



Canadian Food
Inspection Agency

Agence canadienne
d'inspection des aliments

Amendments to the *Health of Animals Regulations* - Part XII: Transport of Animals

Presentation to OSF



Overview

1. Process for amending the Part XII (Transport of Animals) of the Health of Animals Regulations (HAR)
2. Who the HAR Part XII applies to
3. Assessment and Monitoring of Risk Factors Related to Transport
4. Unfit
5. Compromised
6. Vulnerable animals:
 - i. lambs
 - ii. Cull ewes
 - iii. Lactating ewes
7. Conclusion

CFIA's role in animal welfare

- Protecting animal welfare in Canada is a shared responsibility
 - Federal, provincial & territorial governments and industry
 - The primary role for protecting animal welfare, including the welfare of farm animals, belongs to the provinces and territories
- CFIA is responsible for the welfare of animals during transportation
 - *Health of Animal Regulations (HAR) - Part XII*
- CFIA is also responsible for the welfare of animals during slaughter in federal establishments



General Overview – current HAR

Part XII

Apply to the transportation of all animals entering or leaving Canada or within Canada, and all modes of transportation

- Protect sick, pregnant and unfit animals
- Provide for safe loading and unloading equipment, containers and procedures
- Prevent overcrowding
- Prescribe segregation, protective facilities and food/water/rest intervals
- Protect from injury or sickness
- Record-keeping requirements
- Special requirements for aircraft and vessels



Rationale for the amendment

- 1977: Transportation of Animals requirements are introduced (also referred to as 'humane transport') in *Health of Animals Regulations*
- Significant changes in the field of humane transport over more than 4 decades
 - ❖ industry practices and systems
 - ❖ transport technologies and infrastructure
 - ❖ research findings and data collection and analysis capabilities
 - ❖ consumer demands and societal expectations
 - ✓ Growing concern over how food is produced and animal welfare
 - ❖ international trade and reputation
 - ✓ OIE animal welfare chapters, standards of trading partners

Timeline of the regulation

- **1977:** Transportation of Animals requirements are introduced (also referred to as 'humane transport') in *Health of Animals Regulations* (HAR)
- **1992:** Review of Humane Transport (HT) Regulations
- **1995:** September 1993 - February 1995: Review published with recommendations in 1995
- **1997:** Informal consultation on possible amendments to the HT Regulations
- **2005:** Amendment to add a non-ambulatory clause to HAR
- **2006-2009:** Consultation on possible changes to the existing HT regulations
- **2013:** Plans to amend HAR - Part XII are introduced in the CFIA's Forward Regulatory Plan
- **2013-2017:** Consultations with multiple industry groups (e.g. beef, dairy, pork, poultry and egg industries; veterinarians; academia; transporters; auction market processors; provincial regulators; and animal advocacy organizations)
- **October - November 2013:** First economic questionnaire to industry
- **August - September 2014:** Second economic questionnaire to industry
- **December 2016 - February 2017:** Proposed amendments are published in Canada Gazette I (CGI), followed by a 75-day consultation and WTO notification
- **February 2017 - October 2018:** CFIA examines over 51,500 comments from over 11,000 submissions received from the CGI consultation. Multiple groups continue to present their concerns and positions during a period of Cabinet Confidence. Concerns are often divergent.
- **February 2019:** Amendments are published in Canada Gazette II (CGII)
- **February 2020:** Amendments come into force (CIF)

Path to CGI and CGII

1. Pre-consultation: 2013
 2. Economic surveys: 2013 and 2014
 - Review of relevant issues (list)
 3. First proposed draft, regulatory steps and approval process: 2014-2016
 4. CGI: Dec 2016 to Feb 2017 (75 days)
 - 51,500 comments from over 11,000 respondents
 5. Comments analyzed and used to inform changes to the final draft regulation for CGII: 2017-2018
 6. Approval process: 2018-2019
 7. CGII: 02/20/19
 8. CIF: 02/20/20
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CGI feedback highlights



