

The Need For Change

A Report On Canada's Inadequate Transport of Animals Regulations

Prepared By

Karen Levenson, Director, Animal Alliance of Canada

Liz White, Leader, Animal Alliance Environment Voters Party of Canada

Twyla Francois, Head of Investigations, Canadians for the Ethical Treatment of Food Animals

Stephanie Brown, Director, Canadian Coalition for Farm Animals

Sinikka Crosland, Executive Director, The Responsible Animal Care Society

Scientific evidence on the transportation of farm animals shows that transportation is one of the most stressful situations animals endure, and can result in severe injury, illness or even death. ¹

Yet, most Canadians would be surprised to learn Canada's current *Transportation of Animals Regulations* under the *Health of Animals Act* provide negligible protection for farm animals during transport, whether or not they are headed to slaughter. The regulations allow maximum transportation times without food, water and rest that are among the longest in the industrialized world. The regulations fail to protect animals from extreme temperatures or variations in temperature inside the trucks and legalize abuse such as beatings with electric prods and whips. Even more distressing is the fact that there is inadequate enforcement of even the most basic provisions.

These archaic, inhumane and, often, deadly regulations need to be changed, must be changed if Canada's farm animals are to receive the protection they so desperately deserve during transit. We need shorter transportation times with more food and water breaks, better monitoring of temperature conditions inside the trucks, stricter control over drivers and animal handlers and the means to enforce the regulations with every transport.

Among the longest transport times in the industrialized world.

A comparison between Canada's animal transport regulations and those of the United States² and, especially, the European Union³, reveals that Canada has the longest transport times in the industrial world. Under Canada's federal animal transport regulations, ruminants (cows, sheep and goats) can be transported without water, food or rest for up to 52 hours within Canada. Add to that an additional 5 hours for pre-transport food withdrawal and one calculates that cows, sheep and goats are allowed to spend 57 hours without food, water or rest in the hottest days of summer or the most frigid days of winter.⁴ When one takes into consideration that beef cattle are transported between three to seven times during their short lives, one realizes how cruel and dangerous these regulations actually are.

The Meat Inspection Regulations 1990, under the Meat Inspection Act, also impact how long animals can remain without food. For instance, according to **Part III -- Examination, Inspection, Humane Treatment and Slaughter, Packaging and Labelling, Section 65:**

“Every food animal in a holding pen awaiting slaughter shall be provided with access to potable water and shall, if held for more than 24 hours, be provided with feed.”

This means that if cows, sheep or goats are being transported to slaughter, their food can be withheld for 81 hours: 5 hours before loading, 52 hours in transport, plus an additional 24 hours upon arrival at the slaughter plant. No matter what the future of an animal is, preventing them from having food for over three days is exceptionally heartless.

A recent survey requested by the Alberta beef industry ⁵ found that out of 5405 surveys filled out by long haulers transporting beef cattle, the average transport time of beef cattle was roughly 1106.5 km +/- 329 km, with a maximum time of 2560 km (The word “downer” is a term used by the agricultural industry to describe a non-ambulatory animal, of the bovine, caprine, cervide, equine, porcine or ratite species, who is too sick, diseased or injured to stand without assistance or to move without being dragged or carried.)

It doesn't get much better for newly hatched chicks. These vulnerable and fragile newborns can be transported for up to 72 hours before the transporter is required to provide them with water and food. ⁶ It is not surprising that many of these chicks die before they ever get to drink or eat.

The transport times for equines, swine and other monogastric animals are a bit shorter. Horses and pigs may be transported 36 hours before they must be unloaded for a rest period, but can go another 5 hours before being fed. ⁷ Forty-one hours without food or water is anything but humane.

Extreme temperature conditions

Even more concerning is the fact that animals may experience extreme ranges in temperature during the same journey. The Alberta Beef Producers study showed a 48 °C temperature difference during the same trip. This same study found nearly 30% of cattle are transported in temperatures greater than 30 °C. ³

Overcrowding

Exhaustion, jostling, piling, overcrowding and the failure to provide adequate space for animals to lie down also are factors that compromise farm animals during long distance transport.

