

World Society for the Protection of Animals

CURB THE CRUELTY:

Canada's farm animal transport system
in need of repair



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Glossary

Acronyms

AMP – Administrative Monetary Penalties

CETFA – Canadians for the Ethical Treatment of Food Animals

CFIA – Canadian Food Inspection Agency

DOAs – Dead on Arrivals. This refers to the animals that die after loading and prior to slaughter, usually calculated as a percentage of the load.

EFSA – The European Food Safety Authority. This is an independent European agency funded by the EU budget that operates separately from the European Commission, European Parliament and EU Member States. EFSA's role is to assess and communicate on all risks associated with the food chain.

MPs – Members of Parliament

SPCA – Society for the Prevention of Cruelty to Animals

PSAC – Public Service Alliance of Canada

PIPSC – Professional Institute of Public Service of Canada

RCOP – Recommended Code of Practice

SCAHAW – Scientific Committee on Animal Health and Animal Welfare

UN FAO – United Nations Food and Agriculture Organization

USDA – United States Department of Agriculture

WSPA – World Society for the Protection of Animals

Terms

Compromised or Unfit Animal – An animal that cannot handle the stress of transportation very well, due to such causes as injury, fatigue, poor health, distress, or very young or old age.

Cull animals – Breeding animals at the end of their productive life are culled or removed from the herd and sent to slaughter as a means of disposing of them and/or recovering what little value they have left if processed for meat or other uses.

Deadstock – Dead livestock.

Downer, Downed – An animal that is non-ambulatory (unable to stand without assistance or to move without being dragged or carried) regardless of size or age is referred to as a downer or a downed animal.

Necrotic – Dead tissue caused by disease or injury.

Trim losses – The loss of meat and subsequently money when an area of the carcass is trimmed because it is deemed unfit for human consumption.

Farm Animal Transport in Canada

It is well known that time spent in transit and the accompanying handling is extremely stressful for farm animals.¹ Research shows that the level of suffering increases with the length of the journey.² Most farm animals are transported multiple times throughout their short lives, and often over long distances across provincial and national borders, before they are finally slaughtered. In 2008 alone, more than 9.4 million pigs³ and 1.5 million cattle⁴ were exported from Canada to the United States⁵ and some continued on long, gruelling journeys to Mexico.⁶ Canada also exports cattle to Colombia⁷ and thousands of pigs to Russia, South Korea, Venezuela and Vietnam, among other countries for breeding purposes.⁸

Poor and abusive handling during loading and unloading and mixing different animals in unfamiliar environments at livestock auctions, collecting stations and on vehicles also increases the animals' stress and suffering.⁹ Investigations conducted on behalf of the World Society for the Protection of Animals (WSPA) and our Handle with Care Coalition partners have demonstrated that it is not uncommon for animals to be forced to stand or lie in their own waste, in overcrowded conditions and endure extreme weather conditions without adequate protection, ventilation or bedding materials.¹⁰

Animal health and animal welfare are closely linked. Keeping stressed animals in dirty, overcrowded environments can also facilitate the emergence and spread of diseases. The stress and fatigue animals experience during transport can compromise their immune systems, making them more susceptible to disease and more likely to spread disease.¹¹

¹ T. G. Knowles and P.D. Warriss. Stress physiology of animals during transport. In: T. Grandin (ed.) *Livestock Handling and Transport*, 2nd ed. (Wallingford: CAB International, 2000), p.385-407.

² M.C. Appleby, V. Cussen, L. Garces, L. Lambert and J. Turner (eds). *Long Distance Transport and Welfare of Farm Animals* (Wallingford: CAB International, 2008).

³ Statistics Canada. Hog Statistics: Table 6: Hog production – Canada. Fourth quarter 2009, vol. 9 no. 1. Released February 16, 2010. www.statcan.gc.ca/pub/23-010-x/2010001/t016-eng.htm

⁴ Statistics Canada. Cattle Statistics: Table 5: Cattle Production and Table 6: Calves Production. Fourth quarter 2009, vol. 9. No. 1. Released February 16, 2010. www.statcan.gc.ca/pub/23-012-x/2009002/tablesectlist-listetableauxsect-eng.htm

⁵ United States Department of Agriculture. Animal and Plant Health Inspection Services. Table 4: Livestock Exported to the United States through ports of exit.

⁶ Agriculture and Agri-Food Canada. Canada's Swine, live except pure-bred breeding, weighing 50 kg or more. Exports to all countries.

⁷ R. Nickel and M. Choy "Columbia resumes imports of Canadian cattle," *Reuters*, April 9, 2010, Winnipeg.

⁸ Agriculture and Agri-Food Canada. Canada's Swine, live pure-bred breeding. Exports to all countries. www.ats.agr.gc.ca/stats/4413-eng.pdf

⁹ M.C. Appleby et al, 2008.

¹⁰ WSPA. *Beyond Cruelty. Beyond Reason. Long Distance Transport and Welfare of Farm Animals*. 2008.

¹¹ X. Manteca. "Physiology and Disease." *Long Distance Transport and Welfare of Farm Animals*. (Wallingford: CAB International, 2008) 69-76.

The European Food Safety Authority (EFSA) recommends animal transport be kept as short as possible¹², and 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.

Regulations under the *Health of Animals Act* allow horses, pigs and poultry to be transported for up to 36 hours without food, water and being unloaded to the ground for a rest. For cattle, sheep and goats, the limit is 52 hours. For the millions of animals that are exported annually, the clock is reset to zero when they cross our national border and a new journey begins under the importing country's legislation.

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.”¹⁴ WSPA believes this must change. Slaughtering and processing animals closer to the point of rearing is in the best interests of the animals.

¹² Scientific Committee on Animal Health and Welfare (SCAHAW). *Report on the Welfare of Animals During Transport*. (Brussels: Health & Consumer Directorate-General, 2002).

¹³ Food and Agriculture Organization of the United Nations. *FAO Animal Production and Health Paper 153: Improved Animal Health for Poverty Reduction and Sustainable Livelihoods*. (Rome: FAO, 2002). www.fao.org/docrep/005/y3542e/y3542e00.htm

¹⁴ G. Doonan and M. Appelt, Canadian Food Inspection Agency (CFIA). “The Canadian approach to science-based regulation of the long distance transport of animals” in *Veterinaria Italiana*, 44 (1), 95-99. 2008.

About WSPA's Access to Information Request

At the end of 2008, WSPA submitted a request under Canada's *Access to Information Act* for copies of all Canadian Food Inspection Agency (CFIA) reports used to assess compliance with the animal transport regulations under the *Health of Animals Act*. The information obtained paints a bleak picture of how animals are transported across this country, how their health and welfare is inspected and how federal regulations are being enforced. WSPA requested only those inspection reports submitted between October 9, 2008 to January 9, 2009, and for some of these we requested only those reports in which compliance problems were indicated.

It is important to note that it took almost a year for WSPA to start receiving any of the files requested, and what we finally received was less than satisfactory. It appears WSPA is not alone in feeling dissatisfied. In a "report card" released in April 2010, CFIA was given a "D" by Canada's Information Commissioner, Suzanne Legault, for not meeting its obligations under the *Access to Information Act*¹⁵ and awarded the Code of Silence Award in 2008 from the Canadian Association of Journalists for "its dizzying efforts to stop the public from learning details of fatal failures in food safety."¹⁶

WSPA received some reports that were incomplete, illegible, written outside of the time-frame requested as well as several duplicates. As of the time of writing, WSPA had not received any inspection reports from British Columbia, Prince Edward Island or the Territories and very few from Newfoundland, Nova Scotia and New Brunswick. Despite the fact that they have more auctions than any other province, WSPA didn't receive any inspection reports for auctions in Manitoba. While WSPA received significantly more reports from Ontario and Quebec, we did not receive records for every inspection location. WSPA has asked whether animal transport inspections are really that infrequent, or if we did not receive all of the reports we requested. We have yet to receive a reply.

With respect to the documents produced for WSPA by CFIA under Canada's *Access to Information Act*, WSPA has relied solely on the statements and opinions expressed by CFIA inspectors. WSPA has not independently verified the underlying facts which form the basis for those statements and opinions.

¹⁵ Office of the Information Commissioner of Canada. *Out of Time: Report Cards 2008-2009 and Systemic Issues Affecting Access to Information in Canada*. Ottawa. p.81-84. April 2010.

¹⁶ Canadian Association of Journalists. News Release: "Canadian Food Inspection Agency Wins CAJ Secrecy Award." May 23, 2009. www.newswire.ca/en/releases/archive/May2009/24/c7044.html

¹⁷ CFIA. 107 Poultry Vehicle Transportation Inspection Reports at 10 poultry slaughterhouses in Ontario and New Brunswick between October 10, 2008 and January 11, 2009.

Introduction

Based on a careful review of the CFIA inspection reports received, it is WSPA's assessment that farm animals are suffering unnecessarily because of ineffective legislation and lax law enforcement.

Despite regulations prohibiting the transport of "unfit" animals, all manner of animals—cattle, pigs, horses, sheep, chickens and others—are arriving at Canadian livestock markets and slaughterhouses sick and severely injured. The condition of these animals as described in these reports raises questions as to why these animals were forced to endure transport at all.

The reports indicate that it's not uncommon for animals to have spent more than 12 hours in transit before arriving at their destination, and they may stay on the truck for several more hours before finally being unloaded. Thirty-three per cent of the vehicles carrying birds (broiler chickens and ducks) to slaughterhouses in Ontario and New Brunswick travelled for longer than 12 hours, and in some instances the birds were left on stationary trucks for longer than seven hours before being unloaded.¹⁷ While travelling on these long journeys, reports show that animals are also overcrowded and exposed to severe weather conditions.

Twelve hours in transit would be considered long in the Europe Union (EU), which prohibits the transport of most species for longer than eight hours without food, water and rest, unless specific welfare requirements are met to ensure the animals are more comfortable (i.e. larger space allowances, continuous access to water and temperature monitoring and alarm systems on vehicles). For poultry, adequate food and water must be available for journeys more than 12 hours.¹⁸ In a large country like Canada, journeys may last longer than a day. Particularly those involving spent hens (egg laying hens that are no longer regarded as productive) which are typically transported up to 800 km and sometimes up to 2,400 km to slaughter.¹⁹

Not surprisingly, many animals die during these journeys from the harsh conditions, stress or diseases contracted on route or before their journey began (some are even crushed). These animals are referred to as DOAs (Dead on Arrival), and the poultry inspection reports we received show a high number of DOAs that is far from what should be considered normal or acceptable. However, in the majority of these cases it would appear that no charges were laid and no fines were levied.

