and Tracing</th>
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<tr>
<td>COMMISSION DIRECTIVE 2002/4/EC of 30 January 2002 on the registration of establishments keeping laying hens, covered by Council Directive 1999/74/EC requires that every establishment covered by the scope of that Directive shall be registered by the competent authority of the Member State and given a distinguishing number, which will be the medium for tracing eggs placed on the market for human consumption.</td>
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<tr>
<td>Regulation (EC) No 5/2001 (3), makes it compulsory to stamp eggs with a code designating the producer’s distinguishing number and permitting the farming method to be identified.</td>
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<tr>
<td>(A registration of the establishments under distinguishing numbers is a condition for tracing eggs placed on the market for human consumption.</td>
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## Welfare of Cows

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<tr>
<th>CAN</th>
<th>EU</th>
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<tbody>
<tr>
<td><strong>Legislation</strong></td>
<td><strong>Legislation</strong></td>
</tr>
<tr>
<td>There is no federal legislation that protects cows or other farm animals on the farm.</td>
<td>There is no specific EU welfare legislation for dairy or beef cattle at present. However, all farm animals are covered by the provisions of Council Directive 98/58/EC of 20 July 1998 concerning the protection of animals kept for farming purposes.</td>
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<tr>
<td></td>
<td>This provides a basic framework requiring member states to enact legislation obliging owners or keepers to ensure the welfare of animals in their care and to ensure that the animals are not caused any unnecessary pain, suffering or injury.</td>
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<td></td>
<td>The Commission's Scientific Committee on Animal Health and Animal Welfare in 2001 published a report on the Welfare of Cattle kept for Beef Production. Amongst the recommendations were: neither tethering nor fully slatted floors should be used. Minimum floor space should be 3m² for animals up to 500 kilograms weight and group housing should be the norm. Castration, tail-docking, de-horning and hot-branding cause severe pain and distress and should not be used.</td>
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<tr>
<td></td>
<td>Many retailers and major food service chains will only purchase Irish beef that originates from assured farms. Animal welfare standards are a prominent feature of Irish and European farm assurance schemes.</td>
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<td></td>
<td>Animal welfare complements the objectives of beef assurance schemes that demonstrate the production of safe beef to consumers and food chain stakeholders.</td>
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<tr>
<td></td>
<td>Welfare codes usually list five basic freedoms that should underpin on farm animal welfare best practice.</td>
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<td>Grass fed.</td>
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<td><strong>Provinces</strong></td>
<td><strong>Member States</strong></td>
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</table>
| Only Manitoba enforces the Codes of Practice for Dairy and Beef Cattle | **Sweden:**  
**SPECIFIC REGULATIONS FOR CATTLE**  
Swedish animal welfare legislation for cattle is similar to EU legislation, with a few exceptions. Swedish legislation requires pasture husbandry during summer time for cattle over 6 months of age. Swedish regulations also set a maximum number of beef cattle in an enclosed building unit. |

<table>
<thead>
<tr>
<th><strong>Mutilations</strong></th>
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<tr>
<td>There are no bans on any mutilations on farm animals in Canada</td>
<td>The Standing Committee of the European Convention for the Protection of Animals kept for Farming Purposes adopted a Recommendation concerning Cattle in 1988. The recommendation sets out a number of basic principles on stockmanship, buildings and equipment, general management and breeding. It bans tail docking and suggests that castration should be avoided as much as possible. In 2005 the standing committee started to revise the recommendation. This work is still on-going.</td>
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<tr>
<th><strong>Dairy Cows</strong></th>
<th><strong>Dairy cows</strong></th>
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<tr>
<td>The Codes of Practice for Dairy Cows are the only updated regulations. They are voluntary.</td>
<td>No legislation governs Dairy Cows, however, the Animal Health and Animal Welfare panel of EFSA has adopted five scientific opinions on the welfare of dairy cows. They cover the impact of housing, nutrition and feeding, management and genetic selection on the following topics: (1) behaviour, fear and pain; (2) metabolic and reproductive disorders; (3) udder problems; (4) leg and locomotion; (5) overall welfare. These opinions have yet to be put into legislation, or even directives.</td>
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# Welfare for Veal Calves