Overcrowding occurs frequently during animal transports in Canada. Overcrowded and exhausted animals are easily jostled and can lose their balance and become injured. If they go down during transport they can be trampled. Once an animal becomes a downer, she has no means or ability to protect herself. With no space to lie down, coupled with no food and water and intense heat, animals can become fatigued and exhausted and more easily go down on the truck.

Overcrowding also causes decreased air flow and leads to high ammonia levels and poor air quality. Chickens, turkeys, pigs and sheep are particularly susceptible to problems from poor air quality, and often die en route.

Turkeys are especially vulnerable during transport to slaughter. Canadian Food Inspection Agency records indicate that more than 2 million birds arrive at the slaughterhouse dead every year. Between 2007-2009, 44 undercover investigations at poultry farms, slaughterhouses and on transport trucks in British Columbia, Alberta, Saskatchewan, Manitoba, Ontario and Quebec found violations of federal humane transport and slaughter regulations too numerous to count. ⁸ They include: birds crammed into tiny crates that prevent them from being able to stand or move comfortably; live birds forced to stand on top of dead birds; birds pressed against the sides of the crates unable to seek shelter from the elements and birds that had suffocated to death because of lack of room to breathe.

Investigators have recorded horses being loaded onto double-decker trailers⁹, where they cannot stand upright, and shod horses not being segregated, a means of protecting other

horses from being kicked. Canada's transport regulations stipulate that each equine must be able to stand in its natural position without coming into contact with a deck or roof¹⁰ and that they must be segregated from other equines during transport unless their hind feet are unshod.¹¹

Failure to train drivers and animal handlers

It is easy to blame the drivers and animal attendants who transport animals for much of the above cruelty. After all, no matter how much transport time the Health of Animals Regulations allow, drivers still make the decisions about when to stop and provide food and water for the animals they transport and how many animals to load in a transportation truck.

Yet, unlike in the European Union that requires drivers and animal attendants to complete a comprehensive training course on animal welfare during transport and mandates that drivers and animal handlers possess a certificate of competence that must be renewed every five years, drivers and animal handlers in Canada are not required to have training or specialized knowledge about the species they are transporting, nor are they required to be trained in animal handling. In addition, there is no adequate control over animal transport drivers in Canada, many of whom keep 2 to 4 log books, written in pencil, a practice which enables them to drive for much longer periods than the Health of Animals Regulations allow without stops for food and water.

Rough handling

With no understanding of the animals' behavior, the drivers and handlers often resort to rough treatment and excessive use of electric prods and other unacceptable devices to load and off-load the animals.

The *Health of Animals Regulations* contribute to animal suffering by legalizing beating animals and by vague language, subject to the interpretation of the drivers and handlers, to control the harshness of those beatings. Take *Regulation 139* of the act, which states:

“No person shall beat an animal being loaded or unloaded in a way to cause injury or undue suffering.”

This regulation makes it acceptable for drivers or handlers to beat animals during loading, as long as the beatings do not cause injury or undue suffering. Yet, it offers no guidelines as to what constitutes beating or undue suffering. Without proper guidelines, the treatment of animals during loading and unloading can be a free-for-all of mistreatment and physical abuse. This becomes especially apparent when one considers the nature of the transportation industry, which runs on “just-in-time” commitments and beating the clock.

With no experience in handling terrified animals who balk at being loaded or unloaded, drivers and handlers often resort to beatings to get the animals to move along quickly.

Animal Angels' and Canadians for the Ethical Treatment of Food Animals' (CETFA) investigators have trailed numerous animal transport vehicles in Canada and have observed abusive treatment of farm animals during loading and unloading, such as the overuse of electric prods, the use of electric prods on animals' faces and genitalia, and whipping. Such treatment could be considered "abuse" by the Canadian Food Inspection Agency (CFIA), the federal agency responsible for overseeing the Health of Animals Regulations. The CFIA, however, does not have the resources, staff or political will to conduct inspections of all vehicles transporting, loading and off-loading farm animals.

