



SUBMISSION ON THE PROPOSED AUSTRALIAN ANIMAL WELFARE STANDARDS AND GUIDELINES FOR CATTLE

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ABOUT VOICELESS

As an innovator, capacity builder and ideas-generator, Voiceless plays a leading role in the development of a cutting edge social justice movement, animal protection.

With a highly professional and well-educated team, Voiceless brings together like-minded compassionate Australians from the legal, academic, non-profit and education sectors to form strong and effective networks.

Voiceless believes in the provision of quality information, analysis and resources to inspire debate and discussion and to empower individuals and organisations to generate positive social change.

Voiceless is a non-profit Australian organisation established in May 2004 by father and daughter team Brian and Ondine Sherman.

To build and fortify the animal protection movement, Voiceless:

- gives grants to key projects which create the groundswell for social change;
- cultivates the animal law community through the provision of leadership, educational opportunities and resources; and
- raises awareness of animal protection issues within the education system in order to strengthen democratic skills, promote critical thinking and encourage advocacy amongst students.

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1 Introduction

- 1.1 The Government has invited comment from the community on the proposed Australian Animal Welfare Standards and Guidelines for Cattle. In aid of this, the Government released the following documents for consultation with the community:
- (a) the Draft Australian Animal Welfare Standards and Guidelines for Cattle: Public Consultation Version 1.0;
 - (b) the Cattle Regulation Impact Statement; and
 - (c) discussion papers.
- 1.2 This submission will make recommendations on these documents where appropriate, and will use the following abbreviations for clarity of expression:
- (a) 'S&G': the Draft Australian Animal Welfare Standards and Guidelines for Cattle: Public Consultation Version 1.0
 - (b) 'RIS': the Cattle Regulation Impact Statement
 - (c) 'DP': a discussion paper provided by the Government (topic specific) in addition to the RIS
 - (d) 'MCOP': the Model Code of Practice for the Welfare of Animals: Cattle, 2nd Ed. 2004
- 1.3 It is encouraging to see that the Government is attempting to improve the welfare conditions of cattle, but unfortunately the S&G fail to adequately set minimum industry standards. The cattle industry must meet the highest domestic and international welfare standards available. The duty of the Government is to identify which jurisdictions employ the most welfare minded standard, and adopt that particular jurisdiction's code as a minimum national standard. The aim to set minimum industry standards is further hindered by the following:
- (a) the underlying problem of enforcement. While standards exist, there is little consideration given to how cattle farms can be monitored in their compliance;
 - (b) the fact that the S&G are quite general. To fulfil the standards, cattle farmers would naturally turn to the guidelines for direction – however, the guidelines themselves carry little substance and do not provide direction as to where to look for clarity. While it is a positive step to have legally enforceable standards, it seems too easy to satisfy the requirements without sufficiently addressing cattle welfare (it would be easy for offenders to defend themselves from a charge). Similarly, though simple and short guidelines are more attractive for farmers to read and take on board, the S&G run the risk of being too basic (a farmer may justify his compliance with the S&G, without actually being informed of much); and
 - (c) in relation to the comment above, a major issue is the high level of discretion afforded by the S&G. As stated in the introduction of the document itself, "some standards describe the required welfare outcome without prescribing the exact actions that must be done"¹ – in some cases, this renders the standards meaningless. Although too much detail can by default be quite limited in its application and interpretation, the S&G lean to the other end of the spectrum

¹ S&G, p6

with a very high degree of subjectivity. The document should be amended to find a prescriptive balance, in order to provide actual guidance to cattle farmers.

- 1.4 The definition of animal welfare in the S&G² and the RIS³ is not adequate. Animal welfare must be defined in more detail, being a core tenant of the S&G. The definition should read something to the effect: "*animal welfare refers to the physical and psychological state of an animal and how well he or she is coping with the conditions in which he or she lives, considered in terms of the five freedoms: freedom from hunger and thirst, freedom from discomfort, freedom from pain, injury or disease, freedom to express normal behaviour and freedom from fear or distress.*⁴ *Measuring an animal's state of welfare requires an assessment of an animal's physical condition; physiological functioning; brain state; behaviour; and feelings.*"⁵
- 1.5 A more subtle observation relates to the use of language. When an individual animal is reduced to 'it' (reflecting the legal property status of animals), welfare is a difficult consideration to keep in mind. For the purposes of fostering humane farming practice, the pronouns 'he' or 'she' should be used instead. Though not all stakeholders share the interest in personifying animals, true welfare is unattainable while the cattle are considered objects.
- 1.6 Please note, a few minor typographical errors were found in the S&G:
- (a) Page 6 – the first sentence under the sub-title 'Standards' requires a full-stop after the closed bracket;
 - (b) Page 9 – delete the word 'of' in the fifth dot point under G1.1; and
 - (c) Page 38 – the third paragraph defining the word 'facilities' requires a comma between 'fences' and 'yards'.

2 Response to the RIS

- 2.1 The Government is seeking consultation as to which option or variation of cattle welfare standards is best. The options and variations are:

Option A: Converting the proposed national standards into national voluntary guidelines (the minimum intervention option);

Option B: The proposed national standards as currently drafted;

Option C: One or more variations of the proposed national standards as follows:

Variation C1: pain relief for all spaying

Variation C2: banning flank spaying/flank webbing

Variation C3: banning permanent tethering

Variation C4: banning the use of dogs on calves

Variation C5: banning caustic dehorning

² S&G, p36

³ 1.2.2, RIS, p4

⁴ RSPCA Australia knowledgebase/RSPCA policies/Five freedoms for animals, <http://kb.rspca.org.au/Five-freedoms-for-animals_318.html>

⁵ Donald Broom, 'Animal Welfare: Future Knowledge, Attitudes and Solutions' (Paper presented at the Australian Animal Welfare Strategy International Animal Welfare Conference, Gold Coast, 31 August 2008) <http://www.daff.gov.au/__data/assets/pdf_file/0003/1046451/26-donald-broom.pdf>.

Variation C6: banning induction of early calving except for veterinary requirements

Variation C7: banning electro-immobilisation

The Government is also seeking views on further formulation or variations to the existing proposals.

2.2 Option A is not adequate, as it cannot achieve the goal to remedy the inadequacies of the MCOP. Option B is also insufficient, as significant amendments must be made to the current draft for welfare reasons. Option C is the only adequate choice, and Voiceless supports the enforcement of each of the variations C1 to C7.

(a) In regard to additional variations, Voiceless proposes:

- (i) *Variation C8: banning of all dehorning*
- (ii) *Variation C9: banning of the use of burdizzos and tension bands for castration*
- (iii) *Variation C10: banning the use of electro-immobilisation*
- (iv) *Variation C11: mandatory pain relief for all surgical procedures*

(A) A majority of the DPs discuss cortisol levels as a measurement of pain. Care must be exercised in interpreting cortisol responses to pain and/or handling as there are a number of unrelated factors that affect cortisol levels, and cortisol measures cannot be relied on as the only indicators of stress level (for example, where stress is chronic).⁶ As pain response is an imprecise calculation, cattle must be given the benefit of the doubt in considering whether to use pain relief. This calls for a blanket standard that pain relief must be used where pain is likely, such as surgical procedures.

(B) An oversight by the RIS and the S&G is that not only should pain relief be administered for the initial procedure (such as disbudding), but the pain suffered by the animal afterwards should be considered too. The initial relief would wear off quickly and the animal would be left in a compromised, uncomfortable and painful situation for however long their wounds may take to heal.

2.3 The table on page x of the RIS shows that where welfare benefits are improved, the regulatory burden is unaffected and cost increments are marginal. Based purely on cost, the only questionable variation is C6 (the banning of induction of early calving). C6 is significantly more expensive than the other variations and is therefore likely to receive strong opposition from industry stakeholders.