¹⁸ European Union. 2005a. Council Regulation No 1/2005 on the protection of animals during transport and related operations of 0501/2005. http://eur-lex.europa.eu/LexUriServ/site/en/oj/2005/l_003/l_00320050105en00010044.pdf

¹⁹ Ruth C. Newberry, A. Bruce Webster, Nora J. Lewis, Charles Van Arnam. "Management of Spent Hens." *Journal of Applied Animal Welfare Science*. 1999. 2(1), 13-29. p.20.

²⁰ CFIA. Animal Transportation Inspection Reports for 659 vehicles at 63 inspection locations in Ontario between October 5, 2008 and January 8, 2009.

It is also clear that CFIA has too few animal inspectors and veterinarians, making it impossible for the agency to properly enforce its own regulations. Reports indicate that in some cases inspectors are required to conduct inspections at up to 14 separate locations with the result being that animals are being unloaded without an inspector present. Lacking proper enforcement, it is largely up to producers and animal transport companies to police themselves. While there is reason to believe that the vast majority play by the rules, WSPA questions whether the rules are adequate and if it is possible to stop these incidents from occurring with so few inspectors who are overworked and covering too many facilities or too large a territory. Furthermore, drivers and animal handlers may not be familiar with the rules because there are no mandatory training requirements.

The importance of having more independent and specially-trained inspectors to assess the health and welfare of animals from farm to slaughter cannot be overstated. Veterinary inspectors should be valued for their role on the front lines, ensuring meat safety and the humane treatment of live animals in Canada.

Key Findings

1. Unacceptable numbers of animals, particularly chickens, die during transport

Trucks are frequently arriving at slaughterhouses with a high percentage of chickens found DOA – which can amount to thousands of chickens per shipment. In one case a third (32.7 per cent) of the chickens arrived dead. In reviewing the reports, it would seem that this most frequently happens on occasions when the birds are transported over long distances and in cold weather conditions. Inspectors even reported that some birds froze to death.

2. Animals are transported in overcrowded conditions

Transporters pack between seven and 16 chickens into each .5 m² crate, and there may be as many as 11,000 chickens on one truck. One inspector noted chickens were overcrowded to the point that there were no spaces between them. WSPA believes that packing so many birds into a crate contravenes the *Health of Animals Regulations* which requires that every animal be “able to stand in its natural position” and not be loaded in a way that is “likely to cause injury or undue suffering.” In our opinion, far too many animals are transported in overcrowded conditions and we are disturbed to find that this requirement is largely ignored or results in only a warning.

3. Severely injured, crippled and sick animals are transported in contravention of the *Health of Animals Regulations*

Animals are arriving at slaughterhouses and auctions emaciated, weak, crippled and with severe injuries. Of particular concern is the number of pigs arriving at Quebec slaughterhouses with severe wounds.

4. Severely compromised animals are transported and left to suffer for prolonged periods in contravention of the *Health of Animals Regulations*

“Downed” and “compromised” animals are being transported and left to suffer for long periods of time – sometimes days. One downed cow was left on a pile of dead animals overnight until a company employee noticed the animal raise her head and vocalize in distress. The cow was finally euthanized after suffering for at least 58 hours.

5. A shortage of specially-trained animal welfare inspectors, particularly veterinarians, puts animal health and welfare at risk

CFIA inspectors are not authorized to euthanize animals or relieve their suffering for humane reasons, and few animal inspectors are veterinarians or specifically trained to address animal welfare problems during transport. WSPA is concerned that many animal inspections are being conducted by multi-program inspectors who may not have sufficient experience in assessing animal welfare since it is not one of their core duties. For example, some inspections were conducted by a feed specialist and an administrative assistant.

The documents show that CFIA personnel typically spent less than an hour inspecting animals arriving at provincial slaughterhouses, livestock auctions and assembly yards in Ontario. Some inspectors were not able to carry out their duties because they are responsible for too many facilities and are not allowed to incur overtime. One animal inspector is responsible for 14 facilities in the Walkerton District of Ontario and does not always arrive in time to inspect the unloading of the animals.

6. CFIA's reporting and enforcement are often weak and inconsistent

Animals are transported in blatantly inappropriate conditions and in clear violation of regulations (i.e. goats transported in feed bags, rabbits transported in the trunk of a car, animals tied up and under covers without air holes) and inspectors are responding by giving warnings or educational pamphlets. In many cases, loads that are clearly in violation of regulations are marked as compliant. Based on WSPA's review of the CFIA documents we received, it is our opinion that CFIA's reporting and enforcement are often weak and inconsistent.

7. Animals suffer as a result of poor driver training

Drivers appear to be unaware of regulations, including their right, indeed their responsibility, to refuse to transport an injured animal. Some drivers didn't even know how many animals they had onboard their truck. Drivers and other people handling animals should be required to have comprehensive training on animal welfare as is the case in the European Union.

Finding 1

Unacceptable numbers of animals, particularly chickens, die during transport

According to CFIA statistics, between two and three million animals arrive dead at Canadian slaughterhouses every year – the vast majority are chickens. These statistics indicate that 634,634 chickens, 11,439 turkeys, 3,396 pigs and 153 cattle died during transport in the time period for which WSPA requested records (October 9, 2008 to January 9, 2009). This amounts to 649,622 animals arriving dead in just three months.²¹ One can only imagine the conditions these animals had to endure in order to arrive dead.

The European Scientific Committee on Animal Health and Animal Welfare accepts mortality records as an important indicator of the severity of the welfare problem since “death during handling and transport is usually preceded by a period of poor welfare.”²²

CFIA's policy is that if more than one per cent of broiler chickens²³ or more than four per cent of spent hens²⁴ arrive dead it warrants further inspection, but it would not necessarily be reported as non-compliant.²⁵ In comparison, the US-based National Chicken Council sets a threshold of .5 per cent,²⁶ and in order to qualify for the “Certified Humane Raised and Handled” label administered in the U.S. no more than .3 per cent of birds can be DOA.²⁷

The number of DOAs for broiler chickens in Canada in 2008 represented an economic loss of approximately \$7,151,028.²⁸

²¹ Agriculture and Agri-Food Canada. 050R Red Meat Condemnation Report by Species and 050P Poultry Condemnation Report by Species.

²² SCAHAW, 2002.

²³ Chicken Farmers of Saskatchewan/Broiler Hatching Egg Producers Newsletter. February 2010.

²⁴ Canadian Agricultural Review Tribunal. Agriculture and Agri-Food Administrative Monetary Penalties Act Decision. TRA#60257. http://cart-crac.gc.ca/index_e.php?s1=decisions&page=a60257

²⁵ Chicken Farmers of Saskatchewan/Broiler Hatching Egg Producers Newsletter. February 2010.

²⁶ National Chicken Council. National Chicken Council Animal Welfare Guidelines and Audit Checklist for Broilers. Approved January 28, 2010. p.7.

²⁷ Humane Farm Animal Care. Humane Farm Animal Care Animal Care Standards. February 2009. p.22.

²⁸ Chicken Farmers of Saskatchewan/Broiler Hatching Egg Producers Newsletter. February 2010.

Snapshot of a DOA problem

Trucks frequently arrive with hundreds of dead chickens:

Based on the inspection reports we received, six out of 18 trucks inspected at Chai Poultry had more than one per cent DOAs. On December 8, 2008, when the temperature was recorded at -12°C on route, a truck arrived with 1,491 dead chickens – 32.7 per cent of the load, or one out of every three birds.

Chickens exposed to rain and snow; many freezing to death:

One inspector at this facility noted that several dozen chickens were wet and in distress or dead. Many of the chickens reportedly froze to death when temperatures dropped below zero.

Prolonged transport in cramped conditions:

All of the chickens arriving at this facility were kept onboard the trucks for long durations – between eight and 19 hours (loading to unloading). One inspector noted that a trailer was filled from top to bottom without spaces. Another truck had 14 chickens loaded in each .5 m² crate – well over the maximum loading density of 63 kg/m² set out in the *Recommended Code of Practice for Transport*.²⁹ Since these chickens weighed an average 3.47 kg, any crate containing more than nine chickens should be considered overcrowded and unacceptable, yet the shipment was reported to be compliant with the regulations.

²⁹ Canadian Agri-Food Research Council (CARC). *Recommended Code of Practice for the Care and Handling of Farm animals: Transportation*. (Ottawa: CARC, 2001). <http://nfacc.ca/pdf/english/Transportation2001.pdf>

CFIA's records indicate the DOA problem is not isolated to just this one plant. WSPA received five inspection reports for one poultry slaughterhouse in New Brunswick (Nadeau Poultry). All five shipments contained a significant number of dead birds with as many as 510 dead (10 per cent) in one load. One inspector reported that many of the chickens were drenched by heavy rain. Chickens slaughtered at this facility endured journeys up to 17 hours long.³⁰

Saskatchewan CFIA inspectors reported that 32 trucks arriving at the Lilydale plant in Wynyard (eight per cent of all trucks inspected)³¹ and 28 trucks arriving at Prairie Pride in Saskatoon (five per cent of all trucks inspected) had an unacceptable number of dead chickens onboard (more than one per cent DOAs) during the three-month study period.³² This Lilydale plant slaughters approximately 625,000 chickens per week.³³ The CFIA documents, as previously noted, cover only a three-month period in late 2008 and early 2009 and may not even represent all the inspections performed at these plants. However, if these DOA numbers are in any way typical, there is significant cause for concern. High DOA numbers were also recorded during December 2009, according to the Saskatchewan Poultry Extension Services. This was associated with transporting birds in cold weather.³⁴

DOA rates are typically higher for spent hens (egg-laying hens at the end of their productive life) as opposed to broiler chickens (those raised for meat). As a result of calcium depletion from producing so many eggs as well as lack of exercise, their bones become brittle making them more susceptible to bone fractures during loading and transport. Some studies have found that between 24 and 29 per cent of laying hens have broken bones by the time they reach the slaughterhouse.³⁵ WSPA believes that it is because spent hens are more susceptible to injuries and death during transport, that CFIA sets a higher DOA threshold (four per cent versus one per cent for broiler chickens).^{36 37} With respect to the suffering of the animals involved, there is no valid animal welfare justification for this. It is worth noting that WSPA did not receive any inspection reports for Maple Lodge Farm, one of the largest slaughterhouses for spent hens in Canada.

³⁰ CFIA. Poultry Vehicle Transportation Inspection Reports for Establishment No. 248, Nadeau Ferme Avicole Limitee, Saint-François, NB. October 28, December 8, and December 22, 2008.

³¹ CFIA. Animal Transport Inspection Reports for Establishment No. 60, Lilydale, Wynyard, SK. October 9, 2008 – January 9, 2009.

³² CFIA. Animal Transport Inspection Reports for Establishment No. 629, Prairie Pride, Saskatoon, SK. October 9, 2008 – January 9, 2009.

³³ Lilydale Company Website: http://fr.lilydale.com/_bin/aboutUs/about_Us/plants.cfm Last accessed May 10, 2010.