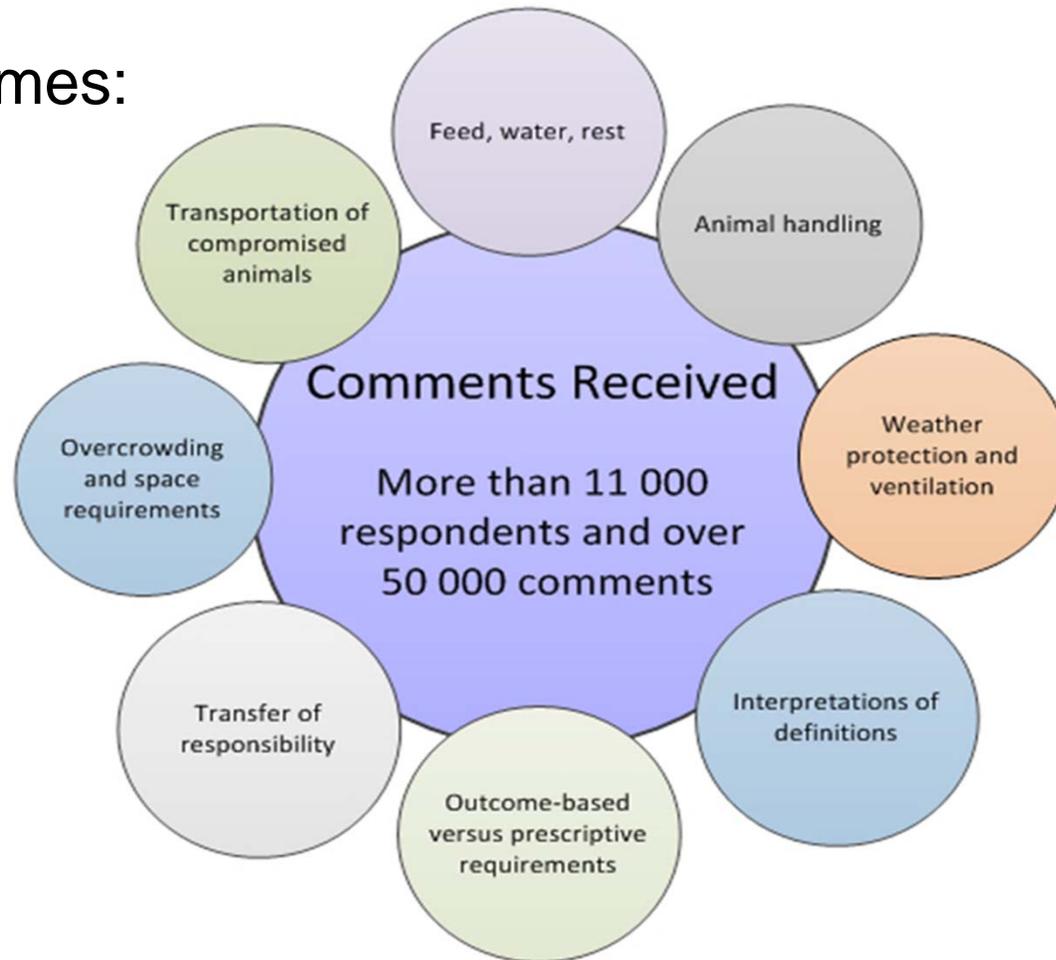
Who we heard from

- Academia
- Animal advocacy
- Individuals
- Industry
- Legal
- MPs
- Regulators
- Veterinarians and veterinary organizations



What we heard

8 main themes:



What we heard

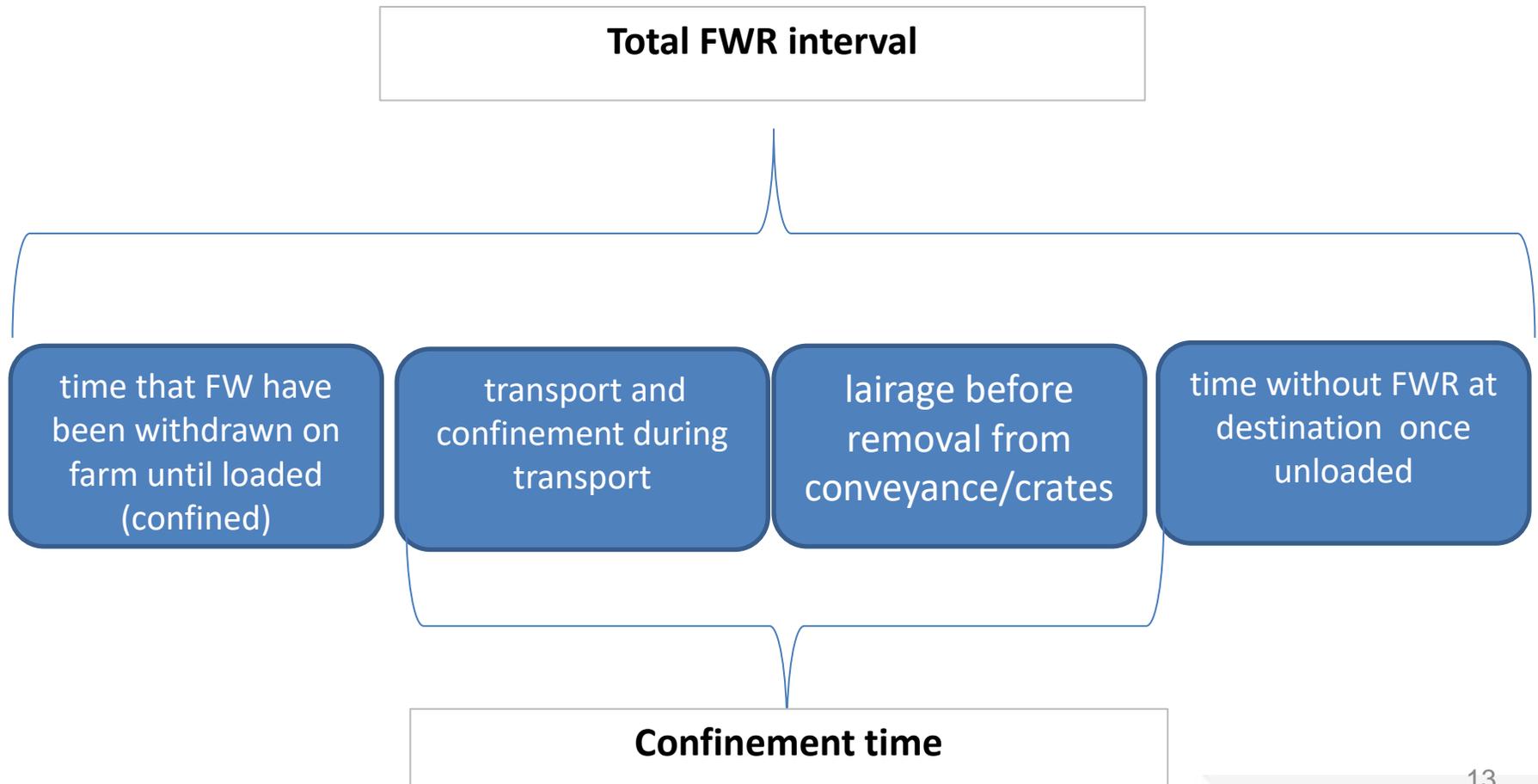
- Most areas/provisions commented on to some degree
 - Many out of scope comments
 - Areas and nature of concern were generally based on the perspective of the respondent
 - definitions and language
 - training (need for)
 - transport of compromised animals
 - handling
 - weather protection and ventilation
 - density/headroom
 - segregation
 - transfer of responsibility and record keeping
 - feed, water and rest intervals
- 

The most commented on section was the feed, water and rest provision

- The current regulation refers to confinement time maximums
- The amendment refers to FWR maximums which begins before loading and does not end until the animal receives feed, water and rest. It contains the confinement time.



Visual example of change to FWR provisions



Final Amendments to HAR Part XII: Animal Transport - A Balance

- Evidence based and science informed
- Feedback
- OIE guidelines
- International standards
- Societal expectations
- Canada's geographic size
- Industry logistics and technologies
- Ability of industry to adapt



Final Amendments to HAR Part XII: Animal Transport - Timing

Published in CGII on February 20, 2019 and the regulatory amendment states:

Coming into Force

These Regulations come into force on the first anniversary of the day on which they are published in the Canada Gazette, Part II



Changes to HAR Part XII

- Clearer and less subjective language
 - eg. “Undue suffering” replaced with “suffering, injury or death” or “unnecessary suffering” for compromised/unfit animal definitions
- Definitions added
- Removal of obsolete, unnecessary, or redundant requirements
 - eg. insulation and floor board width for sea carriers
- Addition/retention of some prescriptive provisions where needed
 - eg. species specific ramp angles
- Special considerations for most vulnerable animals
 - eg. young, lactating, compromised, unfit
- Outcome based provisions where appropriate
- Innovation option for specially equipped conveyances
 - exempt from prescriptive FWR intervals but must meet outcome-based requirements
 - to provide flexibility when needed

Outcome vs Prescriptive

- Amendment is highly outcomes based vs prescriptive
- Follows the CFIA Outcome-based Regulations Policy
- Focus is on positive outcome rather than arbitrary element
- Businesses are better able to introduce new technologies, processes and procedures to meet outcome
- When probability of harm is high if values are exceeded, use of both prescriptive and outcome based.