2.4 As Voiceless considers Option A unfeasible, the incremental cost of option B over 10 years (\$36.51m) has been substituted as the 'base' case or the minimum threshold. The imposed incremental cost of each variation from Option B is:

- (a) C1: +25.13m
- (b) C2: +136.98m (C1 option would be slightly cheaper if C2 is adopted)

⁶ Malcolm Caulfield, *Science and Sense: the Case for Abolishing Sow Stalls*, 2013, p28-29, accessible at <http://www.voiceless.org.au/sites/default/files/Science_and_Sense.pdf>

- (c) C3: -1.61m (less than threshold of Option B, and therefore obvious to enforce)
- (d) C4: +0.41m
- (e) C5: +0.5m (relatively little increase, especially as the pain of caustic chemical dehorning is acknowledged and can be avoided)
- (f) C6: +473 .27m (mainly impacts Victoria)
- (g) C7: +8.25m

It should be noted, however, that the costs provided are limited in their accuracy. Even the quantifiable figures are uncertain (for example, the analysis for the cost incurred by training dogs does not factor in the costs saved from having well trained dogs: well trained dogs save human labour costs and result in fewer injured stock, hence improving production)⁷. Further, the methods of calculation do not reflect the industry as a whole (for example, the method to calculate hourly time costs for farm workers seems to represent only the maximum end of the salary spectrum)⁸.

- 2.5 In a twist of perspective, industry stakeholders could rather stand to gain financial benefits from the proposed variations, despite incremental compliance costs. This submission advocates the creation of a symbol to identify a product as being made in compliance with welfare standards. Though the RIS states that market assurance schemes would be of limited benefit because few consumers currently buy animal-welfare related products,⁹ there would be little reason for a consumer to intentionally choose the less welfare-friendly option if the alternative was equal in price and quality. That is, presented with a choice between two types of the same product, with the only difference being a clear indication that one was more animal welfare minded, it only makes sense that consumers would prefer the latter. However, this system requires development and would rely on an independent auditing scheme or monitoring mechanism to effectively determine which products may be marked with the symbol.
- 2.6 The RIS rules out public education and better consumer information as alternatives to national standards. Although these approaches may not be as efficient on their own, they need not be disregarded entirely. Public education and better consumer information could be effectively used to supplement or operate in tandem with the national standards. When considering target audiences, the national standards are directed towards cattle farmers; consumers and the general public have little reason to read them. The other approaches are therefore necessary so that a wider audience is reached and better informed. Further, better consumer information is both necessary and a right.
- 2.7 The RIS claims the lack of national consistency results in excess regulatory burden¹⁰ and the S&G therefore aims to promote national consistency. However, the high level of discretion afforded by the S&G does not create consistent welfare requirements. The RIS claims that the S&G resolve the inconsistency between the following jurisdictional differences:
- (a) Electro-immobilisation – currently the process can only be used by veterinarians in New South Wales and Tasmania and is banned in Victoria. Other States do not require a veterinarian to conduct electro-immobilisation. However, the S&G do not correct this inconsistency:
 - (i) S5.7 says that electro-immobilisation must only be used on cattle if it is approved for use in the jurisdiction, and if the operator is trained or it is

⁷ RIS, p92

⁸ RIS, p89

⁹ RIS, p40

¹⁰ 2.1.3, RIS

done under direct supervision of a veterinarian or a trained person. A cattle business that operates across jurisdictions will still be faced with the same issues of inconsistency; essentially, the S&G render the inconsistency acceptable.

- (ii) To remedy this, electro-immobilisation should be uniformly prohibited (following the highest standard set by Victoria). At the very least, electro-immobilisation should uniformly require veterinarian supervision.
- (b) Castration – currently castration of cattle over 6 months of age is banned in Tasmania and New South Wales unless performed by a veterinarian, whereas the age limit in South Australia is 3 months. The RIS assumes that veterinarians would use pain relief.¹¹
- (i) The S&G contradict the 3 month requirement in South Australia by inserting S6.2, allowing castration without pain relief for cattle less than 6 months old or less than 12 months old if at their first yarding and where the later age is approved in the jurisdiction.
 - (ii) To remedy this, the age limit should not be left to jurisdictional discrepancies, but rather be set at 3 months (following the highest standard set by South Australia).
- (c) The same issue applies to dehorning, which is left to jurisdictional differences.
- (d) The same issue applies to spaying, which is left to jurisdictional differences.

In each situation above, the highest welfare standard should be adopted as a minimum and uniformed in each jurisdiction. See relevant topic areas of the S&G for Voiceless's detailed position on the minimum standards.

3 Discussion of the S&G

- 3.1 Voiceless has reviewed the S&G in conjunction with the MCOP, being the Code that the S&G purport to amend, and makes the following comments. Throughout the analysis, reference will be made to the RIS and relevant DPs. Each section of the S&G is considered in the order they appear in the proposed draft.

4 Introduction of the S&G

- 4.1 To be amended:
- (a) In contrast to the MCOP, the new S&G no longer define 'cattle' as *domestic bovine*, but rather as 'all members of the genus *bos*'. Accordingly, the 'feral cattle' section found in the MCOP is omitted in the S&G. It is unclear whether or not the S&G apply to wild cattle. Although it can be assumed that the S&G only apply to cattle-farming enterprises, this should be clearly articulated at the beginning of the document.
 - (b) The introduction should be amended to include an emphasis on the psychological welfare of cattle in addition to physical distress. Although behavioural needs are briefly referenced on p7, the 'risk to welfare of cattle' (p6) seems to emphasise only physical ailments and barely touches on psychological stress or fear. Psychological stress directly affects the behaviour of cattle and should therefore be a vital consideration.

¹¹ RIS, p 38

- (c) Replace the term 'should' with 'must' in the sentence: "in considering the use of pain relief, cattle should be given the benefit of the doubt" (p8).

5 Responsibilities

5.1 The following guideline should be a standard: Guideline G1.3 states that staff induction programs and periodical reviews should be conducted. Considerable effort would be required to restructure management systems and implement a mechanism to monitor enforcement, yet there seems to be little incentive to follow this guideline. The clause lends itself to an important aspect of cattle welfare – the training of staff – and should therefore be included as a standard instead of a guideline: replace 'should' with the word 'must'.

5.2 To be amended:

(a) The following clauses are too subjective:

- (i) S1.1 "A person must take reasonable actions to ensure the welfare of cattle under their care". This standard should stipulate what actions are *reasonable*. Voiceless understands that the guidelines provide a number of factors that would be considered *reasonable actions* but, as our comments in respect of G1.1 and G1.2 show, they are lacking.
- (ii) G1.1 "Identifying distressed, weak, injured or diseased cattle, and taking appropriate action." The guidelines should stipulate what actions are *appropriate*. Otherwise, some may deem a humane death appropriate where the cattle could rather be nursed back to health. A similar issue arises with the use of the term 'appropriate' in the next two dot points: "maintaining *appropriate* records" and "humanely killing by *appropriate* methods, or seeking the assistance of *someone...*".
- (iii) G1.2 "Agistment responsibilities should be documented, communicated and clearly understood by both parties." While the MCOP explained what these responsibilities were, the S&G do not. At a minimum the S&G should require a written agreement between the landowner and cattle owner, to ensure the welfare of agisted cattle, as required by paragraph 7.1 of the MCOP. This could read: "*The responsibility for the welfare of agisted cattle must be defined by agreement in writing between the owner of the land and the owner of the cattle.*"

5.3 To be inserted:

- (a) The "protection from predation" clause in the MCOP has been removed in the list of basic welfare needs in the S&G. While the risk of predation is mentioned briefly under S3.1 and G3.12, it should be reinstated as a basic necessity in this section as well. Cattle cannot protect themselves as a result of their confinement and the production system they are in. As cattle farmers are the reason for this inability, they have a duty to protect them.
- (b) The responsibility to ensure social contact amongst cattle must be included. Such a clause under G1.1 could read: "*understanding cattle behaviour and ensuring healthy social contact.*"