³⁴ Chicken Farmers of Saskatchewan / Broiler Hatching Egg Producers Newsletter. February 2010.

³⁵ T.G. Knowles and L.J. Wilkins. "The Problem of Broken Bones During the Handling of Laying Hens – A Review." 1998 *Poultry Science*, 77:1798-1802.

³⁶ Canadian Agricultural Review Tribunal. Agriculture and Agri-Food Administrative Monetary Penalties Act Decision. TRA#60257. http://cart-crac.gc.ca/index_e.php?s1=decisions&page=a60257

³⁷ Chicken Farmers of Saskatchewan / Broiler Hatching Egg Producers Newsletter. February 2010.

More birds die when transported long distances in cold temperatures

In reviewing the records, it is apparent that higher numbers of DOAs in Ontario and New Brunswick most often result when trucks travel for longer than eight hours in sub-zero temperatures. In those cases where the number of DOAs was greater than one per cent, the journey durations ranged from eight to 37 hours (with an average duration of 16.5 hours).³⁸ In most cases, the temperature ranged from just below zero to -17°C. Eleven out of 13 vehicles carrying birds on journeys more than eight hours in sub-zero temperatures arrived with an unacceptable percentage of dead birds. It would seem that cold weather and long distances combine to increase mortality during transport.

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In comparison, only one out of eight vehicles carrying birds on journeys less than eight hours in the same sub-zero conditions arrived with more than one per cent DOAs. Only two out of 26 vehicles travelling more than eight hours in temperatures of 0°C or higher arrived with an unacceptable number of dead birds.

Livestock haulers at present are expected to take the length of journey and prevailing weather conditions into account and may be charged with violating the regulations when they do not and high numbers of DOAs result. It is clear that many do not. WSPA believes it is necessary to prohibit birds from being transported for longer than eight hours when temperatures drop below zero. Alternatively, there should be a mandatory requirement that all animal transport vehicles be equipped with heating

and cooling systems. Professor Trever Crowe and his research team at the University of Saskatchewan have already developed a vehicle to address this problem.³⁹ Some researchers also recommend that vehicles be equipped with temperature probes and controlled ventilation.⁴⁰

While CFIA's records provide us with only a snapshot view of the farm animal transport problem, more comprehensive studies confirm that journey duration and temperature can have significant impacts on pre-slaughter mortality, with mortality rates increasing by as much as 80 per cent for journeys longer than four hours.^{41 42 43}

³⁸ CFIA. Poultry Vehicle Transportation Inspection Reports for six poultry slaughterhouses in Ontario and New Brunswick where DOA rates were greater than one percent between October 14, 2008 and January 7, 2009.

³⁹ "New heated truck keeps chickens alive." *CBC News*. February 22, 2010. www.cbc.ca/canada/saskatchewan/story/2010/02/22/dead-chickens.html

⁴⁰ C. Weeks and C. Nicol. "Poultry handling and transport." *Livestock Handling and Transport (2nd ed)*. (New York: CABI Publishing, 2000) p.363-384.

⁴¹ P.D. Warriss, E. A. Bevis, S. N. Brown, and J. E. Edwards. "Longer journeys to processing plants are associated with higher mortality in broiler chickens." *Br. Poult. Sci.* 1992. 33:201-206.

⁴² M. Petracci, M. Bianchi, C. Cavani, P. Gaspari and A. Lavazza. "Preslaughter Mortality in Broiler Chickens, Turkeys, and Spent Hens Under Commercial Slaughtering." *Poult Sci.* 2006. 85:1660-1664. <http://ps.fass.org/cgi/content/full/85/9/1660>

⁴³ C. Weeks and C. Nicol, 2000.

Cattle and pigs also dying during transport

WSPA also received a small number of reports about horses, cattle and pigs arriving dead at slaughterhouses and auctions though this was not nearly as common as with poultry transport. Seven pigs arrived dead at Toronto Abattoirs Ltd. over a two-day period despite coming from nearby farms. The inspector noted a problem with respect to one load containing four dead pigs but not for other trucks where there was only one dead pig. However, no enforcement action was specified in any of these cases so it is unclear whether a penalty was recommended or issued. Furthermore, no information was noted as to the likely cause of the deaths and whether or not these animals should have been transported in the first place. At the very least CFIA should be investigating this further.

Finding 2

Animals are transported in overcrowded conditions

The reports indicate that many animals are transported in overcrowded conditions. This is particularly true of chickens, which often have the least amount of room during transport. Based on the reports received, on average between seven and 16 chickens are packed into a crate measuring .5 m² or smaller – with as many as 11,000 chickens on one truck.

Canada's *Recommended Code of Practice for Transport* warns against loading vehicles beyond the maximum density, since restricting animals from repositioning can predispose them to frostbite.⁴⁴ The code suggests birds can be loaded to a maximum density of 63 kg/m² in the winter.⁴⁵ If the birds were 2.55 kg (an average weight), 12 birds would be considered acceptable in the .5 m² crate typically used.

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While the *Recommended Code of Practice for Transport* serves only as a set of voluntary guidelines and is not specifically required by the regulations, all animal owners as well as haulers and handlers are expected to be familiar with the codes and adhere to them. However, the reports WSPA received show birds loaded in excess of these guidelines and all were marked as compliant with regulations. As was mentioned previously, 14 chickens per crate, each weighing 3.47 kg, were crammed into all 271 crates aboard one shipment, when according to the code, the maximum loading density for a .5 m² crate would be no more than nine chickens of this weight.⁴⁶ The inspection form clearly states CFIA's policy: "Over Crowding > 4 Hour Trip (Fill Out Non Compliance Form and Send to Regional Office)." In this particular case, the chickens were transported for 11 hours, yet the inspector marked the shipment as being compliant.

Section 140 of the *Health of Animals Regulations* prohibits overcrowding to an extent likely to cause injury or undue suffering to the animals. As part of CFIA's *Policy for Monitoring Broilers* (chickens raised for meat), inspectors check to see that the "number of DOA birds, as well as wings and heads caught in crates, are limited."⁴⁷

⁴⁴ Canadian Agri-Food Research Council (CARC), 2001, p 10.

⁴⁵ Ibid., p.26,

⁴⁶ CFIA. Poultry Vehicle Transportation Inspection Report for Establishment No. 024, Chai Poultry Inc. Toronto, ON. November 13, 2008 at 6:45 am.

⁴⁷ Tennille Knezacek. Saskatchewan Poultry Extension Services. "CFIA Policy for Monitoring Broilers Arriving at a Processing Plant," in Chicken Farmers of Saskatchewan / Broiler Hatching Egg Producers Newsletter. February 2010.

While temperature and transport duration, as opposed to overcrowding, appear to be the determining factors contributing to the high number of DOAs noted in the reports, cramming so many birds into such a small area would in WSPA's opinion cause the animals considerable discomfort, stress and injuries. The typical transport crates used in Canada, at most 28 cm high and in some cases less, appear themselves to contravene Section 142 (a) of the *Health of Animals Regulations* which requires that each animal be "able to stand in its natural position without coming into contact with a deck or roof." In WSPA's opinion, it would be difficult for birds, especially those broiler chickens weighing more than 3 kg to meet this requirement. The Canadians for the Ethical Treatment of Food Animals (CETFA) in their 2009 report *Broken Wings: The Breakdown in Animal Protection in the Transport and Slaughter of Meat Poultry in Canada* are critical of the way that "poultry are regularly overloaded onto improper conveyances that do not afford them protection from the elements or enough headroom." They go on to state that the crate design does not allow "each bird to be accessible to be euthanized or removed should they become injured."

Trucks carrying cattle and pigs in overcrowded conditions to auctions in Alberta and Saskatchewan received only a verbal warning or a pamphlet about appropriate stocking density. One inspection report we received mentions cull cows transported from an auction to a slaughterhouse in Alberta with sores on their backs because there was not enough space in the truck to allow them to stand comfortably without rubbing their backs on the ceiling. While the inspector reported it to be a contravention of Section 142 (a), his report indicates that the only action taken was to issue a warning letter.⁴⁸

The amount of space provided to an animal greatly impacts their welfare as well as food safety and quality. Researchers at Texas Tech University found that when animals are loaded at high densities, even for just 40 minutes, the levels of *Salmonella* in their faeces increased from 18 to 46 per cent and the number of animals covered with *Salmonella* upon arriving at the slaughterhouse increased from six to 89 per cent.⁴⁹ Unfortunately, the animal agriculture industry has an incentive to place as many animals as possible in transport vehicles to reduce costs.

⁴⁸ CFIA. Health of Animals Act. Health of Animals Regs Part XII. Humane Transportation Inspection for XL Beef, Calgary, AB. October 22, 2008, 10:18 am.

⁴⁹ AR Barham, BL Barham, et al., "Effects of the transportation of beef cattle from the feed yard to the packing plant on prevalence levels of *Escherichia coli* 0157 and *Salmonella* spp." *J Food Prot.* 2002. 65:280-283.

Finding 3

Severely injured, crippled and sick animals are transported in contravention of the *Health of Animals Regulations*

Section 138 (2) (a) of the *Health of Animals Regulations* makes it illegal to transport any animal “that by reason of infirmity, illness, injury, fatigue or any other cause cannot be transported without undue suffering.” In industry parlance, these animals are termed “unfit” or “compromised.”

WSPA received several reports from different regions across Canada indicating that animals are frequently arriving at slaughterhouses and auctions emaciated, weak, crippled and with severe injuries.

Ontario

One report indicates that a farmer brought two sheep to be slaughtered at the Princeton Meat Market in Ontario with injuries so severe they should never have been transported. The following is the inspector’s description of what he saw:

“The two sheep had injuries. Sheep #1 had a dropped utter [sic] that had split opened from mastitis that was red, crusty, manure packed on it. the utter [sic] was almost touching the ground also limping on back right leg when walking. Sheep #2 both front hocks were curled under the front legs which made it very difficult to walk. The front legs were buckled underneath it almost overlapping each other. When it attempted to walk it could only use its back legs to move around with the front knees smacking onto the ground.”⁵⁰

The reports indicate that the inspector responded by giving the farmer a warning. WSPA views this response as inadequate given that Section 138 (2) (a) of the *Health of Animals Regulations* clearly prohibits the loading and transport of animals “that by reason of infirmity, illness, injury, fatigue or any other cause cannot be transported without undue suffering during the expected journey.”

⁵⁰ CFIA. Inspector Non Compliance Report (Short Form) for Princeton Meat Packers, Woodstock, District. Date reported: December 18, 2008.

⁵¹ CFIA. Inspector Non Compliance Report for Establishment 76, Viande Richelieu Inc. Massueville, QC. Date of occurrence: October 22, 2008. Time of occurrence: 8:30.

