

Canadian Federation of Humane Societies  
La Fédération des sociétés canadiennes  
d'assistance aux animaux

September 3, 2008

The Honourable Sheila Fraser  
Office of the Auditor General of Canada  
240 Sparks Street  
Ottawa, Ontario  
K1A 0G6

Dear Ms. Fraser,

The Canadian Federation of Humane Societies (CFHS) is writing to express our concerns about the Ministry of Agriculture and Agri-Food Canada's lack of interest in the welfare of farm animals and the Canadian Food Inspection Agency's (CFIA's) inability to adequately enforce the animal welfare regulations under its jurisdiction. We are urging that an independent performance audit be launched to explore the CFIA's capacity to ensure the humane treatment of animals during transport and at slaughter, and the Ministry of Agriculture and Agri-Food's ability to oversee national animal welfare policies and legislation.

The health and welfare of animals is a public good and must be overseen and taken seriously by the government, particularly for animals raised to feed our nation. It is our view that the CFIA and the Ministry of Agriculture and Agri-Food have not taken this role seriously to date.

The CFIA is tasked with overseeing the welfare of animals during transport and at slaughter plants through enforcement of Part XII of the Health of Animals Regulations (Transportation of Animals) and Part III of the Meat Inspection Regulations (Examination, Inspection, Humane Treatment and Slaughter, Packaging and Labelling). The CFIA is also capable of filing charges under sections 444 to 447 of the Criminal Code of Canada when appropriate.

We are alarmed at the recent disturbing news about the government's plan to transfer the oversight of slaughterhouses from government veterinarians to company employees, thereby allowing the food industry to police itself regarding food safety. In fact, the government has already been implementing these changes over the last year. In the face of the listeria outbreak at a federally-inspected processing plant, the thought of the fox being put in charge of the hen house seems ludicrous. Add to that our concern for animal welfare, and the "food safety" system in its totality in Canada becomes nothing short of bizarre.

We have recently written to the CFIA asking for information on their enforcement activities in the last few years; we already have strong indication that their enforcement presence is inadequate. The experience of Special Provincial Constables at our member societies, including the Ontario, Saskatchewan, and British Columbia Societies for the Prevention of Cruelty to Animals, has brought the following concerns to our attention that appear to exist across the country:

1. The number of CFIA animal health inspectors monitoring these regulations is inadequate, and existing inspectors rarely forward identified non-compliances to CFIA enforcement agents for further action;
2. The number of CFIA enforcement agents available to issue penalties or file charges is inadequate, and existing agents rarely pursue charges under the above-mentioned regulations, or the Criminal Code when appropriate;

Please consider the following cases:

### **Proposed Animal Transport Regulations**

Several years ago, CFIA staff initiated a consultation process with the goal of updating the Transportation of Animals Regulations. The staff's recommendations for changes were based on scientific literature and aimed to bring Canada's outdated 30-year-old regulations in line with those of other developed nations. The CFHS joined with its member societies, the Ontario SPCA and the British Columbia SPCA, in submitting extensive, science-based comments on the proposed changes. CFIA staff received submissions from a wide range of stakeholders in 2006, and tell us they have made amendments to their proposal accordingly. However, we are told that CFIA senior officials have yet to approve these recommendations and forward them to the Department of Justice.

### **Enforcement of Existing Animal Transport Regulations**

CFIA representatives claim the agency is now conducting 36,000 animal transport inspections per year nation-wide, including inspections upon arrival at abattoirs, monitoring of auctions, border inspections, roadside blitzes, and complaint responses. However, we question whether these inspections are yielding sufficient punitive actions for non-compliance, or are at all effective in gaining compliance.

The transport of compromised animals is prohibited under the Transportation of Animals Regulations and the CFIA's Compromised Animal Policy states that "non-ambulatory animals, animals with a body condition score indicating emaciation or weakness, or animals with severe lameness, would endure additional suffering during the transportation process and must not be transported except for veterinary treatment or diagnosis".

CFIA statistics indicate that the following numbers of compromised animals are found in trucks upon inspection at abattoirs in Canada each year:

- 17,475 pigs and 630 cattle found dead (2005; all other figures from 2006)
- 1263 pigs and 181 cattle found emaciated
- 76 pigs found with fractured bones and 23 cattle found non-ambulatory ("downed")
- 26,366 egg-laying hens and 1.7 million meat chickens found dead
- 10,385 egg-laying hens and 281,025 meat chickens found emaciated

This totals to nearly 20,000 compromised pigs and cattle found on roughly 160,000 truckloads, and to over 2 million compromised poultry found on roughly 80,000 truckloads each year. Yet CFIA statistics for the 2006-2007 fiscal year (enclosed) indicate that only 110 penalties and 54 warnings were issued for animal transport infractions in that year.

In 2003, the Ontario SPCA obtained information through Access to Information regarding transport violations discovered by the CFIA. The CFHS joined with the Ontario SPCA in writing to the CFIA to express our very grave concern that, even in serious cases where animals were dead on arrival, rarely was any action taken beyond a warning letter several months later.