6 Feed and water

6.1 The following guideline should be a standard: Guideline G2.7 - replace the term 'should' with the word 'must' to read "*cattle access to contaminated and spoilt feed, toxic plants and harmful substances must be avoided or managed.*"

6.2 To be amended:

- (a) The standard S2.1, as it refers to *adequate and appropriate feed and water*, should be amended to provide that what is adequate and appropriate is to be determined by the guidelines or based on specified fat/weight ratios.
- (b) There is no obvious reason for the omission of the following from the MCOP, and the S&G should be amended to address each:
 - (i) Water requirements for pre-slaughter cattle in lairage;¹²
 - (ii) Requirements addressing water salinity.¹³ Such requirements are particularly important in Australia where salinity levels are increasing;¹⁴
 - (iii) Apart from housed cattle,¹⁵ the S&G are silent on requirements for air.¹⁶ Although air is more difficult to control outdoors, factors such as pollution and humidity still need to be taken into consideration;
 - (iv) The limitations for time spent without food are not outlined. Feed interruption must not exceed 24 hours;¹⁷
 - (v) G2.7 lacks detail in addressing toxic plants and substances. The guidelines should include detail such as *'by-products fed to cattle must be treated to destroy potential toxins; care should be taken to ensure that residues of chemicals to treat animals or crops are neither present in by-products, nor likely to cause contamination'*;¹⁸
 - (vi) Requirements against dusty feeds (which may cause respiratory/eye issues);¹⁹ and
 - (vii) Mineral supplementation in feed.²⁰
- (c) G2.1 "Feed supply for cattle should minimise harmful metabolic and nutritional conditions." No such condition should be allowed; this guideline may mislead farmers to think some level of harmful metabolic/nutritional condition is permissible. Amend the guideline to replace the term "minimise" with "prevent".
- (d) The following clauses are too subjective:
 - (i) G2.2, G2.5, G2.8, G2.14 and G2.15 indicate "regular" assessment or "appropriate/reasonable" time frames. The time frames should stipulate how regular said action should be, or at least specify a range of days, weeks or months.
 - (ii) G2.6 "Shy feeders should be identified and managed appropriately." As per the MCOP, the guidelines need to stipulate that shy feeders should be removed and fed separately instead of being "managed appropriately".

¹² 1.1.2 MCOP

¹³ 1.1.4 and s2 of Appendix 1, MCOP

¹⁴ Salinity, Department of Sustainability, Environment, Water, Population and Communities, <<http://www.environment.gov.au/land/pressures/salinity/>>

¹⁵ See G4.10, S&G

¹⁶ 1.2 MCOP

¹⁷ As per 3.1.6 of the Canadian Recommended Code of Practice for the Care and Handling of Farm Animals – Beef Cattle (1991)

¹⁸ 1.3.4 MCOP

¹⁹ 1.3.5 MCOP

²⁰ 1.3.7 MCOP

- (iii) G2.18 should stipulate what “appropriate energy and protein supplements” are.
- (e) Insert the words ‘fresh clean’ in front of ‘water’ in G2.10, G2.11 and G2.12. Further, G2.13 implies that water can be unclean as long as it is not ‘harmful’. This is not sufficient. It is difficult to determine at what point unclean water becomes a host for pathogens and therefore unsuitable for cattle consumption,²¹ and unclean water should not be permissible.
- (f) G2.10 recommends access to water at least daily. Not only will the animal benefit, research suggests that cattle with free access to water will produce more milk and more butterfat than cattle with limited access to water.²² The guideline should recommend free access to water.
- (g) G2.17 recommends colostrum is administered within 12 hours of birth. Dairy Australia also dictates that colostrum must be administered within the first 12 hours, but notes that the effectiveness of the colostrum begins to decrease immediately from birth with graphs showing that the impact had notably decreased by even 12 hours after birth.²³ In contrast, the MCOP mandates a 6-hour limit.²⁴ A third source advises that colostrum should ideally be administered within an hour, and no later than 6 hours from birth because studies have shown that the efficiency of antibody absorption drops to about 50% by 6 hours of age.²⁵ All sources indicate that the sooner a calf is fed after birth, the more effective the colostrum. Voiceless strongly recommends calves receive colostrum as early as possible, and G2.17 should be amended to read, “Calves should receive adequate colostrum within 6 hours of birth, with the first feed occurring as soon as possible.”

7 Risk management of extreme weather, natural disasters, disease, injury and predation

7.1 The following guidelines should be standards:

- (a) G3.11 – replace the term ‘should’ with ‘must’ to read, ‘*Downer cattle must be assessed and treated without delay*’; and
- (b) G3.12 – replace the term ‘should’ with ‘must’ to read, ‘*Predator control programs must be implemented where predation is a risk to the welfare of cattle.*’ Previously the clause recommended predator control programs where predation is a ‘significant’ risk. This threshold is too high, and predators should be controlled even where they present a low or moderate risk as cattle have little ability to protect themselves.
- (c) G3.3 – “If practical” should be eliminated from the clause. “If practical, cattle should be provided with adequate shelter to minimise risks to welfare during inclement weather.” Shelter and fodder is vital for welfare in certain weather conditions, and should not only be a matter of what is practical.

7.2 To be amended:

²¹ Greg Markwick, *Water Requirements for Sheep and Cattle*, <http://www.dpi.nsw.gov.au/__data/assets/pdf_file/0009/96273/water-requirements-for-sheep-and-cattle.pdf>, Megan Brew, Jeffrey Carter and Marry Maddox, *The Impact of Water Quality on Beef Cattle Health and Performance*, <<http://edis.ifas.ufl.edu/an187>>, and, Stephen Boyles, *Livestock and Water*, <<http://beef.osu.edu/library/water.html>>

²² Ibid.

²³ Dairy Australia, *Rearing Healthy Calves: Colostrum Management*, <http://www.dairyaustralia.com.au/~media/Documents/Animals%20feed%20and%20environment/Animal%20health/Rearing%20healthy%20calves%20manual/RearingHealthyCalves_colostrum_Ch4.pdf>

²⁴ 3.6 and 5.10.5 MCOP

²⁵ Alta, *Fine-tuning Colostrum Management Practices*, <http://web.altagenetics.com/australia/DairyBasics/Details/1291_Fine-Tuning-Colostrum-Management-Practices.html>

- (a) There is no obvious reason for the omission of 5.10.9 from the MCOP, and the S&G should address cancer eye (considering it is the most prevalent form of cancer for cattle and a serious welfare issue)²⁶. A clause could read, "*cows with cancer eye must be treated as soon as possible by a veterinarian, or be humanely killed only in exceptional circumstances where treatment is not possible. Cancers must not be allowed to progress untreated, where it is in the cow's best interests. Breeding for pigmentation around the eye is recommended in susceptible breeds.*"
 - (b) The following clause is too subjective: S3.2 "inspection of cattle at intervals." The interval range must be specified.
 - (c) More specific guidelines for flood and fire plans should be included under G3.1 (e.g. point to firebreaks, high ground). Some of these are implied under the 'Facilities and Equipment' section, but:
 - (i) one of the sections should specify strategies in more detail in order to provide proper guidance for cattle farmers; and
 - (ii) the relevant sections should be cross-referenced within the S&G so readers are aware that guidelines exist elsewhere.
 - (d) G3.2 - during drought procedures, animals should be assessed by a competent person²⁷ and humane killing should only be a last resort where no other options serve the best interest of the animal. These amendments should be included in the list under G3.2.
 - (e) G3.5 – insert the word 'promptly' before 'investigated'.
 - (f) G3.7 should specify the necessity of a vaccination to protect against tetanus and other clostridial diseases, amongst other infectious diseases.
- 7.3 To be inserted: there is nothing about shade in the S&G. Shade is an absolute necessity in the Australian climate and shade requirements must be inserted. The RIS mentions heat-stress as a key welfare concern,²⁸ and identifies shade as a remedy. On top of the amendment under section 7.1(c) of this submission, an additional clause could read "*Cattle must be provided with adequate shelter, including constant access to shade to minimise risks of hot climates.*"