Here are some of the common devices drivers use to help them load and unload animals in descending order of cruelty:

- **Electric prods** - workers claim they often have the electricity off, but animal protection investigators have observed otherwise. If using electric prods is not enough, drivers are able to alter the voltage from high to low. Investigators have witnessed drivers randomly hitting animals without discretion "anywhere and everywhere on their bodies as they are jammed into trailer portholes where the worker can't see what he's hitting." Electric prods are frequently pushed into animals' vaginas and anuses.
- **Electric prods inside hollowed out rattle paddles** – Because drivers have been alerted to the fact that animal protection investigators are observing and documenting their behavior, they have started to hide their electric prods in hollowed out rattle paddles.
- **Electric prods used on pigs fed Paylean/Ractopamine** - Paylean is an ingredient put into animal feed so the animal grows faster and eats less feed. To avoid fatigue, injury and mortality, extreme care should be taken when exposing pigs who are fed Paylean to any stressful situation, including rough handling and use of electric prods during transporting.
- **Whips** – are used frequently to load and unload farm animals. Whips cause lacerations and welts.
- **Tail-twisting** – is used to move dairy cows. It's intensely painful and often results in a fractured tail.
- **Plastic canes** – while they don't give the animal an electric shock, workers use them to beat the animals on their sensitive parts (exposed hip bones on dairy cows for example) and they will shove them into animals' rectums and vaginas.
- **Rattle Paddles** - these are flat, hollow plastic paddles that are attached to poles that make a noise when shaken. They are supposed to be used just for the noise they make, however, workers inevitably use them to beat the animals and poke the poles into their rectums and vaginas. As above, rattle paddles often have electric prods hidden in them.
- **Flexible pole with flag on the end** - this is one of the best devices investigators have seen because it is flexible; workers can't beat the animals with them. It serves as an extension of the worker's arm. The flag seems to keep the workers from poking the pole into the animals' anuses and vaginas. Unfortunately, investigators report that they rarely see these poles being used.

- **Chase Boards** – This is a flat, square plastic panel. Workers can't hit or poke the animals with it. They are expensive, about the same as an electric prod, and require some knowledge of the animals' flight zone. For this reason, they aren't used much as drivers receive no training on animal behavior
- **No instrument** - just good animal behaviour knowledge. Investigators almost never see this.

Rough handling legalized

Canada's animal transport regulations also prohibit the transport of any animal that is ill, injured, pregnant or fatigued, but only if such transportation does not cause "undue" suffering. Again, what constitutes "undue" suffering is not specified and is left to the interpretation of drivers and handlers with no training in the animals they are transporting. For instance, pregnant animals can be transported, under the regulations, just so long as they are not close to giving birth. Unfortunately, the regulations do not specify how a driver without knowledge of animal welfare or handling can determine how close to giving birth an animal is. CETFA investigators have reported lactating sows, still producing milk, frozen to the sides of the metal trailers and newborn piglets, born during transport, who have been mauled by other pigs stressed by the journey.

Animals who are injured can also be transported, just so long as they are not downers. Yet, as can be seen in the results of the Alberta Beef Producers' survey, downed animals, in fact, are being transported, since a percentage of beef cows do go down during transport as do cull dairy cows. Conceivably, animals with debilitating injuries who can still walk onto the truck are more susceptible to become downers. If drivers have no training in animal welfare, how can they identify injuries that have the potential to cause animals to become downers? In short, large numbers of transported animals experience "undue suffering" all the time because of the lack of training of drivers and handlers and because of the lack of enforcement by CFIA inspectors.

Lack of enforcement

While CFIA veterinarians have the responsibility of inspecting farm animals in transport vehicles, and during loading and off-loading, there are not enough inspectors to ensure all transport vehicles comply with the regulations.