Example of modernized language

CURRENT PART XII	AMENDMENT
<ul style="list-style-type: none">• no person shall load on any railway car, motor vehicle, aircraft or vessel and no carrier shall transport animals of different species or of substantially different weight or age unless those animals are segregated.• Every cow, sow or mare with its suckling offspring shall be segregated from all other animals during transport.• Animals of the same species that are incompatible by nature shall be segregated during transport.• Groups of bulls, de-tusked boars, rams and goat bucks, if mature, shall be segregated from all other animals during transport.• Every mature boar that has not been de-tusked and every mature stallion shall be segregated from all other animals during transport.• Every equine over 14 hands in height shall be segregated from all other animals during transport by air.	<p>New streamlined section focuses on “isolation” (segregation) of incompatible animals rather than specify what constitutes incompatible.</p>

Feed Water Rest (FWR) Intervals

- ❖ Both FWR **prescriptive** intervals (e.g. 36 hours from last access to FWR then must stop for FWR for ruminants) and **outcome** based provisions (must not become dehydrated, exhausted or suffer from nutritional deficiencies) must be met.

These can be met by unloading at rest stop or remaining on a stopped conveyance but either must include:

- Adequate space for all animals to lie down at the same time, adequate ventilation, protection from weather, sufficient clean fresh bedding, and ready access to feed, safe water, rest.
- ❖ Innovation option for specially/fully equipped conveyances exists and if these provisions met then exempt from *prescriptive* FWR intervals (eg provided *as needed* rather than as a set maximum interval but must meet all outcome-based requirements)

Then and Now

Provision	Then (Regulations from 1977)	Now (Amended Regulations 2019)
Transport Continuum	Focus mainly on time in confinement rather than feed, water and rest maximum intervals	Feed, water, rest (FWR) times begin when FW are removed before loading and do not end until the animal receives FWR. It <i>contains</i> the confinement time.
All livestock (including ruminants) 8 days of age or less, or ruminants too young to be fed exclusively on hay or grain	Max. 18 h of transport <i>confinement</i>	Max. 12 h without FWR
Compromised Animals	Not specified	Max. 12 h without FWR
Ruminants	Max. 48 h of transport <i>confinement</i>	Max. 36 h without FWR
Animals with single stomach: horses, pigs, birds, reptiles, pets	Max. 36 h of transport confinement	Horses and pigs 28 h without FWR Max. 36 h without FWR for all other animals

Then and Now

Provision	Then (Regulations from 1977)	Now (Amended Regulations 2019)
Hatching birds	Max. 72 h of transport after hatching (chicks only)	Max. 72 h from time of hatching for birds
Broiler chickens, spent hens	Not specified. General requirement for monogastrics (36 h of transport confinement)	Max. 24 h without water Max. 28 h without feed
Rest Period after max. FWR interval	5 h	8 h
Ramps	45 degrees	20 degrees for porcine 25 degrees for bovine 30 degrees for equine 35 degrees for cervid, caprine or ovine

Vulnerable animals

- Compromised
- Unfit
- Livestock, camelids and cervids of 8 days of age or less
- Lactating animals
- Not fully weaned ruminants

Compromised Animals

Compromised animals:

- Extensive list of frequently seen conditions (e.g. wet bird, peak lactation) to assist regulated parties
- Provision includes all conditions leading to a reduced capacity to withstand transport

For these compromised animals:

- Isolated and individually loaded
 - Provisions required to prevent suffering, injury or death
 - Must be moved to the nearest place only
 - Must not be more than 12 hours without access to feed, water and rest of 8 or more hours
 - If they become compromised during transport, then above points apply and measures must be taken to prevent unnecessary suffering or death
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Unfit Animals

Unfit animals:

- Extensive list of conditions (e.g. non-ambulatory, prolapsed uterus)
- Provision includes all conditions where the animal cannot be transported without suffering

These unfit animals:

- Shall not be loaded, confined or transported
 - May be transported to a place for veterinary care (and under veterinary advice) with conditions
 - If a transported animal becomes unfit, then measures taken to prevent further suffering, and must be taken to nearest place for veterinary care or be humanely killed
 - Conditions for unloading of unfit animal must be met if become unfit during transport
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Other Additional or Enhanced Provisions

- Training, knowledge and skills
- Record keeping requirements for all commercial carriers (no-longer exclusively for out of province or international carriers)
- Updated ramp angles
- Transfer of care provision to address gaps in responsibility
- Contingency plan requirement
- Preloading fitness and risk assessment requirement
- Prohibitions and requirements for handling of animals during loading/unloading
- Monitoring requirement while in transport
- More detailed requirements and prohibitions for containers and conveyances
- Updated provisions specific to vessels, more outcome based
- International Air Transport Association (IATA) container and density requirements Incorporated by Reference into the regulations

Who the HAR applies to?

1. “Every person who loads... or cause an animal to be loaded”

2. Definition of loading

Loading of an animal **begins when the animal is handled, moved or caught** for the purpose of confining it in a conveyance or a container and ends when the animal is confined in the conveyance, or if it is confined in a container, when the container is placed on the conveyance.

★ HAR 138 : Every person who loads, confines or transports an animal in or unloads an animal from a conveyance or container shall have the **necessary knowledge and skills** to conduct those activities in compliance with this Part.

Assessment and Monitoring of Risk Factors Related to Transport (HAR 138.3)

- HAR 138.3 applies to all animals. It will bring an additional protection for the more vulnerable ones.
- 1. Is the animal **unfit**? Examples:
 - lamb with an infected navel or hernia
 - Lamb or ewe having severe lameness or showing signs of exhaustion.
 - Ewe with a gangrenous udder, being extremely thin, in the last 10% of its gestation or having given birth in the last 48 hours.
- ★ An animal that exhibits **any other signs** of infirmity, illness, injury or of a condition that indicates that it **cannot be transported without suffering**.

Assessment and Monitoring of Risk Factors Related to Transport (HAR 138.3)

2. Is the animal **compromised**? Examples:

- A sheep that has not fully healed after castration
- A sheep that is bloated (but not showing signs of discomfort)
- A ewe with a minor rectal or vaginal prolapse
- A ewe in its peak of lactation

★ An animal that exhibits **any other signs** of infirmity, illness, injury or of a condition that indicates that it has a **reduced capacity to withstand transport.**

Assessment and Monitoring of Risk Factors Related to Transport (HAR 138.3)

3. Is there any other pre-existing condition* that could have an impact on the capacity to withstand transport (HAR 138.3)? E.g.:
 - A lamb recovering from a pneumonia
 - A lamb having knee issues (arthritis)
 - A sheep with history of intermittent lameness (might seem ok at the moment of loading but could deteriorate quickly)
 - A lactating ewe

4. Is the expected duration and conditions of transport adequate for the animals being transported (HAR 138.3)? E.g.:
 - Space requirements, type and condition of the conveyance?
 - Foreseeable delays?
 - What are the weather forecast?
 - Expected time without access to feed, water and rest?

* Importance of the communication between the owner/producer and the driver/transporter

Unfit animals

- An unfit animal can only be transported to a place where it can receive veterinary care and:
 - a veterinarian has recommended it.
 - it is transported directly to this place.
 - this place is not a slaughter establishment or an assembly centre.
- An unfit animal must be individually loaded/unloaded and isolated during transport (no interior ramp to be negotiated inside the conveyance).
- Measures have to be taken to prevent unnecessary suffering, injury or death during the transport continuum.

Compromised animals

- A compromised animal must be transported **directly** to the nearest place where :
 - it can be humanely killed.
 - it can receive care.
 - is not an assembly centre.
- A compromised animal must be individually loaded/unloaded and isolated during transport (no interior ramp to be negotiated inside the conveyance).
- Measures have to be taken to prevent unnecessary suffering, injury or death during the transport continuum.