Quebec

At a slaughterhouse in Massueville, Quebec one horse arrived with blood gushing out of a severely swollen eye. The horse, which was transported with four others, was reported to have had difficulty getting up and staying balanced.⁵¹ According to the inspector's report, the horse was injured by the other horses during transport. The post mortem revealed that the horse had multiple contusions, lesions and signs of massive trauma. A Non Compliance Report was submitted in this case and enforcement action was recommended although not specified. In another incident, an injured horse arrived at this same plant after being transported for more than 21 hours. The horse was found to be favouring its left front hoof which was bloody and turned inward. The driver claimed the horse was fine prior to transit and downplayed the horse's limp and the possibility of bone fractures. The inspector found evidence that the injuries were present prior to transport and not caused by the other horses during transport. The inspector in this case gave the driver a warning for violating Section 138 (2) (a) of the *Health of Animals Regulations* for transporting a horse with a "Category 3 limp" over such a long distance as it caused the animal unnecessary suffering.⁵²

Inspection reports show that pigs arrived at six different slaughterhouses in Quebec crippled, emaciated or with severe injuries (including severe frostbite, distended abdomens, arthritis, swollen joints, an ulceration the size of a basketball, and sizeable wounds reportedly found around animals' rectums or genitals).⁵³ One sow had a 40 cm wound originating at the vagina.⁵⁴ Some of the injuries were reported as being necrotic, suggesting that the animals were likely injured before they were transported to slaughter. In one case, an animal was found in obvious pain; trembling, groaning and unable to walk. The report indicates that this animal was euthanized but does not indicate whether any enforcement action was recommended or taken. In most of the other cases, however, the inspector recommended that both the farmer and transporter be charged.

WSPA is pleased to see enforcement action is being recommended but questions how these animals arrived with such injuries? One inspector's report provides a clue. A report from an auction in Princeville, Quebec, describes a dead veal calf that had been bleeding from the rectum and left to die over night. The inspector's notes indicate the driver admitted forcing a stick into the calf's rectum to get the animal off the truck.⁵⁵ Using a stick in such a manner is, in WSPA's opinion, a clear offence under Section 62 (2) of the *Meat Inspection Regulations* which states that "No goad or electrical prod shall be applied to the anal, genital or facial region of a food animal." It likely also contravenes Section 139 (2) of the *Health of Animals Regulations* which states, "No person shall load or unload, or cause to be loaded or unloaded, an animal in a way likely to cause injury or undue suffering to it." In this case, the inspector recommended a fine be levied because of the improper use of the stick to move the animals.

⁵² CFIA. Inspector Non Compliance Report for Establishment 76, Viande Richelieu Inc. Massueville, QC. Date of occurrence: December 1, 2008. Time of occurrence: 10:20.

⁵³ CFIA. Inspector's Non Compliance Reports for six pig slaughterhouses in Quebec between October 3 to December 23, 2008.

⁵⁴ CFIA. Inspector's Non Compliance Report for Establishment 9, L.G. Hebert et Fils., Inc., Ste-Hélène De Bagot, QC. October 3, 2008.

⁵⁵ CFIA. Inspector's Non Compliance Report for Réseau Encan Québec SEC, Princeville, QC. November 20, 2008. Time of occurrence: 4:07 pm.

Alberta

Sixteen horses were transported to Canadian Premium Meats in Lacombe, Alberta. Several of these horses were described as being very thin and lacking a winter coat. They likely would have been in significant discomfort as the outdoor temperature was reported to be -15°C. One horse was described as “lame and was reluctant to move but was able to put some weight on the affected hind leg.” Instead of recommending enforcement action, a simple warning letter was sent. The inspector’s notes appear to justify this on the grounds that he lacked objective information in order to proceed with an action, and at any rate the transporter “had already left the plant when the animals were inspected.”⁵⁶

WSPA only received one page from a Non Compliance Report which indicated that a vehicle from the U.S. carried four crippled horses that were anxious and experiencing acute pain.⁵⁷ We did not receive any information indicating that the transporter was penalized.

An inspector in Walsh, Alberta reported a pig with splayed legs onboard a vehicle but allowed the animal to be transported to slaughter in Blumenort, Manitoba. This would be at least an 11 to 14 hour journey for the pigs, which were already transported four hours from the place of loading in Cayley, Alberta.⁵⁸ Section 138(2) of the *Health of Animals Regulations* prohibits the transportation of an animal that by reason of infirmity, illness, injury, fatigue or any other cause cannot be transported without undue suffering during the expected journey. The decision tree that has been produced to help inspectors, producers and transporters determine whether an animal should be transported clearly states that splayed pigs should be euthanized on the farm.⁵⁹ Even if the animal became injured on route, the animal should be taken to the nearest location to receive proper care or to be euthanized.

The Canadian Food Inspection Agency’s *Compromised Animals Policy* makes clear that it is an offence under Part XII of the *Health of Animals Regulations* and Part III of the *Meat Inspection Regulations* to unload a compromised or non-ambulatory animal. A non-ambulatory animal, also called a “downer” is defined as any livestock animal “that is unable to stand without assistance, or to move without being dragged or carried, regardless of size or age.” The policy was introduced by CFIA to put an end to the inhumane practice of dragging, pushing and otherwise moving animals that should be humanely euthanized or stunned on the spot. In introducing this policy, CFIA hoped to clarify the responsibility of owners and haulers and make clear that to load or unload non-ambulatory animals causes “undue suffering.”⁶⁰ However, WSPA received a number of reports indicating that non-ambulatory animals were being moved and sometimes under the inspector’s approval.

⁵⁶ CFIA. Inspector’s Non Compliance Report at Establishment 657, Canadian Premium Meats Inc., Lacombe, AB. Date of occurrence: January 9, 2009.

⁵⁷ CFIA. Page from Inspector’s Non Compliance Report. Date and Location unknown as other pages were not provided to WSPA.

⁵⁸ CFIA. Health of Animals Act. Health of Animals Regs Part XII. Humane Transportation Inspection. Walsh Alberta. October 30, 2008.

⁵⁹ Ontario Pork. *Caring for Compromised Pigs*. March 2003. p.3.

⁶⁰ CFIA. Compromised Animal Policy. www.inspection.gc.ca/english/anima/trans/polie.shtml

Saskatchewan

A truck transporting 56 bison from Windthorst, Saskatchewan to New Rockford, North Dakota was refused entry to the United States. CFIA's records indicate that the U.S. veterinary inspector refused the load "due to one bison being down in the belly [of the truck]." Noting that the "down bison got up by the time the trailer returned to the CFIA inspection station, but it was favouring one hind leg," the inspector allowed the other animals to be unloaded, at which point "the lame bison was isolated from the other animals." Following this, he apparently allowed the animal to be transferred to "an empty trailer coming back from the U.S." and "sent back to the farm of origin, which is about one and half hour drive from here."⁶¹ Since the farm was a short distance away, it is reasonable to question whether the injury was pre-existing. In all likelihood, this animal should never have been loaded in the first place. Furthermore, as the *Compromised Animals Policy* makes clear, it is inappropriate to allow this animal to be moved and transported back to the farm. WSPA questions why, if a United States Department of Agriculture (USDA) veterinary inspector rejected the load, there wasn't a CFIA veterinarian on the Canadian side of the border to see to it that the animal was humanely euthanized?

Nova Scotia

An inspector stationed at Atlantic Stockyards in Truro, Nova Scotia, reported having "noticed [the driver] appeared to be having some problems" with an older cow that had gone down "partways out of the truck in the truck ramp." According to the inspector's notes on the incident, the driver had "offered to take her back home and call deadstock to euthanize her, but she couldn't go back in the truck." It was 10:30 am when this transpired. The animal was eventually moved "to a sawdust pen" and was reported to be "unable to get up during the move."⁶² The report does not mention how the animal was moved, which is very difficult to do humanely, nor did it mention that moving a downed animal is a violation of the *Compromised Animal Policy*.

The inspector appears to have notified an employee at the sales barn and left a phone message with her supervisor as well as calling a veterinarian "to see if he was available to examine the cow." Told that two veterinarians were unavailable, the inspector continued with her other duties until 1:30 pm, at which point she returned to check on the cow and found "she was cast on her side and in distress."

At this point, the inspector reports having located the owner who agrees to have a veterinarian euthanize the cow. A few minutes later, the inspector encounters the vet; but the vet has not spoken to the owner and has no instructions. Shown the animal, the veterinarian asks the inspector if he should euthanize her. The inspector tells him this has to be the sales barn's decision, leaves for 10 minutes and returns to find the animal dead. The report concludes: "I'm not sure if she was euthanized or died on her own." By this time, the veterinarian had left and the owner was "busy doing a number of jobs." More than three hours had passed since the animal first went down.

⁶¹ CFIA. Health of Animals Act. Health of Animals Regs Part XII. Humane Transportation Inspection at North Portal, SK. December 16, 2008, 2:30 pm.

⁶² CFIA. Report of Inspector at Atlantic Stockyards Ltd. on December 4, 2008. Date of report: December 8, 2008.

Finding 4

Animals are left to suffer for prolonged periods in contravention of the regulations

WSPA received reports about a downed cow that was left to suffer for two nights after having been on the road for at least eight hours. The reports indicate that a shipment of cattle was loaded at 3 pm and would have arrived at an auction in Olds, Alberta close to midnight when there would have been no CFIA inspector present. After receiving information from several witnesses, a CFIA inspector surmised that the injured cow was dragged off of the truck the next afternoon and dropped onto a pile of dead animals at a rendering plant in Lethbridge.

An employee working at the plant later discovered the still-living animal, struggling to get up and showing signs that she was in pain. According to the record, he did nothing to alleviate her suffering and waited more than a day to report the incident to his supervisor. The animal, meanwhile, was left to suffer yet another night until she was discovered – still alive – by another employee the following morning. Using a Bobcat to push the pile of animals he thought were dead, he reported noticing the cow raise her head and vocalize as if in distress. This employee responded in the correct manner, immediately contacting his supervisor who directed him to arrange euthanasia. The cow was finally euthanized after suffering for at least 58 hours. The CFIA was informed of the incident the next day.

The Non Compliance Report simply mentions “Truck Driver” as the suspected violator.⁶³ An AMP was recommended under Section 139 (2) of the *Health of Animals Regulations* which states that “No person shall load or unload, or cause to be loaded or unloaded, an animal in a way likely to cause injury or undue suffering to it.” However, no record was provided to us by CFIA to indicate whether an AMP was imposed. Leaving an animal to suffer and die is simply unacceptable. WSPA believes CFIA should be communicating incidents like this to the appropriate local authorities (police, SPCA, provincial agriculture officers) so they can investigate to see whether federal or provincial animal cruelty laws have been violated. Local authorities may also be able to respond more effectively to alleviate the suffering of animals in distress.