8 Facilities and equipment

- 8.1 The following guidelines should be standards: Guidelines G4.6, G4.7, G4.9, G4.10, G4.11 and G4.12 - replace 'should' with the word 'must' in these clauses. These particular requirements were nominated because they represent basic welfare requirements that cattle cannot provide for themselves.
- 8.2 To be amended:
- (a) There is no obvious reason for the omission of the following from the MCOP, and the S&G should be amended to address each:
 - (i) The MCOP says dust and noise should be reduced,²⁹ but the S&G say nothing about noise. Noise should definitely be addressed as it is a factor that may significantly affect the stress levels of cattle. This is especially noteworthy where drafting canes, flappers, flags, rattles or other noise

²⁶ For details, see Cancer Eye in Cattle: <<http://www.dpi.nsw.gov.au/agriculture/livestock/health/specific/cattle/cancer-eye-in-cattle>>

²⁷ 1.5.3 MCOP

²⁸ RIS, p34 and p110

²⁹ 4.1 MCOP

makers are used to aid handling and therefore foster an anxious response in cattle to noise.

- (ii) Requirements relating to concrete floors and gravel tracks (injury-prone surfaces)³⁰ have been omitted. Though bedding is recommended under G4.11, other surfaces must be considered too.
 - (iii) Requirements relating to restraint facilities³¹ have been omitted. Although restraint is mentioned under G5.4 in 'Handling and Management', it is not sufficient unless also considered in the construction of facilities.
 - (iv) The construction of electric fences should be addressed.³²
- (b) G4.1 'cattle behaviour' should be replaced with 'natural cattle behaviour.'
 - (c) G4.2 should also list 'ramps' as an area to reduce stress/injury risk.

9 Handling and management

9.1 The following guidelines should be standards:

- (a) Guidelines G5.7, G5.8, G5.28 and G5.29 represent basic welfare needs, and should be standards.
- (b) Guideline G5.14. The RIS seems to dismiss the issue of permanent tethering as less significant because only 150 cattle are permanently tethered in Australia. However, Voiceless supports *Variation C3* that permanent tethering should be prohibited. Firstly, it is a welfare violation regardless of how many cattle are affected. Secondly, since there are so few cases it should be relatively easy to implement the necessary changes. Thirdly, the statistic only represents those cattle known about; others are likely to be permanently tethered. Finally, an additional welfare issue with permanent tethering is the actual means of tethering: for example, nose rings cause damage to sensitive areas and cause discomfort and must be explicitly prohibited for tethering.³³ Therefore, the S&G should state, "*tethering may only be used in the following circumstances:*
 - (i) *where a cow is required to be separated from other cows upon veterinary advice; and*
 - (ii) *on a temporary basis; and*
 - (iii) *for the minimum period necessary; and*
 - (iv) *using a neck band or head collar; and*
 - (v) *adequate shade, food and water must be provided.*³⁴

9.2 To be amended:

- (a) Voiceless endorses *Variation C4* to ban the use of dogs on calves less than 30 days old. Accordingly S5.5 must be replaced with a clause to read: "*dogs must not be used to move calves less than 30 days old.*" Currently, S5.5 requires a dog to be muzzled when moving calves. Voiceless does not support muzzling, as

³⁰ 4.5 MCOP

³¹ 4.6 MCOP

³² 4.15 MCOP

³³ DAFF: Tethering, Grooming and Record Keeping, <<http://www.daff.gov.au/animal-plant-health/welfare/nccaw/guidelines/display/circus/tethering>>

³⁴ See more at Is Tethering of Farm Animals Acceptable <http://kb.rspca.org.au/Is-tethering-of-farm-animals-acceptable_400.html>

muzzles raise welfare issues for dogs (for example, muzzles prevent dogs from properly swallowing, panting or drinking properly and can leave dogs susceptible to overheating).³⁵

- (b) The use of electric prodders, as permitted by S5.3 and G5.6, should be prohibited as per the RSPCA Australia Animal Welfare Guidelines Beef Cattle³⁶ and as is the case in other jurisdictions including Ireland³⁷ and New Zealand.³⁸ Electric prodders cause unnecessary stress; according to Temple Grandin, "repeated prodding often results in increased vocalization and behavioral agitation".³⁹
- (c) There is no obvious reason for the omission of the following from the MCOP, and the S&G should be amended to address each:
 - (i) Prohibition of the use of shotguns in handling.⁴⁰ This is very important to include for obvious safety reasons, for both cattle and people.
 - (ii) Restrictions on types of goads as herding aids.⁴¹ Such restrictions must be outlined to limit a person's ability to use 'what is lying around' or to 'get creative' with goads to the detriment of the cattle.
- (d) The following clauses are too subjective:
 - (i) G5.7 "Cattle being moved should be rested or allowed to slow *if they show signs of exhaustion*" (emphasis added). Apart from Voiceless's position stated above that this clause should be a standard, the concern here is the difficulty of differentiating between exhaustion and confusion/fear; that is, a cattle farmer may not allow a cow to rest by deciding he or she seems confused rather than exhausted. This calls for the inclusion of some solid markers that demand a rest, such as 'tonguing' (salivating profusely).
 - (ii) The term 'appropriate' affords too much discretion in the following clauses:
 - (A) S5.9 should specify accepted techniques: ear marking, tattooing, freeze branding, RFID, tail tags, ankle straps and neck collars.
 - (B) G5.2, should identify what factors make an area appropriate for calf weaning.
- (e) S5.4 is misleading as it could be read to mean that a farmer must have a dog. Rather it should indicate that **if** you have a dog, the dog must be under effective control.
- (f) Insert 'injury' into the list as an additional dot point under G5.3.

9.3 Position on identification:

- (a) Hot iron branding, ear notching and branding using corrosive chemicals should **not** be allowed, in accordance with the combined recommendations by the RSPCA and the AVA:

³⁵ Simon Black, *RSPCA expresses concern over muzzles*, 05/04/13, The Daily Telegraph <<http://www.theaustralian.com.au/news/rspca-insists-dog-muzzles-are-cruel/story-e6frg6n6-1226612819716>> 36 November 2012, pages 8, 12 and 14.

³⁷ Health and Safety Authority, *Guideline on the Safe Handling of Cattle on Farms* (2011) p25

³⁸ MAF Biosecurity New Zealand, *Animal Welfare (Sheep and Beef Cattle) Code of Welfare 2010*, Minimum Standard No. 2(d)

³⁹ Temple Grandin, *Objective scoring of animal handling and stunning practices at slaughter plants*, *Journal American Veterinary Medical Association*, 1998 Vol 212, pp 36-39

⁴⁰ 4.10 MCOP

⁴¹ 4.11 MCOP

- (i) In Victoria, the use of a firebrand leaves the owner open to prosecution on the basis that non-painful alternative methods are available.⁴² This should be the national standard.
 - (ii) Where branding is necessary, guidelines should stipulate that freeze branding should be used instead of hot iron branding (as shown in the related DP that freeze branding has a lower pain response).⁴³
 - (iii) If hot iron branding is not prohibited, then at the very least a standard should be created to make pain relief mandatory, as per New Zealand standards.⁴⁴
 - (iv) Clause 5.7.2 from the MCOP must be inserted: '*cattle must not be branded with corrosive chemicals*'.
- (b) An age requirement for identification must be inserted into the S&G: '*Calves under 2 months may not be branded*'.