Vulnerable animals

- The intent of the regulations is to protect the animals from suffering, being injured or to die during the transport continuum.
- Certain categories of animals are more vulnerable than others and, even if they are not assessed as being unfit or compromised, they still require special care to travel without sustaining negative outcomes.
- In the sheep sector, the following categories are considered more vulnerable:
 - lambs
 - Cull ewes
 - Lactating ewes

Vulnerable animals - lambs

Lambs of 8 days of age or less

Lambs over 8 days of age but too young to be fed exclusively on hay and grain

➤ First step is to assess the lamb:

- If **unfit** : HAR 139 applies (e.g.: infected navel, exhaustion)
- If **compromised** : HAR 140 applies (e.g.: castration/dehorning wound)
- If fit for transport, **outcome based requirements** still apply (HAR 138.2, 152.1(1) and 152.1(2))

Vulnerable animals – Lambs of 8 days of age or less

- Special conditions for transport
 - Loaded/unloaded individually
 - Sufficient space to all lie down at the same time
 - Measures to prevent suffering, injury or death
 - Segregated from animals that are not livestock, camelids or cervids of 8 days of age or less.
 - 12 hours maximum between the lambs loading and unloading.
 - Stops only to load other lambs (i.e. the lamb cannot be unloaded until it reaches its final destination).
 - The final destination cannot be an assembly centre.
 - The lamb cannot be reloaded until it will have fully recover from the transport (the lamb will then be older than 8 days so not in this category anymore).
 - FWR has to be provided within 12 hours after the last time it was provided with FWR
- ★ Only 1 trip until the lamb is 9 days of age or more (and rested adequately)
- ★ Cannot go to an auction market

Vulnerable animals - lambs too young to be fed exclusively on hay and grain

- The period of time between the beginning of the lamb`s loading and the end of the lamb`s unloading is not longer than 12 hours.
- The lamb cannot be reloaded after having been unloaded at the final destination of a given trip.
- FWR has to be provided within 12 hours after the last time the lamb was provided with FWR.

★ Can go to an auction market

Vulnerable animals – Cull ewes

- Many ewes are culled because of compromised health thus, it is important to assess their fitness for transport.
 - **Unfit** (HAR 139): only to be transported to receive veterinary care.
 - **Compromised** (HAR 140): transported directly to the nearest place where it can be humanely killed or where it can receive care (**cannot go through an auction market**).
- If considered fit for transport, assess the transport related risks (including pre-existing or current condition of the animal) that require special attention (HAR 138.3).
 - The animal must be monitored in an appropriate manner and frequency taking into account the risks assessed (HAR 138.3 (1)).
 - Outcome based requirements for feed, water and rest (HAR 152.1) : nutritional deficit, dehydration and exhaustion must be prevented.

Vulnerable animals – Lactating ewes

- If in its peak of lactation (or heavy lactation), the ewe is considered as **compromised** and must be transported as such (HAR 140).
- If in “normal” lactation, the ewe have to be milked at intervals that prevent mammary engorgement through all the transport process.
- Welfare and health concerns :
 - Discomfort
 - Increased risk of mastitis
- It is highly recommended to dry off a ewe before its transport.

Conclusion

1. The HAR Part XII applies on farm, even before the transport begins.
2. **Unfit** animals can only be transported under the recommendation of a veterinarian and in the aim of receiving veterinary care.
3. **Compromised** animals must be transported to the nearest place where they can receive care or be humanely killed (cannot go through auction marts) and the maximum interval without FWR is 12 hrs.
4. Outcome based requirements provide more protection for the vulnerable animals that are not considered as being unfit or compromised.
5. lambs ≤ 8 days cannot go to an auction mart, can be transported one time only, for a max of 12 hours and the max interval without FWR is 12 hours.
6. Lambs > 8 days of age but not weaned can be transported for a max of 12 hours and the max interval without FWR is 12 hours (can go through an auction market).
7. Cull ewes have to be assessed carefully before transport and the driver must be informed of all pertinent pre-existing conditions.
8. Lactating ewes in peak lactation are unfit for transport. If in normal lactation, the ewe has to be milked adequately to prevent mammary engorgement.

Interpretive Guidance

- The [Interpretive guidance Health of Animals Regulations Part XII: Transportation of Animals](#) will be updated to address the questions we are receiving in order to help the third parties in interpreting the HAR Part XII.
- Please send your questions to the Animal Transport email : cfia.animaltransport-transportdesanimaux.acia@canada.ca