In yet another incident, a sow with hind-end paralysis was left at the Atlantic Stockyards in Truro, Nova Scotia for at least three days. The inspector requested the sow be euthanized, but the order was not carried out until the next day, and it was left to a stockyard employee to verify that this was done.⁶⁴ Like the incident above, this incident may also engage certain federal or provincial animal cruelty laws and in WSPA’s opinion merits a more serious response from CFIA. It is WSPA’s opinion that the agency should either hire specially-trained inspectors focused on animal welfare and seek amendments to regulations in order to grant inspectors the authority to relieve animal suffering—including the authority to euthanize animals where necessary—or establish a new protocol requiring existing inspectors to work more effectively with provincial agencies such as the Society for the Prevention of Cruelty to Animals (SPCA).

⁶³ CFIA. Inspector’s Non Compliance Report at Southern Alberta Processing. Date of Occurrence: October 18, 2008. Date Reported: October 20, 2008.

⁶⁴ CFIA. Report of Inspector at Atlantic Stockyards Ltd., Murray Siding, NS. Date of Report: December 8, 2008.

Finding 5

A shortage of specially-trained animal welfare inspectors, particularly veterinarians, puts animal health and welfare at risk

During the parliamentary inquiry into the 2008 Listeriosis outbreak, many Canadians, including Members of Parliament (MPs), were left scratching their heads when CFIA stated they could not be sure how many meat inspectors were stationed at plants across the country.⁶⁵

WSPA had an equally challenging task in trying to find out how many animal inspectors were employed by CFIA. WSPA eventually received the numbers via an email from CFIA citing the Kelly Sears Report and CFIA Operation's Internal Review. It indicates that there are 980 meat inspectors (including 291 veterinarians) and 329 terrestrial animal health inspectors (including 195 veterinarians).⁶⁶ Considering the sheer numbers of animals involved and the many places that the animals are going to, the number of inspectors seems to WSPA to be woefully inadequate for ensuring the safety of meat produced in our country – let alone protecting animal welfare.

More than 700 million animals⁶⁷ are slaughtered and processed annually in Canada and there are 772 federally registered slaughter, processing and rendering plants.⁶⁸ CFIA animal health inspectors are also responsible for ensuring the health and welfare of animals transported to more than 430 provincially-registered slaughterhouses across the country and at border crossings. In addition to having a regular presence at these inspection locations, CFIA is also supposed to be conducting random inspections along highways.

WSPA has serious concerns regarding the overall shortage of CFIA food inspectors and especially the government's move towards greater industry oversight and deregulation, a move that has already been heavily criticized by both unions representing CFIA inspectors – the Public Service Alliance of Canada (PSAC) which represents all food inspectors including meat, and the Professional Institute of the Public Service of Canada (PIPSC) which represents the veterinarians.

⁶⁵ Sarah Schmidt. "CFIA can't track meat-inspector numbers". *Ottawa Citizen*. March 26, 2009. www.foodsafetyfirst.ca/2009/03/26/cfia-cant-track-meat-inspector-numbers/

⁶⁶ Email from CFIA WebMaster. Web Response ID:2010/4-688: Number of animal inspectors at CFIA? April 19, 2010.

⁶⁷ Canadian Meat Council. Industry Statistics. www.cmc-cvc.com/english/industry_statistic_e.asp

⁶⁸ CFIA. Number of meat establishments (slaughter, processing and rendering plants). Last accessed March 9, 2010.

Meat inspectors

A survey conducted by PSAC in four metropolitan centres across the country found that the average meat inspector is responsible for, on average, 4.6 facilities, making it impossible to ensure the industry is compliant with food safety regulations. Meat inspectors have workloads that “were too heavy to properly do their jobs.”⁶⁹

The PSAC’s agriculture union has also criticized new procedures that have significantly reduced the inspectors’ time monitoring meat production lines, while increasing the amount of paper work.⁷⁰ For example, the inspector responsible for the Maple Leaf Foods Plant at the centre of the 2008 Listeriosis outbreak was responsible for six other facilities.⁷¹ An analysis done by the CBC and Toronto Star found that inspectors at the facility spent an average of two hours per day and as little as 15 minutes inside the plant in the months leading up to the outbreak; most of their time being spent on administrative tasks.^{72 73}

From the testimonies given at the Parliamentary Subcommittee on Food Safety, it seems obvious that CFIA is critically under-staffed and under-resourced. Bob Kingston, President of PSAC’s agriculture union and former CFIA inspector, believes the critical shortage of inspectors was a major factor contributing to the deadly Listeriosis outbreak saying, “until they fix that problem, they’re gambling ... in a reckless way.”⁷⁴

Animal inspectors

It may shock some people to learn that CFIA inspectors, responsible for ensuring the health and welfare of farm animals, are not authorized to euthanize or relieve animals found in critical distress. Only CFIA veterinarians are able to determine if an animal should be euthanized, but even they are not authorized to actually do the euthanasia.

The *Meat Inspection Regulations* require that if an operator or an inspector who is not an official veterinarian suspects that an animal shows a deviation from normal behaviour or appearance, the animal shall be held and referred to an official veterinarian for a detailed inspection and instructions regarding its disposition. The CFIA veterinarian must decide on the disposition of the animal, based on humane considerations and on the presence of adequate facilities and competent personnel to protect the animal from additional suffering.⁷⁵

⁶⁹ PSAC news release. “Meat Safety Inspection spread too thin”. May 25, 2009.

⁷⁰ “Food safety agency allowing producers to police themselves: ex-inspector”. *CBC News* August 27, 2008. www.cbc.ca/consumer/story/2008/08/27/food-safety.html

⁷¹ PSAC news release. “Meat Safety Inspection spread too thin”. May 25, 2009.

⁷² David McKie. “Inspectors averaged 2 hours a day inside listeria-infected plant.” *CBC News* Last updated June 11, 2009. <http://www.cbc.ca/canada/story/2009/06/10/listeria-inspectors-maple-leaf.html>

⁷³ Robert Cribb. “Meat inspection lasted less than two hours a day.” *Toronto Star* June 11, 2009.

⁷⁴ Ibid.

⁷⁵ CFIA. Compromised Animal Policy. www.inspection.gc.ca/english/anima/trans/polie.shtml

Underlying these policies is an assumption that a veterinarian can be quickly located to ensure that an animal will be humanely dispatched with minimal suffering. Unfortunately, as WSPA has come to learn, a veterinary inspector may not be readily available. Instead, it would seem the decision to euthanize an animal is left up to the company that owns the animal. In WSPA's opinion, this is unacceptable if it means that animals are left to suffer unnecessarily for long periods.

WSPA has significant concerns about The Modernized Poultry Inspection Program (MPIP) which allows slaughterhouse workers to make important food safety decisions, such as identifying carcasses that may not be suitable for human consumption, while (according to a *Toronto Star* report), the veterinary inspector may observe the slaughter line for as little as 40 minutes per day.⁷⁶

In February 2009, PIPSC sought a judicial review of the new poultry inspection program saying it compromised their ability to ensure food safety by downloading more responsibility on unqualified company staff; relegating veterinarians to doing little more than monitoring the company's paper work.⁷⁷

In a letter to the Chicken Farmers of Canada, Michèle Demers, former President of PIPSC's Bargaining Unit wrote, "there is at least the appearance of conflict of interest where an unsupervised company employee rejects birds on behalf of his own employer."⁷⁸ The new system is already in place in 35 federally registered poultry establishments in Canada and quickly replacing the "traditional" inspection system.⁷⁹

Searching the names of the inspectors identified in the documents on the Government Electronic Directory Services (GEDS),⁸⁰ enabled WSPA to match their names with their job position or title. CFIA inspectors responsible for enforcing the *Health of Animals Regulations* hold many different positions. While several are "Animal Health Inspectors", others are referred to as "Multi-Commodity or Multi-Program Inspectors", some are "Meat Inspectors." WSPA also received reports written by at least two individuals identified in the GEDS as "Feed Specialist" and one identified as an "Administrative Assistant." Given their multiple responsibilities and duties in the broad field of food inspection, WSPA is concerned that these inspectors may not have sufficient animal welfare knowledge or experience since it is not one of their core duties. The inconsistency in inspector qualifications impacts how reports are written and raises concerns about the way in which the health and welfare of animals is being assessed and handled.

⁷⁶ Robert Cribb. "Vets target meat inspection plan." *Toronto Star* Feb 5, 2009.

⁷⁷ Ibid.

⁷⁸ Michèle Demers. Letter to the Chicken Farmers of Canada on behalf of the Veterinary Medicine Group Bargaining Unit. November 13, 2007.

⁷⁹ Email Correspondence from Dr. Martin Appelt, National Manager of Policy Development, Meat Programs Division, CFIA. April 20, 2010.

⁸⁰ Government Electronic Directors Services. <http://sage-geds.tpsgc-pwgsc.gc.ca/cgi-bin/direct500/eng/TE?FN=index.htm>

Few animals inspected

In reviewing the reports, it becomes clear that most inspectors are only examining a small number of animals and trucks arriving at each facility. For example, the records received suggest that less than half of the auctions in Alberta were inspected during a three-month period and those that were inspected appear to have been visited only once or twice during this time.⁸¹ In Ontario, CFIA typically spent less than an hour inspecting animals arriving at provincial slaughterhouses, livestock auctions and assembly yards. According to Twyla Francois, Head of Investigations for Canadians for the Ethical Treatment of Food Animals (CETFA), this would not be sufficient time to inspect all of the animals even at the smallest facilities. The average pig trailer, according to Francois, takes at least 35 minutes to unload. Since WSPA only received one or two inspection reports for several facilities, we question whether these places were only inspected once during the three-month study period?⁸² And if inspections are more frequent, why haven't we received all of the reports that we requested more than 18 months ago?

Investigative reports produced by Animals Angels and CETFA note serious animal welfare problems at livestock auctions and collection stations. In some cases the reports indicate that no inspectors were present at the time of the investigation. Animals Angels visited sales barns in Ontario throughout 2005 and found several violations of the *Health of Animals Regulations*, including pigs pulled out of their transport crates by a rope, a goat dragged into the auction ring by the horns and animals beaten in the face and other areas with prods and canes, just to name a few, and all without an inspector present.⁸³

Inspectors are spread too thinly

In many cases, entire sections of the reports WSPA received were simply not filled out. In others, inspectors failed to record even the most basic information such as the location, date, time and/or weather conditions at the time of the inspection. In some cases, the inspector didn't include their name. Some reports indicated that the driver's log books were not examined.

WSPA believes that one possible reason for this poor reporting is the number of locations that inspectors are required to visit. For example, one Animal Programs Inspector working in Ontario's Southwestern District submitted reports for nine different locations (eight slaughterhouses and one assembly yard). Another Multi Programs Inspector working in Ontario's Walkerton District is responsible for inspecting 14 locations (slaughterhouses and assembly yards). Most of this particular inspector's reports are missing information, including information

⁸¹ CFIA. Animal Transportation Inspection Reports for 15 inspection locations in Alberta between September 10, 2008 and January 7, 2009.