9.4 Position on electro-immobilisation:

- (a) The ultimate position of Voiceless is that electro-immobilisation should be prohibited, and *Variation C7* is accordingly adopted. The DPs do not factor in the mental stress of the cattle: it is horrific that fully conscious animals can be rendered immobile, with no guarantee of pain relief. The use of electricity to immobilize and paralyze animals to hold them aversive is bad for animal welfare: it should be prohibited.⁴⁵ The cattle cannot display normal responses, electro-immobilisation may provide an excuse for not using pain relief and the system is easy to misuse, overuse or abuse. Further, though the DP reveals that conventional restraint methods are likely to cause injury to cattle or stock people, electro-immobilisation also poses risks to cattle and stock people alike, as immobile cattle cannot keep themselves from falling nor shift their weight. Veterinarians already have alternative options for sedation, anaesthesia and analgesia.
- (b) If it is decided that electro-immobilisation will be permitted, the standards must be amended to restrict the use of electro-immobilisation where there is no feasible alternative for restraint and where recommended and carried out by a veterinarian.⁴⁶
- (c) If it is decided that electro-immobilisation will be permitted, the guideline G5.20 must be amended. Currently the clause reads "any benefits of electro-immobilisation on cattle should be judged against its aversive effects." These effects are not necessarily apparent to cattle farmers, so the S&G must outline *what* the aversive effects are: for example, an animal's ability to react normally to pain and distress is masked, pain relief is not produced and the system may be abused to carry out surgery without anaesthesia, may significantly affect respiration (causing asphyxia, dyspnoea, apnoea, hypoxia) and/or may have profound cardiac effects, such as tachycardia.⁴⁷

⁴² DP, p13

⁴³ DP, p8

⁴⁴ NZ Animal Welfare (Sheep and Beef Cattle) Code of Welfare 2008, Minimum Standard No 12

⁴⁵ Temple Grandin, Electro-immobilization is NOT a humane method of restraint, available at <http://www.grandin.com/humane/electro.html>.

⁴⁶ As per Australian Veterinary Association 3.5 Electro Immobilisation Position Statement

⁴⁷ DP, p4

10 Castration, dehorning and spaying

- 10.1 The following guideline should be a standard: Guideline G6.2 - replace the term 'should' with 'must' to read, "*surgical procedures must be done with pain relief. Operators must seek advice on current pain minimisation strategies.*"
- 10.2 To be amended:
- (a) G6.7 should identify when the occasion to hand-rear or wean onto a solid diet would arise, and specify any limitations.
- 10.3 Position on disbudding and dehorning:
- (a) Disbudding:
- (i) Voiceless's ultimate position is that the use of caustic chemicals to disbud is prohibited, and cautery is used instead due to the following circumstances:
- (A) The additional risks of caustic disbudding are concerning due to a number of matters, including caustic chemicals getting into eyes and other sensitive tissues when calves come into contact with other cattle or when it rains.
- (B) "Chemical disbudding has been considered to be more painful than heat cauterisation on the basis of differences in cortisol responses (Morrise *et al* 1995)."⁴⁸
- (C) The cortisol response to cautery disbudding is significantly smaller than that to excision dehorning, which infers that the latter is more painful.⁴⁹
- (D) "Science and industry practice *suggest* that the technique can be performed with acceptable outcomes for the calf"⁵⁰ (emphasis added). This is not definitive enough and therefore, if it remains that caustic chemicals are permitted, precaution should be taken by requiring pain relief.
- (ii) Pain relief **must** be used for any method of disbudding:
- (A) The DP provides that "the types of pain and their perception are not often understood and are known to vary at different ages and between individuals. In considering the use of pain relief, cattle should be given the benefit of the doubt." Caution should be exercised and pain relief used in all circumstances.
- (B) A combination of a sedative, a local anaesthetic and NSAIDs must be used.⁵¹
- (C) As anaesthetics delay the pain response rather than reduce it, subsequent pain relief must be administered after the process as well.

⁴⁸ DP, p8

⁴⁹ As per NAWAC (2005). Animal Welfare (Painful Husbandry Procedures) Code of Welfare 2005 Report. <<http://www.biosecurity.govt.nz/files/regs/animal-welfare/req/codes/painful-husbandry/painful-husbandry.pdf>> which summarised the findings of Stafford KJ and Mellor DJ (2005). Dehorning and disbudding distress and its alleviation in calves. The Veterinary Journal 169: 337-349.

⁵⁰ DP, p3

⁵¹ Advocated by Faulkner and Weary (2000) *Reducing pain after dehorning in dairy calves*, Journal of Dairy Science Vol 83: 2037-2041, and, Stafford and Mellor (2005) to minimise pain

- (D) Where the cost of these drugs is an issue, the cost could be added to the sale price of the associated animal product. As pain relief will be mandatory, all products will incur a slight cost increase. Otherwise and / or in addition, the industry might like to discuss a subsidy arrangement with government.
- (iii) Age: any surgical procedure should occur prior to the horn fusing with the periosteum of the skull at two months.⁵²
- (iv) The S&G should accordingly be modified to the following:
 - (A) Insert: "*Calves must be disbudded before 2 months of age and pain relief must be administered before and after the procedure.*"
 - (B) S6.5 "*The use of caustic chemicals for disbudding is not permitted.*"
 - (C) G6.22 is not necessary if the use of caustic chemicals is prohibited.
- (b) Dehorning:
 - (i) Voiceless's ultimate position is to endorse *Variation C5*, with a further amendment that imposes a blanket prohibition on dehorning:
 - (A) The current MCOP recommends against caustic dehorning: "5.8.4 Cattle must not be dehorned with corrosive chemicals."
 - (B) Dehorning often results in trauma to the frontal sinuses in older cattle, increasing the risk of infection, excessive bleeding and prolonged wound healing.⁵³
 - (C) From an industry perspective, the DP identifies studies revealing a significant depression in weight gain following dehorning.⁵⁴ Dehorning is therefore not in the best interests of the industry, combined with the significant welfare costs associated with the procedure.
 - (D) "Dehorning, depending on the specific procedure, appears to be one of the most aversive procedures used on cattle, based on the magnitude of acute stress responses."⁵⁵
 - (ii) Though Voiceless opposes dehorning, if it is decided that dehorning is allowed to occur, there are a number of limitations that must be implemented:
 - (A) pain relief must be mandatory: a combination of a sedative, anaesthetic and NSAIDS must be used and subsequent pain relief must be delivered after the process;⁵⁶
 - (B) the process must not be permitted on cattle over 2 months of age;⁵⁷ and

⁵² DP, p6

⁵³ DP, p7

⁵⁴ DP, p9

⁵⁵ DP, p7

⁵⁶ DP, p9 and p10

⁵⁷ DP, p6 and p8

- (C) the method must be dictated by what is most appropriate for the type of cattle:
- (1) Caustic dehorning is prohibited;
 - (2) Hot iron dehorning should not be used for *Bos Indicus* and tropically adapted calves in northern Australian conditions,⁵⁸ and
 - (3) The method of choice must be able to remove all horn-growing tissue in one action with minimal damage to adjacent tissues.⁵⁹
- (c) Though Voiceless opposes dehorning, if it is decided that the process is allowed, S6.5 must be omitted and the following standards must apply to both disbudding and dehorning:
- (i) Amend S6.4 to read, *"A person in charge must use pain relief when disbudding or dehorning, and must allow sufficient time for the anaesthetic to take effect before the procedure."*
 - (ii) Insert: *"Cattle over 2 months of age must not be dehorned."*
 - (iii) Insert: *"Any cattle with horn re-growth from ineffective disbudding or dehorning procedures must be attended to by a registered veterinarian as soon as the horn re-growth becomes apparent, and must only be subject to the process of disbudding/dehorning again in exceptional circumstances where it would put the animal out of pain."*
 - (iv) Insert: *"It is unacceptable to disbud or dehorn an animal using caustic chemicals or tools such as axes and hammers".*⁶⁰
- (d) Alternatives to dehorning approved by Voiceless:
- (i) Tipping, provided it is carried out only on the upper, insensitive part of the horn on animals over 6 months of age.⁶¹
 - (ii) Voiceless encourages research into genetic selection for polled cattle:
 - (A) The DNA test made available in Australia in August 2010 is relatively inexpensive (\$33/test) and identifies homozygous polled bulls with >90% accuracy.⁶²
 - (B) In 2012 semen was released in Australia with 100% polled offspring.⁶³
 - (C) Voiceless acknowledges that the introduction of polled animals into the Australian dairy herd will be a slow process and that a test and the ability to record poll status nationally is needed before further progress can be made.⁶⁴ However, Voiceless would like to see improvements in this regard strongly encouraged so that it may be a viable wide-scale option in the near future.