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<th>CAN</th>
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<tr>
<td><strong>Legislation</strong></td>
<td><strong>Legislation</strong></td>
</tr>
<tr>
<td>No legislation</td>
<td>Council Directive 97/2/EC prohibits the housing of calves in individual pens or boxes after the age of eight weeks, except when necessary for veterinary treatment.</td>
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<tr>
<td></td>
<td>Up to the age of eight weeks, pens must allow visual contact with other calves and are slightly larger than under the original legislation.</td>
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<tr>
<td></td>
<td>Stocking densities for calves kept in groups were modified to increase the space available as calves grow. These provisions came into effect from 1 January 1998 for new or rebuilt units, and had to be complied with by 31 December 2006 by all holdings.</td>
</tr>
<tr>
<td></td>
<td>Other provisions of the original directive were improved by Commission Decision 97/182/EC of 24 February 1997 amending the Annex to Directive 91/629/EEC laying down minimum standards for the protection of calves.</td>
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<tr>
<td></td>
<td>Calves may no longer be tethered, except for one hour at feeding time in the case of group-housed animals. Fibre and a minimum ration of iron are to be provided in the diet of all calves over two weeks old. The animals must be fed twice daily, and must not be muzzled.</td>
</tr>
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<td></td>
<td>Calves must receive colostrum within the first six hours of life. According to Article 6 of the Directive, the Commission had to report to the Council by 1st January 2006 on the intensive farming systems and socio economic implications, with legislative proposals.</td>
</tr>
<tr>
<td></td>
<td>This report should be based on the European Food Safety Authority's opinion on the risks of poor welfare in intensive calf farming systems, published in 200626. This Commission report is still awaited.</td>
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<tr>
<td><strong>Provinces</strong></td>
<td><strong>Member States</strong></td>
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<tr>
<td><strong>BC</strong></td>
<td>Switzerland</td>
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<tr>
<td><strong>farm requirements</strong></td>
<td><strong>Switzerland</strong></td>
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<tr>
<td>3 (1) A dairy farmer must, in accordance with standards set by regulations under this Act, (a) maintain on the farmer’s farm suitable milk houses, housing for dairy animals, a sufficient supply of potable water, facilities for providing a sufficient supply of hot water and sufficient facilities for cooling milk, and (b) use safe and clean methods of production.</td>
<td>The Swiss Animal Protection Ordinance 24 states that all animals shall receive sufficient food and water. In particular, calves shall receive sufficient iron in their food. Calves more than three weeks old shall be allowed to consume straw, hay or similar fodder. Calves shall not be muzzled. It is prohibited to tether calves that are more than four months old with limited exceptions for breeding and feeding. Calves that are aged two weeks to four months shall be housed with other calves, and calves that are housed individually must have eye contact with animals of the same species. This is similar to the standard in the EU, except that in Switzerland the calves are required to have some kind of contact with the same species for a longer period of their early development. Both nations are allowing for sufficient iron in the animals diet, moving away from forced anemia on veal calves.</td>
</tr>
<tr>
<td>(2) A dairy farmer must not deliver or sell milk from any dairy animal that is suffering from any disease.</td>
<td><strong>UK</strong> veal crates were banned in the UK in 1990.</td>
</tr>
<tr>
<td></td>
<td>Switzerland</td>
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<tr>
<td></td>
<td>Swiss dairy cows, mating bulls and calves up to four months old must have a sufficient lying area. Cattle are required to have at least 90 days a year of free movement outside. This is phenomenal because it does not allow for cows to be totally confined all year round. In loose housing, cattle must be able to avoid each other and there must be a special area for sick cattle. This provision will ensure that sick animals are not left to die among the rest of the cattle.</td>
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</table>
Use of Antibiotics and Chemicals in Farm Animal Production

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<tr>
<th>Canada</th>
<th>EU</th>
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</thead>
<tbody>
<tr>
<td>A wide variety of antibiotics are used in Canada in the feed of food – designated animals.</td>
<td>The EU imposed a ban on the use of antibiotics in feed to promote growth as of January 1, 2006.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Provinces</th>
<th>Member States</th>
</tr>
</thead>
<tbody>
<tr>
<td>No prohibition on antibiotics. Use of performance enhancing and pain killing drugs in race horses who end up in slaughterhouses is also common.</td>
<td>The use of antibiotics in animal feed to promote growth has been prohibited in Sweden since 1986. The ban is based on human and animal health reasons, specifically the risk of developing antibiotic resistance. Antibiotics were allowed and commonly used within the EU when Sweden joined the EU in 1995. Sweden was, however, permitted to maintain its ban. Within the EU, Sweden has been pushing for an EU-wide ban on the use of antibiotics.</td>
</tr>
</tbody>
</table>