⁸² CFIA. Animal Transportation Inspection Reports for 659 vehicles at 63 inspection locations in Ontario between October 5, 2008 and January 8, 2009.

⁸³ Animals' Angels e.V. Inadequate inspection of Ontario livestock markets and inadequate animal welfare legislation protecting animals at livestock markets and the consequential result of excessive animal suffering and lacking infrastructure. August 2006.

about the origin or destination of the animals and their weight and class. This inspector appears to inspect very few vehicles and animals at each facility, and on at least five occasions between October and December arrived after most or all of the animals had been unloaded.⁸⁴

Inspectors responsible for ensuring compliance with regulations at the Temiskaming Livestock Exchange in New Liskeard included a notation in some of their reports that they did not stay for the auction or complete their inspection so as not to incur overtime.⁸⁵ One report indicated that the inspectors were not able to arrive at the auction in time to see the animals unloaded because they were at a slaughterhouse prior to this and could not get there any sooner.⁸⁶

Most concerning of all are those cases where records make clear that the inspector left an animal that was in distress in order to carry out other responsibilities. It is unacceptable in our view that inspectors should be so busy they cannot remain on site long enough to see their euthanasia orders are carried out.

⁸⁴ CFIA. Animal Transportation Inspection Reports at Ideal Meats on October 8, 2008 at 8:35, Keady Livestock Market on October 10, 2008 at 7:04 and on December 16, 2008 at 9:42, Beefway on December 10, 2008 at 10:50, Bentick Packers on October 7, 2008 at 8:50, Dundalk Custom Poultry on December 12, 2008 at 8:20, Grey County Meats on October 9, 2008 at 9:20, Hi-view on December 8, 2008 at 10:35, Elora Road Meats on November 6, 2008 at 9:00 and on January 8, 2009 at 9:35.

⁸⁵ CFIA. Report of Inspectors at Temiskaming Livestock Exchange on December 8, 2008, January 12, and January 19, 2009.

⁸⁶ CFIA. Report of Inspector at Temiskaming Livestock Exchange on January 12, 2009.

Finding 6

CFIA's reporting and enforcement are often weak and inconsistent

Standing before the House of Commons agricultural committee, a CFIA official said there was a greater than 98 per cent compliance rate for the 2006 to 2007 fiscal year when 36,435 humane transport vehicle inspections were conducted.⁸⁷ However, it is WSPA's opinion that CFIA's own records tell a different story. The sample of documents CFIA supplied to us indicates that the actions taken to enforce the *Health of Animals Regulations* are often weak and inconsistent.

WSPA received Animal Transport Inspection Reports from 112 different inspection locations in Alberta, Saskatchewan, Manitoba and Ontario. The majority of these reports documented inspections at livestock auction markets and provincially-registered slaughterhouses. In many cases where animal welfare problems were noted, the only enforcement action specified was a verbal warning or education provided through a pamphlet. Sometimes loads were even marked as compliant, despite problems having been noted.⁸⁸ This is true even in cases where clear violations of the regulations occurred.

For example, one report notes an incident in which two goats were transported to a sales barn in feed bags in the back of a pick-up truck. The inspector responded by giving the driver an information pamphlet.⁸⁹ At Keady Livestock Market in Tara, Ontario, 21 rabbits appear to have been transported in the trunk of a car and yet the load was marked as compliant.⁹⁰

Depending on which inspector is completing the report, there is a fair degree of inconsistency in what is considered non-compliant. Some reports detail a number of problems, even going so far as to reference the sections of the regulations that pertain to the incidents, but still conclude that the trailer or shipment in question was compliant. The worst example, in WSPA's opinion, was a bumper-hitch trailer carrying a ram that did not have any holes to allow air into the compartment. Yet it was marked as being compliant with federal humane transport regulations.

Written under the comment section of one report from a provincially-inspected slaughterhouse in Ontario is "Sheep tied in back of pickup (covered)". This would appear to be a serious animal welfare problem as well as a non-compliance issue, but the inspector did not report that there was a problem or that further action was required.⁹¹ Another inspector stationed at East 40 Packers in Brandon, Manitoba noted that the "pigs were cold" and the "unloader" was not doing a good job of unloading because he was "worked up." Despite having expressed these concerns, the inspector still marked the driver as being compliant.⁹²

⁸⁷ Evidence presented by Catherine Airth, Acting Associate Vice-President, Operations at CFIA. Standing Committee on Agriculture and Agri-Food. 39th Parliament, 2nd Session. Meeting No. 41. Tuesday, June 17, 2008.

⁸⁸ CFIA. Animal Transportation Inspection Reports for 112 different inspection locations in Alberta, Saskatchewan, Manitoba and Ontario, completed between October 2008 and January 2009.

⁸⁹ CFIA. Animal Transportation Inspection Report at Brussels Livestock, Huron County, ON on December 4, 2008.

⁹⁰ CFIA. Animal Transportation Inspection Report at Keady Livestock Market on December 2, 2008.

⁹¹ CFIA. Health of Animals Act. Health of Animals Regs Part XII. Humane Transportation Inspection at Agrams on October 28, 2008, 9:26.

Animals are arriving crippled and dead and inspectors are not reporting it as a problem or a non-compliance issue

One inspector stationed at Prairie Abattoir in Portage La Prairie, Manitoba marked a load containing a downer pig as compliant with regulations despite commenting that the animal was probably injured during transport.⁹³ Another shipment containing three crippled pigs out of a load of 31 was marked as compliant but the inspector noted it as a minor problem. The inspector described the action taken as “management spoke to driver.”⁹⁴

A truck arrived at Toronto Abattoirs Ltd. with “some pigs that were moving slowly and three subject hogs (cripples) were found inside the truck.” While the animals were only transported a short distance from a nearby farm, they were not unloaded and inspected for another two hours. There is no mention in his report of a violation or enforcement action.⁹⁵

Three trucks arrived at this same downtown Toronto slaughterhouse over a three-hour period on November 12, 2008 with one dead pig in each load, but the inspector did not report this as a problem.⁹⁶ In total, seven pigs arrived dead and five arrived crippled out of the reports received documenting 19 vehicle inspections in three months.⁹⁷ WSPA did not receive any Non Compliance Reports for these incidents, causing us to question whether these problems were ignored.

Quebec

We do have some indication of what actions were taken in Quebec with respect to the two Non Compliance Reports we received. The first, from the inspector at Lilydale in Mirabel, recommended that the slaughterhouse, supplier and transporter be held liable for overcrowding birds in crates after inspecting a load in which 318 chickens (3.1 per cent of the load) were found dead. Just over half of the crates on the truck contained 14 birds each. The report says the slaughterhouse directed the hauler to overload the crates and since the supplier and transporter agreed, the inspector recommended they be held accountable too.⁹⁸ The very act of packing 12 to 16 birds into one .5 m² crate appears to us to be recognized, in this case, as the root cause of the DOAs and a clear violation of Section 140 of the *Health of Animals Regulations* which prohibits overcrowding. Depending on the birds' weight, this may also be considered unacceptable according to the *Recommended Code of Practice for Transport*.

⁹² CFIA. Animal Transportation Inspection Report at Man 27, East 40 Packers. December 31, 2008.

⁹³ CFIA. Animal Transportation Inspection Report at Prairie Abattoir, Portage La Prairie, MB. January 5, 2009.

⁹⁴ CFIA. Animal Transportation Inspection Report at Prairie Abattoir, Portage La Prairie, MB. December 10, 2008.

⁹⁵ CFIA. Health of Animals Act. Health of Animals Regs Part XII. Humane Transportation Inspection at Establishment 014, Toronto Abattoirs Ltd., ON on October 6, 2008 at 12:49 pm.

⁹⁶ CFIA. Health of Animals Act. Health of Animals Regs Part XII. Humane Transportation Inspections at Establishment 014, Toronto Abattoirs Ltd., ON on November 12, 2008 at 9:00, 10:50 and 11:45 am.

⁹⁷ CFIA. Health of Animals Act. Health of Animals Regs Part XII. Humane Transportation Inspections at Establishment 014, Toronto Abattoirs Ltd., ON on October 6, 2008 at 12:49 pm, November 12, 2008 at 9:00, 10:50 and 11:45 am, November 17, 2008 at 11:10 am, December 31, 2008 at 8:00 am.

⁹⁸ CFIA. Inspector's Non Compliance Report at Lilydale Inc., Mirabel, QC. Date reported: November 6, 2008.

Packing 12 to 16 birds in a .5 m² crate does not, however, appear to be an uncommon practice, according to the CFIA poultry records we reviewed. WSPA found that most inspectors did not report overcrowding as a problem simply because chickens were loaded beyond the recommended maximum. In fact, some didn't even bother to fill out the section of the report where the average weight and number of birds per crate is supposed to be recorded.

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The second Non Compliance Report was completed by an inspector stationed near Exceldor Cooperative in St-Anselme. The inspector reported a high number of DOAs on two loads headed to the slaughterhouse (443 dead chickens/4.4 per cent of load and 733 dead chickens/7.2 per cent of load). The inspector recommended a warning if it was the company's first offence – otherwise a fine was recommended.⁹⁹ WSPA believes that while a warning might be suitable if the truck was just over the threshold, it is an insufficient enforcement response when DOA rates are this high.

New Brunswick

In response to high DOA rates at Nadeau Poultry in New Brunswick, the inspectors either reported the shipment to be compliant or did not complete the section in the Poultry Vehicle Transportation Inspection Reports where they are meant to indicate compliance.¹⁰⁰ WSPA was pleased to learn that despite this failure to properly complete the inspection reports, all five shipments in question were identified in the Non Compliance Reports, as being in violation of Section 143 (1) (d), which stipulates that animals may not be transported if “injury or undue suffering” results from “undue exposure to the weather.”¹⁰¹

Ontario

Four out of six shipments arriving at Chai Poultry with more than one per cent of the load dead were reported as non-compliant; however, WSPA was not provided with copies of the corresponding Non Compliance Reports for these incidents and so cannot verify whether penalties were recommended or pursued. However, a shipment in which 402 birds (5.36 per cent) arrived dead was reported as being compliant, despite the inspector's comments that a number of birds were frozen.¹⁰² Another shipment in which 142 birds (2.19 per cent) arrived dead was also marked as compliant despite the inspector's note that the “birds were a little bit distressed.”¹⁰³

⁹⁹ CFIA. Inspector's Non Compliance Report between the farm and St-Anselme, QC on November 13, 2008.

¹⁰⁰ CFIA. Poultry Vehicle Transportation Inspection Reports at Nadeau Poultry Farm Ltd., Saint-Francois, NB on October 28, 2008 at 7:45 am, December 8, 2008 at 6:46 am, December 22, 2008 at 12:47 pm, 4:47 pm, 9:48 pm.