Spot check inspections of animal transport vehicles on Canadian highways are few and far between, if they occur at all. The cases that now are being brought forward for investigation occur, mostly, in slaughterhouses where CFIA inspectors are assigned. In fact, the last CFIA investigations of transport violations under Canada's Health of Animals Regulations that CETFA was able to obtain through an Access to Information request occurred in 2003. (See documents attached)

Since welfare conditions of animals during transport result mainly from the day-to-day conduct of the transporters, the lack of inspection and enforcement by competent authorities

allows transporters to violate the regulations often without consequence. It is farm animals who pay the price.

In the EU, no person shall act as a transporter unless he holds an authorization issued by a competent authority and a certificate of competence after completing an approved training course in animal welfare and handling. Satellite Navigation Systems are employed to allow investigators to track the transportation vehicles and ensure they are not exceeding the legal transport time. Transportation vehicles are required to have driver and road monitoring equipment such as tacographs and tacometers that record their time on the road and the distances they travel.

None of this occurs or is available in Canada.

Next Steps: Revision

Canada's Transport of Animal Regulations are outdated and inconsistent with current scientific findings on animal welfare during transport. Transportation times are among the longest in the industrial world and what little protection the regulations provide is not being enforced. In desperate need of revision, Canada's Transport of Animal Regulations must be brought in line with the highest standards and best practices as determined by the European Union, especially as efforts continue to harmonize the global food system.

Canada's Transport of Animal Regulations must:

- Ensure journeys do not exceed eight hours without food and water
- Ensure proper training and certification for drivers and workers who transport animals
- Ensure that trucks have water tanks on-board when journeys exceed eight hours
- Ensure mechanical ventilation and heating
- Ensure temperature monitoring systems be on board to record data and have an alert system for the driver
- Ensure adequate space for animals to lie down on long journeys
- Prohibit electric prods, rattle paddles, whips and tail-twisting from being used during loading and unloading
- Ensure animals are not beaten or kicked
- Ensure tacographs and tacometers are on trucks to record travel times, and control speeds and distances
- Provide dedicated lanes for animal transport vehicles at borders

- Increase accountability by identifying clearly who is responsible for what throughout the animal's journey and identify the person who is responsible for the entire transport
- Ensure increased enforcement of transport regulations and allow weigh station personnel, police and SPCA officers to enforce transport regulations, in addition to CFIA inspectors.

Footnotes

1. The European Commission: Health and Consumer Protection Directorate-General, The Welfare of Animals During Transport (details for horses, pigs, sheep, cattle): A Report of the Scientific Committee on Animal Health and Animal Welfare, March 11, 2002
2. www.animallaw.info/statutes/stusfd49usc80502.htm
3. Official Journal of the European Union, Council Regulations (EC) No 1/2005 of 22 December 2004, on the protection of animals during transport and related operations and amending Directives 64/432/EEC and 93/119/EC and Regulation (EC) No 1255/97
4. www.inspection.gc.ca/english/anima/trans/transporte.shtml , Sections 138(b) and 148, Subsection 2.
5. K. Schwartzkopf-Gensweine, L. Gonzalez, M. Bryan, R. Silasi and F. Brown, Transport Benchmark Study, AFAC Transport Conference, January 29, 2009, Calgary, AB.
6. Op. Cit., www.inspection.gc.ca/english/anima/trans/transporte.shtml, Section 148, Subsection 1(a)
7. Op. Cit., www.inspection.gc.ca/english/anima/trans/transporte.shtml, Section 148 Subsection 3
8. Broken Wings: The Breakdown of Animal Protection in the Transportation and Slaughter of Meat Poultry in Canada: A Report by Twyla Francois, Canadians for the Ethical Treatment of Food Animals, April 2009 at www.cetfa.com
9. www.animal-angels.com/index.php?pageID=598; 6/2/07 Port Huron, Michigan
10. Op. Cit., www.inspection.gc.ca/english/anima/trans/transporte.shtml, Section 142(a)
11. Op. Cit., www.inspection.gc.ca/english/anima/trans/transporte.shtml, 141 Subsections 7