⁵⁸ DP, p10

⁵⁹ 5.8.3 MCOP

⁶⁰ As per 6.2 RSPCA Australia policy (2008) on Invasive Husbandry Procedures

⁶¹ 6.3 (c) RSPCA Australia policy (2008) Invasive Animal Husbandry Procedures

⁶² DP, p1

⁶³ DP, p2

⁶⁴ Ibid

10.4 Position on castration:

- (a) Castration must be undertaken at the earliest age possible, be performed by an accredited operator and be accompanied by appropriate pain-relieving and / or pain-preventing products.
- (b) Pain relief must be used in any form of castration:
 - (i) The DP provides that "Local anaesthetic and ketoprofen given before the procedure was able to eliminate responses to all methods for eight hours after castration."⁶⁵ Therefore, a NSAID and a local anaesthetic appear to be the most successful combination to abolish the short to medium term pain response.
 - (ii) Pain relief is especially important where castration is conducted at the same or similar time to branding and disbudding/dehorning.
- (c) Castration of older cattle is considered a major surgical procedure and must only be performed by a veterinarian in exceptional circumstances.⁶⁶
- (d) The use of tension bands and burdizzo clamps should be prohibited, based on the DP research:
 - (i) Research concluded that tension banding castration produces inferior welfare outcomes to surgical castration in both weaner and mature bulls.⁶⁷
 - (ii) Tension bands and burdizzo clamps require a high degree of skill and judgement to ensure correct application and thus entail a high failure rate as precision may be reduced with large numbers of cattle.⁶⁸
 - (iii) The MLA Guide to Best Practice Husbandry in Beef Cattle (2007) gives cautionary advice on the burdizzo and does not support the use of tension banding.⁶⁹
 - (iv) Tension bands lead to a period of chronic pain.⁷⁰
 - (v) Clamps are not always successful.⁷¹
- (e) Surgical castration should be used in preference to ring castration.
 - (i) Wound healing is faster in surgical castrates compared to ring castrates.⁷²
- (f) Voiceless notes that a vaccine for immune-castration is not currently licensed for use in cattle in Australia.⁷³ As this procedure seems to have various welfare benefits over surgical castration,⁷⁴ further research and / or other steps required to ensure the licensing of this product, should be immediately carried out.

⁶⁵ DP, p7

⁶⁶ 4.6 RSPCA Australia (2008) Invasive Animal Husbandry Procedures

⁶⁷ DP, p5 and Petherick, JC Pain management in castrated beef cattle MLA project B.AWW.0206: <<http://www.mla.com.au/Research-and-development/Final-report- details?projectid=15155>>

⁶⁸ DP, p5

⁶⁹ DP, p13

⁷⁰ DP, p5 and p6

⁷¹ DP, p7

⁷² DP, p6

⁷³ DP, p5

⁷⁴ See for example Caitlin Connor, Advances in the use of immunocastration as an alternative to surgical castration in male pigs, available at http://vip.vetsci.usyd.edu.au/contentUpload/content_3274/CaitlinConnor.pdf

- (g) There is no obvious reason for the omission of the following from the MCOP, and the S&G should be amended to explain that castration over the age of 6 months is illegal in some jurisdictions.
- (h) Accordingly the standards should read:
 - (i) S6.2 *"A person in charge must castrate cattle at the earliest age possible and no older than 6 months, and must use pain relief."*
 - (ii) S6.3 *"A person must use appropriate tools and methods to castrate cattle. Tension bands and burdizzo clamps are not appropriate."*
 - (iii) Insert: *"Mature animals must only be castrated in exceptional circumstances, where it is in the best interests of the animal and in consultation with a veterinarian."*
 - (iv) Insert: *"Castration must only be undertaken where there is a clearly established need. There is no such need to castrate animals whom are destined for slaughter prior to sexual maturity."⁷⁵*

10.5 Position on spaying:

- (a) Voiceless endorses Variation C1 that pain relief must be mandatory for all spaying, and must be administered by a veterinarian or under veterinary supervision for the use of analgesic drugs.
 - (i) DOT spaying has been found to cause similar acute pain responses as that to flank spaying, and therefore also calls for pain relief.⁷⁶
 - (ii) A combination of a NSAID and a local anaesthetic must be used,⁷⁷ except where local anaesthesia is not applicable (per-vaginal methods or ovarian transection) and instead a NSAID must be administered before spaying.⁷⁸
- (b) Voiceless endorses Variation C2 that flank spaying/webbing must be banned.
 - (i) DOT has marked advantages over flank spaying and is a suitable alternative.⁷⁹
 - (ii) Flank spaying causes acute pain and inflammation for four days after the procedure.⁸⁰
 - (iii) Flank incisions do not completely heal for 42 days.⁸¹
- (c) The following amendments must be made:
 - (i) S6.8 should read *"A person in charge must use pain relief for any method of spaying."*
 - (ii) Insert: *"The flank approach for spaying or webbing is prohibited."*

⁷⁵ 4.1 RSPCA AUSTRALIA 2008 Invasive Animal Husbandry Procedures

⁷⁶ DP, p6

⁷⁷ DP, p6

⁷⁸ DP, p7

⁷⁹ DP, p1

⁸⁰ DP, p6

⁸¹ DP, p6

11 Breeding management

11.1 Guideline G7.5 should be a standard; replace 'should' with the word 'must.'

11.2 To be amended:

- (a) S7.3 should include the provision that the procedure be conducted by a veterinarian or under veterinary supervision. The RIS identifies S7.1 as removing a formal training requirement to allow for on the job training with experienced or veterinary supervision.⁸² However, the standard says nothing about supervision (unless advice is meant to include supervision), and S7.3 should be amended accordingly.
- (b) S7.4
 - (i) Should stipulate that humane killing is only allowed in exceptional circumstances, such as when G7.6 applies; and
 - (ii) Should ensure induced calves receive adequate colostrum before they are 6 hours old instead of 12 hours old (as per paragraph 6.3(f) of this submission).
- (c) G7.4 in the fourth dot point should read "**frequently** supervising cows and heifers close to calving, where possible, and early intervention **by a competent operator** if required".

11.3 Position on calving induction:

- (a) Voiceless's ultimate position endorses *Variation C6*, and requires cattle farmers to adopt strategies that do not require calving induction, such as: herd management programs that allow cows to reach full term and calve unassisted,⁸³ split or year round calving patterns, extended lactation, cross-breeding, better nutrition and the use of short gestation-length semen. Calving induction causes premature birth and increases the risk of stillbirths, retained foetal membranes and the occurrence of photosensitisation, uterine infections and cow mortality.⁸⁴ We do not support the killing of calves who are not strong enough to meet the standards required for trade. Rather, every attempt must be made to find a suitable home for calves such as animal welfare organisation, sanctuary or carer.
- (b) In accordance with this position, the S&G must make reference to the Australian Dairy Farmers' policy under the national dairy industry animal welfare strategy to achieve a reduced requirement for calving induction.
- (c) If conducted, the induction of calving **must** be done under the supervision of a veterinarian, not only on their advice (S7.3 must be amended accordingly), and only for therapeutic reasons.
- (d) If conducted, the procedure must be performed on selected cows only, with the following criteria:⁸⁵
 - (i) Aged 3-8 years (not replacement heifers);
 - (ii) Calving in body condition score 4.5 -5.5;

⁸² RIS, p49

⁸³ As per 4.8.2 RSPCA Australia (2008) Invasive Animal Husbandry Procedures

⁸⁴ DP, p4

⁸⁵ DP, p6

- (iii) In good health;
 - (iv) Between 6 and 13 weeks before their expected calving date;
 - (v) Dried off for at least 7 weeks,⁸⁶ and
 - (vi) Only where an induced birth is in the best interests of the cow.
- (e) "Recent estimates from dairy veterinarians indicate calving induction is used in about 4% of cows nationally".⁸⁷ This means that although the RIS identifies banning of calving induction as the highest cost increment, a relatively low proportion of cattle farmers would be set back by this cost. Further, according to the DP, the economic benefits of inducing calving are partially set off by: the cost of the treatment, the high rate of calf deaths and low commercial value of live calves, lower fertility in subsequent breeding seasons and reduced daily milk production.