¹⁰¹ CFIA. Inspector's Non Compliance Reports (short form) at Nadeau Poultry Farm Ltd., Saint-Francois, NB. Signed by Supervisor on January 6, 12, and 28, 2009.

¹⁰² CFIA. Poultry Vehicle Transportation Inspection Report at Establishment No. 024, Chai Poultry Inc., Toronto, ON on December 23, 2008 at 6:45 am.

¹⁰³ CFIA. Poultry Vehicle Transportation Inspection Report at Establishment No. 024, Chai Poultry Inc., Toronto, ON on January 7, 2009 at 6:45 am.

In response to high DOAs (between 2.1 and 9.19 per cent) on trucks arriving at Sure Fresh Foods in Bradford, Ontario, the inspector wrote that “QA” or “QC” will be advised to provide an investigation report. WSPA interprets this to mean that the company’s own Quality Assurance or Quality Control Department was asked to investigate their business partners or perhaps themselves (as sometimes the transportation company and the farm are owned by the processor). In light of these unacceptably high DOA numbers, WSPA believes that CFIA should itself investigate and pursue charges against the parties involved. Some of the trucks had left their tarps completely open on one side, exposing the birds to the inclement weather. Not surprisingly, many birds were reportedly wet, damp, dirty and frozen.¹⁰⁴ We did not receive Non Compliance Reports for any of these incidents or any evidence that these loads were reported as being in violation of the regulations.

WSPA also received copies of emails sent to a CFIA inspector from a representative of Sargent Farms providing the number of birds in each truck and the number found dead.¹⁰⁵ Since the information comes to us in the form of an email rather than a report, we are missing pertinent information such as the inspection location, origin of the birds, transportation duration, temperature, loading density, condition of the birds and whether the shipment was considered to be compliant with regulations. According to the information provided, ten trucks arrived with more than one per cent DOAs. As these loads would typically be considered non-compliant or at least warrant further investigation, WSPA questions why we did not receive any evidence that regular inspections and more comprehensive reporting are occurring at this plant.

While the frequency of trucks arriving with high numbers of dead birds is a serious problem, it should be noted that most reports showed much lower DOA percentages. However, in many cases, the inspector completing the report indicated that the numbers of dead and condemned birds were not verified. As was discussed in “Finding 5”, recent changes made to the poultry inspection process at some plants allow company employees to do some of the inspection activities previously done by CFIA. WSPA is concerned that CFIA may simply be recording DOA numbers provided by truck drivers or plant employees because there would be no way to ensure that the numbers provided were accurate.

CFIA inspectors face pressure on the job from those they inspect

Many slaughter facilities process thousands of animals each month. Since they work side-by-side with the animal handlers, truck drivers, and stock keepers day-in and day-out, inspectors may be reluctant to pursue charges or even lesser actions such as Administrative Monetary Penalties (AMPs). Some inspectors even face resentment, hostility or intimidation for doing their jobs. For example, WSPA received an inspection report mentioning an incident in which sales barn staff drove a young bull down an alley towards a veterinary inspector. The report mentions “She ducked into a pen at the last minute, just avoiding injury.”¹⁰⁶

¹⁰⁴ CFIA. Health of Animals Act. Health of Animals Regs Part XII. Humane Transportation Inspection at Establishment 071, Sure Fresh Foods, Bradford, ON. December 6, 2008 at 10:45, December 8, 2008 at 6:30, December 9, 2008 at 9:45 and 11:30, December 11, 2008 at 15:30 and 5:15 pm and December 31, at 2:00 pm.

¹⁰⁵ Email correspondence from anonymous person with “@sargentfarms.ca” email address to Kevin Whitman, Animal Health Programs Inspector at CFIA on November 4, December 2, and December 3, 2008.

¹⁰⁶ CFIA. Report of Inspector. Temiskaming Livestock Exchange. January 26, 2009.

Union representatives have reported that many veterinarians quit because of the stress.¹⁰⁷ Some inspectors have courageously spoken out about this problem and are trying to make changes, like Dr. Scott Frazee, the head veterinarian at Larsens Packers Ltd., in Berwick, Nova Scotia. Owned by Maple Leaf Foods Inc., it is one of the largest slaughterhouses in Atlantic Canada, processing 2,000 hogs per day. The CFIA suspended Dr. Frazee from the kill floor after receiving complaints from the plant manager and hog producers that he was rejecting too many hogs. The adjudicator for the Public Service Labour Relations Board ruled that the attempts to remove Dr. Frazee amounted to “harassment and coercion.”¹⁰⁸

The board heard that this was a frequent occurrence at CFIA. Maureen Harper, Vice-President of the Professional Institute of the Public Service of Canada (PIPSC) at the time, wrote in a letter:

“Plant management makes a complaint to CFIA if they perceive a vet is too stringent in performing his duties, which causes an economic loss to the plant and CFIA pulls the vets from the job to keep the industry happy. And we dare call ourselves a regulatory Agency!”¹⁰⁹

A group of hog producers had warned CFIA that if Dr. Frazee was not suspended, they would take their hogs to other facilities.¹¹⁰ News reports indicate that Larsens Packers closed the Berwick plant on March 26, 2010.¹¹¹

Twyla Francois, an investigator who has conducted farm animal welfare investigations in Canada for Animals’ Angels and Canadians for the Ethical Treatment of Food Animals, reports having witnessed first-hand CFIA inspectors being heckled and whistled at and even physically obstructed from doing their job.¹¹²

¹⁰⁷ Paul Waldie. “Meat inspector’s rigorous standards led to beef with bosses.” *Globe and Mail* May 16, 2006. www.healthcoalition.ca/cfia2006.pdf

¹⁰⁸ Ibid.

¹⁰⁹ Ibid.

¹¹⁰ Ibid.

¹¹¹ “NS: Larsen’s to cease Berwick fresh pork operations.” *Daily Business Buzz*. February 24, 2010. www.dailybusinessbuzz.ca/2010/02/25/ns-larsen%E2%80%99s-to-cess-production-of-fresh-pork-operations-at-berwick-plant/

¹¹² Personal Communications with Twyla Francois, Head Investigator, Canadians for the Ethical Treatment of Food Animals. March 16, 2010.

It is perhaps not surprising, given the large sums of money that must be involved, that CFIA inspectors would face pressure to keep the animals and trucks moving and not otherwise impede the flow of commerce. Our concern is that CFIA inspectors might be less inclined to write up loads as “non-compliant” and may begin to look the other way. There is some evidence this may already be happening. Francois reports having observed a CFIA inspector “standing idly by while a sow was beaten with a pipe because she was hesitant to enter an extremely small pen.”¹¹³ This same incident was captured on film in an episode of Radio-Canada’s *Enquete* entitled “Bêtes à bord.”¹¹⁴

Punishments are inadequate and don’t serve as deterrents

Violations of the *Health of Animals Regulations* can either result in an AMP or prosecution which can lead to a stiffer penalty. While there is no public registry of all the AMPs issued, very few cases brought before the Agricultural Review Tribunal would appear to concern animal welfare. The total value of fines given for violations of the *Health of Animals Regulations* in 2006 was a mere \$221,800 across the country with individual fines ranging from \$500 to \$2,000.¹¹⁵ WSPA believes that such paltry sums can hardly be viewed by the large slaughter, transport and production companies as a strong deterrent. They are more likely to be viewed as the cost of doing business.

According to the prosecution bulletins posted on CFIA’s website, there was only one conviction under the *Health of Animals Act* related to animal welfare between January 2008 and March 2010. Prairie Pride Natural Food Ltd and Bruce Arabsky were fined \$44,000 for transporting chickens for longer than 36 hours (from Saskatchewan to BC) without food, water and rest and in overcrowded conditions, resulting in a large number of birds dead.¹¹⁶

¹¹³ Ibid.

¹¹⁴ “Bêtes à bord” *Radio-Canada*. February 21, 2008.

¹¹⁵ Assessed Monetary Penalties. Humane Transport Health of Animal Regulations. FY 2006-07. Faxed by CFIA on September 27, 2007.

¹¹⁶ CFIA. Prosecution Bulletins. www.inspection.gc.ca/english/corpaffr/projud/projude.shtml

Finding 7

Animals suffer as a result of poor driver training

The EU requires drivers and any attendants to hold a certificate of competence, obtained after comprehensive training on animal welfare and passing an exam.¹¹⁷ There are no mandatory requirements for animal haulers in Canada to be trained in humane handling or animal welfare.

One driver who transported a pig with a distended abdomen and overly rounded back said he didn't know that he had the right to refuse to transport an injured animal.¹¹⁸ He was reported to have also been given a verbal warning by CFIA the day prior for loading pigs on the upper level of the trailer causing their bodies to touch the ceiling.¹¹⁹

In three separate incidents, drivers transporting pigs to Toronto Abattoirs Ltd. did not know how many animals were in the truck even though they are required to not only know this information but record it pursuant to Section 151 (1) of the *Health of Animals Regulations*.

One inspector at a livestock auction in Ponoka, Alberta, noted that the driver "didn't seem too concerned" when she spoke to him about the weak cull dairy cow on his truck.¹²⁰ WSPA is similarly concerned that the driver who left the downed cow to suffer and die at a rendering plant in Lethbridge, Alberta may not appreciate fully, or even at all, the way in which his actions contributed to the animal's suffering. It is also possible that he does understand but does not care. The same could be said about the driver who reportedly loaded and transported a severely injured horse for more than 20 hours and then downplayed the animal's injury to the inspector.

Since poor welfare is often due to lack of education or understanding of animal welfare, WSPA believes it is of utmost importance to establish mandatory training requirements for drivers and other people handling animals. Animal owners and/or transport companies should put in place financial incentives to reward haulers and plant employees for low numbers of DOAs and for good animal handling, and financial penalties should be issued for poor handling, abuse, high numbers of DOAs or for loading compromised animals. It should be possible to revoke licences for those who repeatedly violate regulations.

¹¹⁷ Europa. *Animal welfare during transport*. Summaries of EU legislation: Council Regulation (EC) No1/2005 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) No 1255/97. http://europa.eu/legislation_summaries/food_safety/animal_welfare/f83007_en.htm

¹¹⁸ CFIA. Inspector's Non Compliance Report at Establishment No. 80, ATrahan Transformations. Date reported: April 16, 2008.

¹¹⁹ Ibid.

¹²⁰ CFIA. Animal Transportation Inspection Report. VJV, Ponoka, AB. December 10, 2008, 2:35.

Conclusions

WSPA concludes that farm animals are suffering unnecessarily because of ineffective legislation and lax law enforcement.

Animal welfare isn't high on the list of priorities

The CFIA's guiding principles state that "compliance with the humane transportation of animals sections of the *Health of Animals Regulations* ...is mandatory," that inspectors "should examine every suspected violation of which they have knowledge" and that "the welfare of animals involved in incidents of non-compliance...shall be the primary concern and principal factor considered when selecting and applying enforcement responses." Yet, in WSPA's opinion, report after report provided by CFIA shows the contrary.