Recently, BC SPCA constables began attending a BC livestock auction in tandem with CFIA inspectors who had already been regularly monitoring the auction. On the first visit at which SPCA officers were present (July 12<sup>th</sup>, 2008), 5 Notices of Violation (including warnings and penalties) were issued for transport infractions. This contrasts sharply with the meager 31 Notices of Violation for animal transport infractions issued by the CFIA in all four western provinces in the 2006-2007 fiscal year.

### **Humane Slaughter**

I am sure you are aware of the CBC's exposé on horse slaughter in June of this year. The public were outraged at what they saw and about the fact that horses are being slaughtered in Canada. We have already written to the CFIA President with several questions regarding the situation at Natural Valley Farms in Saskatchewan (see attached letter and response). Animal rights groups and many individuals would like to see horse slaughter banned in Canada as it was in the US. While the CFHS has some concerns about the transport and slaughter of horses, we anticipate that banning horse slaughter could create far more animal welfare issues than it would solve. However, the federal government has a responsibility to the public – and to the animals – to ensure that all animals are transported and slaughtered humanely.

For this reason, we were particularly concerned with what we witnessed in the hidden camera footage from Natural Valley Farms. An audit of the complete horse slaughter footage using protocols established by the American Meat Institute was conducted by one of our member societies. The plant failed the audit due to the presence of inadequate flooring, which caused 11% of animals to slip while in the

kill box (3% or less is acceptable), and numerous instances of willful acts of abuse, which involved an employee aggressively striking 9 animals on the head with a cane up to 16 times repeatedly. The fact that these practices were not corrected by the CFIA inspectors at that plant is inexcusable and leads us to question whether these practices constitute the norm in Canadian abattoirs.

### **Inter-Agency Liaise**

The CFIA has also demonstrated an inability to identify practices that contravene other animal welfare laws and pass them along to the authorities responsible. On February 27<sup>th</sup>, 2008, RCMP and BC SPCA agents executed a warrant on a property in Surrey, BC, and found 1275 fighting roosters along with considerable evidence to indicate that cock fighting, a criminal offense, was being perpetrated on the property. Export documents certified by the CFIA were discovered during the seizure, indicating that CFIA inspectors had recently attended the property and inspected the birds and yet had taken no action to investigate further or forward information to other law enforcement agencies.

The CFIA has a legislated duty to enforce regulations and must not be permitted to continue to shirk this duty through their inaction.

### **AAFC Agriculture Policies**

Our concerns go beyond documented problems with CFIA's enforcement infrastructure, to an apparent lack of interest from CFIA executives and the Ministry of Agriculture and Agri-Food in protecting the welfare of Canada's farm animals.

In 2007, Agriculture and Agri-Food Canada launched a consultation process regarding the next five-year policy framework for the department, initially entitled the *Next Generation* and subsequently *Growing Forward*. The CFHS submitted comments during the initial phases of the consultation process (see attached). One of our major comments was that an Animal Health and Welfare pillar needs to be incorporated in the policy framework. As the only national animal welfare organization representing over 100 humane societies, SPCAs and branches across Canada, and the animal welfare voice sought out by industry and government, we were surprised that our comments were dismissed. We were not invited to participate at any stage of the consultation and there is no mention of animal welfare anywhere in the documents outlining the policy directions, principles and objectives.

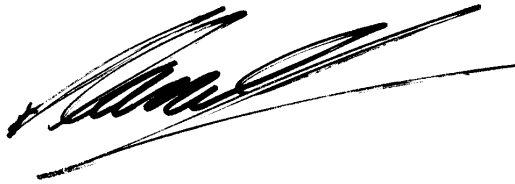
While other countries are making animal welfare a priority, Canada is out of step and seems content with the status quo. There are numerous examples around the world of countries (i.e. Australia, New Zealand and the UK) that have implemented animal welfare strategies and that have animal welfare advisory councils that advise government on issues relating to animal welfare and the ethics of animal use. In contrast, Canada's next five-year policy framework does not even mention animal welfare. This has to change.

The Canadian public is becoming more and more interested and informed about where their food comes from and how animals used for food are treated. They want to know that a credible, reliable body is watching over animals on farm, during transit and at slaughter. Currently, the Canadian government has done little to reassure the public that there are strong regulations regarding the treatment of animals and that such regulations are effectively enforced.

The CFHS and its member societies strongly recommend that the Auditor General conduct a performance audit of the animal welfare legislative duties of the CFIA and the Ministry of Agriculture and Agri-Food. Public safety, reliable access to safe food, and the humane treatment of animals are in serious peril. The governmental bodies tasked with these oversights must make substantial changes to their programs if Canada is to secure a reputation for animal protection that is in line with other developed nations in the 21<sup>st</sup> century.

I urge you to immediately respond to this letter. The CFHS stands ready and willing to assist in any way in the establishment of a better system of oversight for animal welfare in our great country.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Steve Carroll', with a long horizontal flourish extending to the right.

Steve Carroll  
Chief Executive Officer