12 Calf-rearing systems

12.1 To be amended:

- (a) There is no obvious reason for the omission of the following from the MCOP, and the S&G should be amended to address each:
 - (i) G8.1 should be amended to recommend calves receive adequate colostrum within 6 hours of birth, as per 6.3(f) of this submission.
 - (ii) Milk from diseased cows or cows on antibiotics must not be fed to calves.⁸⁸
- (b) G8.4 should be amended to include 'regularly' before 'observed'.
- (c) A standard should be inserted that requires that calves must not be weaned prior to 120 days. There should also be guidelines about when it is not appropriate to wean calves, for example, when other procedures such as castration and dehorning are being carried out. Weaning is very stressful and a calf should not be subjected to such further stressors.⁸⁹ The only exceptions should be where the health of the calf or dam warrants earlier weaning.
- (d) The following clauses are unclear:
 - (i) S8.4 "to the stage that compromises calf health and welfare" leaves too much room for discretion and should be qualified. The clause could read, "*A person in charge must not allow the faeces and urine of calves housed in indoor systems to accumulate for more than 24 hours. If calf health and welfare is compromised, immediate action must be taken to clean the area and attend to calves.*"
 - (ii) Paragraph 3.2 of the MCOP is omitted: "in order to provide an environment which is adequate for exercise, exploration and free social interaction, calves should be kept in groups unless disease control measures require individual penning." Although the S&G say to segregate sick calves, they say nothing *explicit* about calves living in

⁸⁶ Zimmermann, B. (2008). "Strategic calving induction." InCalf Program publications: Dairy Australia Retrieved 25 February, 2009, from <<http://www.incalf.com.au/default.asp?action=page&catID=67&pageID=110>>

⁸⁷ DP, p1

⁸⁸ 3.6 MCOP, while this is phrased as a guideline in the MCOP, it ought to be a standard in the S&G

⁸⁹ Emma Weatherly, Early Weaning of Beef Calves, 2008, <<http://www.dpi.vic.gov.au/agriculture/beef-and-sheep/beef/handling-and-management/early-weaning-of-beef-calves>>

groups. The S&G are misleading because G8.6 says "calves housed in single pens should be able to see neighbouring calves" and immediately after G8.7 says "calves should be kept in the company of other calves from three weeks of age." The latter may be interpreted differently by farmers. While it *should* be taken to mean 'kept in groups', a farmer would have a reasonable excuse to interpret it as keeping calves in adjacent and separate pens. This is not adequate from a psychological welfare point, as calves need direct social interaction and G8.7 should be amended to read, "*calves should be kept in groups from three weeks of age.*"

- (iii) Although G8.14 says that action should be taken to protect against extremes of weather, the guideline does not specify what action (for example, the MCOP notes adequate shelter and feeds with a high energy content).⁹⁰
- (iv) Below the standards there are a series of 'notes' including number 2: "sheds are not enclosed to the extent that ventilation or temperature control is an issue." This qualification seems to provide cattle farmers with a loophole to avoid fulfilling the standards. The distinction between sheds and indoor housing should be clarified, by reference to what construction features qualify an indoor housing facility.

13 Dairy management

13.1 The guidelines G9.3 and G9.5 should be standards; replace 'should' with 'must.'

13.2 To be amended:

- (a) The following has been omitted from the MCOP without obvious reason and the S&G should include section 5.3.1 that cows in full milk should be milked at least twice daily.⁹¹ While it seems obvious, the S&G are silent on this.
- (b) G9.6 'During hot weather, access to drinking water should be available at all times' should be amended to reflect the relevant amendments to the Feed and Water section, under paragraph 6.3(e) of this submission.

13.3 Position on tail docking of dairy cows:

- (a) Tail docking should be prohibited, as:
 - (i) Any links between tail docking and udder hygiene/disease is anecdotal.⁹²
 - (ii) "With the possible exception of improved worker comfort, producers have little to gain from adopting this procedure."⁹³
 - (iii) Scientific evidence exists against tail docking (pain response, neuromas, diseases, fly avoidance, long-lasting nerve damage).⁹⁴
 - (iv) It has been banned in many countries (e.g. UK, Denmark, Germany) for over 30 years.⁹⁵

⁹⁰ 3.5 MCOP

⁹¹ As common practice dictates, also supported by Primary Industries Agriculture <<http://www.dpi.nsw.gov.au/agriculture/livestock/dairy-cattle/dairy-podcasts/podcast/transcriptions/milking-times>>, and *This is Dairy Farming*, <<http://www.thisisdairyfarming.com/dairy-farming-facts/browse-all-facts/how-often-are-cows-milked.aspx#.UXhKeKlptn4>>

⁹² RIS, p39

⁹³ *ibid.*

⁹⁴ DP, p1, p4 and p8

⁹⁵ DP, p9

- (v) Simple management strategies (other than tail docking) are available to improve conditions for milking personnel, such as switch trimming and good dairy design.⁹⁶
- (b) The standards should read:
 - (i) *"Tail docking is prohibited, except where:*
 - (A) *It is the only suitable treatment for injury or disease, as diagnosed by a registered veterinarian, and pain relief is administered; or*
 - (B) *Hygiene is persistently compromised to a high level of risk (judged on an individual basis), and only after alternative solutions have been attempted and failed (such as regular trimming of the switch hair), and pain relief is administered."*⁹⁷
 - (ii) *"Switch trimming is acceptable as an alternative means of preventing issues associated with dirty tails."*⁹⁸
 - (iii) If essential, S9.3 needs to be amended to reflect that tail docking must be based on veterinary advice and conducted by a registered veterinarian in accordance with the following:
 - (A) Method: cutting and hot iron methods are prohibited, but elastrator bands (rubber rings) may be used.
 - (B) Tail length: shortening is limited to the last two to three vertebrae, comprising only the switch⁹⁹ and the tail must be long enough to cover the vulva (unless injury/disease requires more to be removed for treatment).
 - (C) Age limit for docking is 6 months.¹⁰⁰
 - (D) Pain relief must be used.
 - (iv) The S&G should clarify that the standards apply to tail docking of non-dairy cattle as well.

14 Beef Feedlots

14.1 To be amended:

- (a) Despite a note in the S&G that says 'indoor feedlot systems are not generally used in Australia', there is little consideration in the S&G in the case that they are used. For example, S10.1 only refers to external pens. The DP says references to construction and use of indoor cattle housing facilities are excluded from the S&G on the basis that they account for less than 1% of Australian facilities. No matter how few indoor housing facilities exist, provisions must be supplied for the case that indoor feedlot systems are used. Otherwise, certain facilities will be left entirely without welfare regulation.