According to CFIA, two to three million animals die during transport each year. When the number of animals arriving dead, injured sick and distressed are expressed in percentages and statistics, it is easy to forget that we are talking about living, breathing animals that have the capacity to suffer and feel pain. The welfare of these animals, both those that die during transport and those that live until delivered to the slaughterhouse, can only be regarded as compromised.

Based on our review of the CFIA documents, WSPA concludes that, for whatever reason—whether it be a lack of inspectors and veterinarians, a lack of proper training to ensure a higher and more consistent level of enforcement, or pressure to turn a blind eye to violations or non-compliance and keep the trucks moving—animal welfare is being forced to take the back seat. We believe this can and must change. The CFIA must begin to consider their responsibility to ensure the welfare of all animals and to diligently enforce their regulations.

Canada's animal transport regulations need to be updated – amendments are long overdue

The animal transport regulations under the *Health of Animals Act* are in urgent need of revision. Since these regulations were promulgated in 1975, there has been significant advancement in both transport technology as well as scientific research on the welfare of animals during transport. Fortunately CFIA recognizes this and has already conducted an extensive stakeholder consultation. However, it is unclear when, or if, the regulations will be revised, even though these consultations began a decade ago.

CFIA is understaffed

It becomes quite clear in reviewing these materials that CFIA is understaffed. Many of the reports are incomplete, and where entries have been recorded, many appear rushed. Enforcement responses to violations of regulations within CFIA's mandate appear to be equally inconsistent and uniformly weak. If inspectors lack sufficient time to watch the unloading of animals, and feel pressed to complete the necessary paperwork, it is not surprising they are reluctant to recommend further enforcement action. Unable to be everywhere at once, WSPA believes that inspectors have resorted to recording DOA numbers based on unverified figures supplied by the companies they are inspecting. This practice is in our view unacceptable and must end.

All of this raises serious concerns about CFIA's ability to fulfill their regulatory mandate, to ensure the humane transport and slaughter of animals reared for food and to safeguard Canada's food supply. While WSPA is sympathetic to the plight of over-worked CFIA inspectors, we feel that it is unacceptable that serious regulatory violations that compromise animal welfare be marked as compliant or resolved by handing an information pamphlet to those involved. As most violations result in, at worst, a fine or Administrative Monetary Penalty, we suspect that most of the animal owners, drivers, stockyards and slaughterhouses view the payment of these fines as just another cost of doing business. If offenders were penalized more often and if the fines were higher, WSPA suspects the number of animals arriving dead, sick or injured would not be so high.

CFIA doesn't have the capacity to use an outcome-based approach

There is considerable scientific evidence to argue that the duration of the journey is one of the primary variables that needs to be controlled to reduce animal suffering and deaths due to transport stress.¹²¹ However, it is our understanding that CFIA is not considering any serious reductions in transport times, despite recommendations from WSPA, and other animal welfare advocates, including the Canadian Coalition for Farm Animals, the Canadian Federation of Humane Societies, the British Columbia SPCA and the Ontario SPCA.

Instead, CFIA is proposing to amend the regulations based on an outcome-based approach.^{122 123} Rather than establishing mandatory standards to stipulate the conditions animals can be transported in, they may permit poor conditions so long as the animals can walk off the trucks.

WSPA believes that this approach will serve no one well, least of all the animals. Instead of enforcement action beginning only after animals have arrived lame, emaciated, dehydrated or dead, and penalizing (or educating) those responsible, WSPA believes clear regulations governing vehicle design requirements, driver training requirements, maximum loading densities,

¹²¹ M.C. Appleby et al, 2008.

¹²² Alberta Farm Animal Care Council. "Proposed Amendments to Canada's Health of Animals Regulations" in *Livestock Welfare Insights*. Issue 8. Summer 2007. <http://www.afac.ab.ca/insights/07summer/healthofanimals.pdf>

¹²³ Martin Appelt. "An outcome based approach to animal welfare during transport." CFIA Presentation at *Delivering Animal Welfare and Quality: Transparency in the Food Production Chain*. October 8-9, 2009, Ultuna, Uppsala, Sweden.

food, water and rest intervals would be more effective. These things are all very important to preventing animals from suffering.¹²⁴

By establishing clear input-based guidelines as they have in European countries and elsewhere, the number of serious animal welfare problems during transport and slaughter will be reduced, as will the number of animals arriving injured, ill and dead. This has benefits for the animals. It also will benefit livestock producers, stockyard, auction and slaughterhouse operators as well as livestock haulers, because they will have clear guidelines to follow and know exactly what is expected of them.

Outcome-based regulations would be useful if there were a rigorous testing regime to determine if animals are dehydrated, stressed or injured. However, if CFIA doesn't have the capacity to ensure compliance with the current basic regulations, WSPA believes it unlikely that they have the ability to do the more rigorous testing required for outcome-based regulations to work properly.

Other concerns

According to experts, the most serious animal welfare problems during transport occur when cull breeding animals are transported.^{125 126} Cull animals are animals that are sent to slaughter at the end of their productive lives as a means of recovering what little value they have left if processed for meat or other uses (i.e. retired dairy cows and breeding animals and spent hens). These animals are more likely to suffer and die during transport and tend to be subjected to long distance journeys because there are fewer markets for the lower value products.

Investigations conducted by Animals Angels and Canadians for the Ethical Treatment of Food Animals (CETFA) since 2005 have found one to two dead or downed pigs on every single vehicle carrying cull sows and boars.^{128 129} According to an investigator who has conducted farm animal welfare investigations for both of these organizations, this is a standard business practice accepted by CFIA and encouraged by some insurance companies who compensate for the loss of animals during transit, even if the death is not accidental. The fact that animals may be worth more dead than alive provides a disincentive for euthanizing an animal on the farm that would otherwise be deemed unfit for transport. This problem is not confined to Canada. It is for this very reason that the European Commission's Scientific Committee on Animal Health and Animal Welfare (SCAHAW) recommended putting an end to mortality insurance. Their recommendation does not refer to road accident insurance.¹³⁰

¹²⁴ WSPA. *Recommended Changes to Animal Transportation Regulations in Canada*. Submitted to CFIA. July 31, 2006. Available on request.

¹²⁵ Temple Grandin. "Perspectives on transportation issues; the importance of having physically fit cattle and pigs." *J. Anim. Sci.* 2001. 79 (E.Suppl.): E201-E207. www.grandin.com/behaviour/perspectives.transportation.issues.html

¹²⁶ Geoff Urton and Alyssa Bell Stoneman, BC SPCA. Roundtable on Farm Animal Transport in Canada: Report of Proceedings. World Veterinary Congress. Vancouver, BC. July 30, 2008.

¹²⁷ Ruth C. Newberry et al., 1999. p.20.

¹²⁸ Personal Communications with Twyla Francois, Canadians for the Ethical Treatment of Food Animals. April 19, 2010.

¹²⁹ Animals' Angels e.V. Investigation at Grunthal Livestock Auction/Pig Collecting Station – Full External Report. 2006.

¹³⁰ SCAHAW, 2002.

Canadians support stronger animal transport regulations

According to a January 2008 Harris/Decima poll, the Canadian public is strongly in favour of changing federal animal transport regulations to reduce animal suffering, food contamination, the spread of diseases and to support local farmers.

- 75 per cent of Canadians felt that maximum allowable limits for animal transport in Canada are too long.
- 96 per cent said that it is at least somewhat important to limit the time animals can be transported in order to reduce animal suffering.
- 94 per cent indicated that this was somewhat important to prevent food contamination and to support local farmers.
- 95 per cent believed it was at least somewhat important to limit animal transport times for the purpose of reducing the spread of animal diseases.¹³¹

¹³¹ Harris/Decima poll. *WSPA - Farm Animal Welfare*. Margin of error is +/- 3.1%, (sample size n=1,013). January 2008.

Recommendations

Strengthen regulations: Use animal welfare and the best available science as the guiding principles to improve animal transport conditions

- Since long journeys are likely to have more detrimental effects on the health and welfare of the animals, the duration and frequency of transport should be reduced.¹³²
- Canada allows farm animals to be transported for too long before receiving food, water and rest. A significant decrease is needed.
- The criteria used to designate unfit or compromised animals should be clarified and broadened. By deciding not to transport these animals in the first place, the number of DOAs will be reduced as well as animal suffering.
- Mandatory maximum loading densities should be established that allow animals to stand in their natural position or to lie down comfortably (taking into consideration species preferences, weight, temperature, trip duration etc.).
- All new livestock vehicles should be equipped with automatic cooling and heating systems and temperature probes linked to an alarm system. Where this is not possible, animals should not be transported in extreme weather conditions, and extreme weather conditions should be defined.
- Training in humane handling, including some knowledge of animal welfare and behavior, should be mandatory for all drivers and animal handlers. Anyone handling farm animals should be able to assess animal behavior and the state of an individual animal's well-being in order to recognize signs of discomfort for each species transported.
- The use of electric prods should be completely prohibited. Training in animal behavior and handling should eliminate reliance on prods.

¹³² M.C. Appleby et al, 2008.

Implement incentives and deterrents: Economic incentives are needed to encourage better animal welfare practices, and stronger penalties are needed to discourage cruelty

- Transporters should be made fully responsible for the animals' well-being during the journey. WSPA recommends a premium be paid where DOAs or injuries during transport are low and conversely a financial penalty incurred for injuries or deaths that occur due to conditions or incidents under the control of the driver during transport, and for loading compromised animals.
- Mortality insurance should be eliminated or reformed.
- Transport contracts should be structured to reward both drivers and handlers for reductions in bruises, injuries and associated trim losses.

Improve enforcement: Give inspectors the tools and the power to work effectively on behalf of animals

- CFIA should increase the number of animal inspectors responsible for enforcing the *Health of Animals Regulations* at slaughterhouses, auctions and roadside checkpoints. More veterinary inspectors should be present during inspections.
- CFIA should ensure that all animal inspectors are specifically trained on animal welfare and given authority to relieve animals that are in distress.
- Where possible, ambiguous words in the regulations such as “undue suffering”, “undue exposure to the weather” and “inadequate ventilation” should be replaced with more specific criteria to improve the consistency of enforcement actions. It is clear from the inspection reports that a great deal of variability exists when it comes to how individual inspectors interpret CFIA’s regulations and policies.
- CFIA needs to increase the frequency of inspections and the number of charges and AMPs so producers will be discouraged from loading unfit animals.

World Society for the Protection of Animals (WSPA)

90 Eglinton Avenue East, Suite 960 • Toronto, ON M4P 2Y3

T: 416 369 0044 1-800-363-9772 F: 416 369 0147

wspa@wspa.ca • www.wspa.ca

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