

# Not Going for

Canada's animal welfare guidelines for care during transport set standards as low as acceptable and leave the specifics up to those who actually do the transporting.

Story & photo by **Meghan Richey**

**T**here are times in life when it makes sense to do the best job you possibly can, regardless of any costs. Then there are times when just good enough will do.

Canadian lawmakers take the approach that when it comes to setting laws regulating animal welfare during transport, just good enough will do. In fact, as long as the transporter gives the animals what they need during transport, how he or she ensures the animals arrive safely and in good health at their final destination is up to the individual transporter. This is in strong contrast to the approach other nations have taken, specifically the European Union (EU; see "Driven by Emotion" on page 199).

Despite their lax approach in setting measurable standards, there is no question that Canadians value animal welfare. The Health of Animals Act and Regulations, part of Canada's criminal code, codifies the rights of animals to be treated humanely, the norms of expected care for animals, and the responsibility of people in care and control of them to do so.



► Canada defines the goals of transporting animals and leaves the specifics of how those goals are reached up to those who actually do it, Martin Appelt says.

All animals — from personal companion pets to commercial livestock — are covered equally under these regulations, which were first developed in the 1970s. The code also covers all modes of transportation — anywhere, anytime, including travel by air and water, not just vehicular road travel.

### **Outcome-based regulations**

"Looking at the situation in the European Union, you might ask yourself why you would want to set measurable limits on things like time in transport. Well, there are good reasons: If you travel too long without giving animals water, they will be dehydrated; if you travel too long without offering them feed, they will have negative effects on their bodies," explains Martin Appelt, the humane transportation specialist with the Canadian Food Inspection Agency (CFIA).

"But is setting strict measurable limits the right approach?" Appelt asks, while speaking at the American Meat Institute's (AMI's) first Livestock Transportation Conference, Feb. 13, in Kansas City, Mo. "What is the point of saying you can transport animals for 28 hours but if you transport them for 29 hours you are a criminal? It is hard to defend."

With that in mind, Canada created what Appelt calls "outcome-based regulations." Rather than mandating precisely measured standards — such as hours of travel for animals and drivers, trailer dimensions and stocking densities, or environmental temperature suitable for travel, as the EU has done — Canada defines the goals of transporting animals and leaves the specifics of how those goals are reached up to those who actually do it.

"Outcome-based regulations define what we don't want to happen. For example, we don't want the outcome of transport to be dead animals arriving at their destination,

and we don't want them arriving in abnormally decreased health," he explains.

"But, we believe that exactly how you make sure those things don't happen should be left to those of you who do the transporting. If you give the animals what they need, why should anybody interfere with your transport?"

"If you can deliver an animal that is not dehydrated to the point where it has clinical symptoms; if you can deliver animals that don't appear to be distressed because they haven't been fed, then you must be doing something right," he continues. "As long as you

provide what the animals need, you should be allowed to do whatever it is that you're doing."

Appelt says he wants it to be clear that when it comes to regulatory intervention, "the Canadian approach is not going for the gold." He says the Canadian public generally accepts that animals can be used for human purposes and recognizes that a certain amount of negative stress on the animals is inherent in transportation — and to a certain extent that is acceptable.

"But there is a threshold where most sane people would say, 'Okay, that's enough. You can cause this much stress but no more,'" he says, explaining that Canada's outcome-based regulations seek to define that threshold as the lowest acceptable standard.

Appelt says this approach has worked well for Canada, with inspections showing that noncompliance is low, with about 5% to 10% of people not adhering to good handling standards in specific situations. He explains that the highest incidences of problems usually occur when the animals being transported have low value on an individual basis, such as spent laying hens, cull dairy cows, unfit beef cattle, cull boars and sows, and even mass-bred reptiles.

**"If you give the animals what they need, why should anybody interfere with your transport?"**  
— *Martin Appelt*

# the Gold

## Inspection, enforcement

The point of regulatory interference in a business practice, such as transporting livestock, is to level the playing field, Appelt says.

“If you are trying to do a good job and trying to do the right thing, you should not be disadvantaged because your competitor cuts corners or does things that are not right,” he says. “We are adamant about making life difficult for those who try to take shortcuts.”

If you are transporting animals in Canada, Appelt says that you should expect to be inspected at some point, whether at the border crossing, a weigh station, a sale yard or a roadside blitz. But, he says they teach their inspectors to not automatically assume something is wrong if they can’t immediately see that something is wrong.

“If we inspect the trailer and the livestock appear OK and you have adequate documentation, then we wish you a happy journey,” he says proudly, noting that the average inspection time for complying loads is only 15 minutes.

CFIA approaches enforcement through a graduated approach. Depending on the situation, if you are not adhering to good handling standards you may get a warning, you may get a ticket and be required to pay a fine, or you may be prosecuted in a court of law and have the opportunity to explain your story to a judge.

“The focus is on noncompliance that actually causes harm, as opposed to jumping on technicalities. That is a big difference to the EU approach,” he says. “We do not go out with a measuring tape to determine if your deck height is 1 centimeter (cm) too low compared to what the regulations say. We see that as beside the point.

“If from your experience you know you can do things differently from what the guidelines say without causing harm, then by all means you should be allowed to do it,” he continues. “If you are an idiot and you load five extra animals and then arrive at the plant with five dead animals, you will face the music.”

## Why it works

The Canadian approach works because the standards are industry-led, Appelt says. Commodity groups, all links in the production chain and other stakeholders such as Canada’s humane societies worked

together to develop the animal handling guidelines.

Appelt warns that if the agricultural industry doesn’t proactively inform lawmakers, other people will tell your story for you — and it may not be accurate. “And then you’ll find yourself in a spot like the Europeans, where regulations are based largely on perception and public attitudes, not science,” he says. “If you think that can’t happen here, think horse slaughter.

“I hate to use animal rights activists’ activities as an example to make anybody involved in animal transport come to their senses, but this is not going to go away,” he continues. “If you want to convince the public that you are on top of things, you have to demonstrate commitment, and you can’t use the excuse that it’s just too costly to change the way the animal transportation industry does business. If as an industry your response to the public is, ‘This is the way we do things. You don’t know anything about it. Go away,’ then you will be in a world of pain.”

Appelt says they avoided some of those potential problems by voluntarily developing additional standards, training programs and educational literature. For example, in 2001 the industry developed The Recommended Code of Practice for the Care and Handling of Farm Animals: Transportation. While some provinces reference the code in their provincial regulations, they are meant to be an educational tool in the promotion of sound husbandry and welfare practices. Industry also came out with a voluntary livestock trucker-training program, called Certified Livestock Transporter (CLT). Many other industry groups have put out information booklets and decision trees to help educate people who will be involved with transporting animals. All industry-generated documents and programs are all in-line with the government’s regulations.

Overall, Appelt stresses that a single-armed approach to animal transit doesn’t work. There must be symbiosis of industry-led initiatives and regulatory authority.

“If you try to just put out industry-generated educational literature and guidelines or you just have government interfere with regulations, it will not work,” he says. “You need a combination of both to achieve your goal.”