⁹⁶ See more at Dairy Australia: Alternatives to Tail-Docking, <<http://www.dairyaustralia.com.au/~/.media/Documents/Animals%20feed%20and%20environment/Animal%20welfare/Cow%20welfare/Info%20sheet%20Alternatives%20to%20tail%20docking%208Sept11.pdf>>

⁹⁷ As per New Zealand recommended best practice, noted in the DP

⁹⁸ As per 13.2(b), RSPCA Australia Position Paper B4 'Invasive farm animal husbandry procedures'

⁹⁹ As per New Zealand regulations: NAWAC (2005) Animal Welfare (Painful Husbandry Procedures) Code of Welfare no.7

¹⁰⁰ 5.6.1 MCOP

- (b) Certain terms require definition: the asterisks used to demarcate these particular words in the S&G are meant to indicate a 'defined term', but the following are not in the glossary (while they may be defined in the Beef Feedlot Code, they should be explained in the S&G regardless):
- (i) S10.1 - *Standard Cattle Unit*
 - (ii) S10.4 - *risk assessment*
 - (iii) 10.7 - tipping is not marked with asterisks but requires proper definition (for example, must stipulate that nerve tissue is avoided and only the insensitive part of the horn is trimmed¹⁰¹).
- (c) The following clauses are unclear:
- (i) S10.8 is unclear as to whether daily inspection of cattle is to be conducted as an individual or group assessment. The term 'individual' should be inserted, in order to properly assess the health and wellbeing of all cattle in the feedlot. A group assessment will not guarantee that all issues, such as injuries, will be noticed.
 - (ii) A note under G10.2 says 'the requirements are fulfilled by the National Feedlot Accreditation Scheme.' However, it is more appropriate to say 'requirements are fulfilled **if** the National Feedlot Accreditation Scheme is satisfied.'
- (d) The following clauses are too subjective:
- (i) G10.7 leaves too much discretion as to what makes horns 'dangerous'. The clause could read, "*Horned cattle in the feedlot should only be tipped if horns are growing inwards so as to cause risk to the animal, or if aggressive behaviour using horns is observed, judged on an individual basis.*"
 - (ii) G10.9 should provide reasoning for when it is appropriate to humanely kill calves born in feedlots. The preferred action must be segregation with their mothers, with humane killing only to occur where the calf would be unable to survive.
- (e) S10.2 requires clarification of the frequency of record keeping, for example, insert 'regularly' before 'recorded'.
- (f) S10.3 needs to ensure that fresh feed is available daily, thus 'fresh' should be inserted before 'feed'.

14.2 Position on beef feedlots:

- (a) Regarding stocking density:
- (i) The guideline G10.1 should be a standard, modified to read, "*feedlots must be accredited under a third party, audited quality-assurance system.*"¹⁰²
 - (ii) The minimum space requirement per SCU should be 14m² as opposed to 9m² and S10.1 should be amended accordingly:

¹⁰¹ 6.3(c) RSPCA Australia (2008) Invasive Husbandry Procedures

¹⁰² As per 2.7.2 RSPCA Policy B2 Intensive farming practices (2008)

- (A) Temple Grandin's article¹⁰³ recommends that a space requirement of 14m² to 75m² for all classes of cattle is provided.
 - (B) Also, Canada's minimum limit is 14m².¹⁰⁴ Though Canada takes space provision into account for snow drifts and bogs, Australia should take the same into account for flooding/extreme heat.
 - (C) 12m² is common practice in Australia, according to the DP: "most commercial feedlots in Australia are licensed to operate at space allowances between 12m² and 20m² per SCU (Reference Manual for Establishment of Beef Cattle Feedlots in Queensland 2000)."¹⁰⁵ Due to the above matters, licensing requirements will also require amending to prescribe a minimum 14m² space requirement.
- (b) Regarding feed and water:
- (i) The standards must incorporate provisions about:
 - (A) Food quality;
 - (B) Water;¹⁰⁶
 - (C) Allowing the quantity of feed to reduce daily so that spoiled feed and/or foreign objects can be identified;¹⁰⁷ and
 - (D) Feed interruption must not exceed 24 hours.¹⁰⁸
- (c) Regarding Excessive Heat Load Management:
- (i) Currently S10.4 requires a yearly risk assessment. However more frequent assessment should be considered in hotter states:
 - (A) Though yearly assessment may be regular enough where summer is the only relevant time for heat stress considerations, some states experience hotter climates at other times of the year. Cattle in northern Queensland, the Northern Territory and northern Western Australia would require more frequent risk assessment for heat load risk. Further, as per paragraph 7.3 of this submission, access to shade must be mandatory in beef feedlots.
 - (B) "RSPCA Australia supports the adoption of strategies to prevent heat stress in feedlot animals during periods of the year that present a risk of such a condition occurring."¹⁰⁹ This suggests that S10.4 should be modified to suit idiosyncratic State and Territory climates.
 - (ii) Insert a cross-reference between these standards and those relating to climatic extremes in section 3 of the S&G.
 - (iii) G10.19 should include examples of operational practices to be implemented in the Excessive Heat Load Action Plan, such as:

¹⁰³ Temple Grandin, 1996, Cattle Feeding: A Guide to Management 1996

¹⁰⁴ Canadian Recommended Code of Practice for the Care and Handling of Farm Animals – Beef Cattle [1991]

¹⁰⁵ DP, p2

¹⁰⁶ As per 3.1.5 of Canadian Recommended Code of Practice for the Care and Handling of Farm Animals – Beef Cattle [1991]

¹⁰⁷ DP, p6

¹⁰⁸ As per 3.1.6 of Canadian Recommended Code of Practice for the Care and Handling of Farm Animals – Beef Cattle [1991]

¹⁰⁹ 2.7.3 The RSPCA policy B2 Intensive farming practices

- (A) Installation of extra temporary water troughs;¹¹⁰
- (B) Cessation of animal movements, handling and any other practices that may increase cattle stress;¹¹¹
- (C) Use of sprinklers if humidity is low;¹¹² and
- (D) Provision of shed or alternative means of cooling, such as misters or sprays,¹¹³ with reference to the requirement for shade at 7.3 of this submission.

15 Humane Killing

15.1 There is no obvious reason for the omission of 9.1 from the MCOP, and it should be reinserted. The clause states, "previous sections of this Code have drawn attention to circumstances in which cattle may need to be humanely killed." For clarity in the S&G, not only should this clause be included, but it should also be extended to actually enumerate the circumstances in which humane killing can happen. The S&G would then be more effective as a reference guide.

15.2 To be amended:

- (a) The following clauses are unclear:
 - (i) G11.1 does not specify where firearms or the captive bolt should be aimed when used on calves. This must be specified if it is intended to be the same as directions for adult cattle.
 - (ii) Notes under Figure 11.1: 'blunt trauma' should be clarified under S11.5 to mean a blow to the head, and the difference between firing from a distance of 10cm and 100cm seems to be rather large and should be lessened to at least between 10cm and 50cm.
- (b) The following clauses are too subjective:
 - (i) Under S11.2(2), what constitutes an unreasonable delay may be a couple of hours to one farmer or a couple of days or weeks to another. This subjectivity seems to provide a loophole for failing to have the killing conducted by a trained person. Unreasonable delay should be qualified to mean a delay where the welfare of the cattle would be compromised.
 - (ii) S11.4 needs to be more stringent and at minimum should read, "*must take all necessary action*".
- (c) G11.4 should read, "*bleeding out of unconscious cattle should **only** be done **as a last resort** where cattle cannot be humanely killed otherwise, where cattle are rendered **fully** unconscious beforehand, and using a suitable, sharp knife. The thoracic stick method should be used.*" It is not acceptable for cattle to be in any state of wakefulness or awareness, including semi-coma, stupor, normal consciousness, arousal, mania or frenzy.¹¹⁴

¹¹⁰ DP, p12

¹¹¹ DP, p12

¹¹² DP, p12

¹¹³ 2.2.7.2 MCOP

¹¹⁴ David Adams and Allan Sheridan, Specifying the Risks to Animal Welfare Associated with Livestock Slaughter Without Induced Insensibility (2008), Contribution from the Animal Welfare Branch; Product Integrity Animal and Plant Health Division, DAFF.

- (d) To be inserted: the S&G do not provide provisions for ritual slaughter. This inadequacy should be addressed so that facilities producing halal and kosher meat will not be left entirely without welfare guidance. Ritual slaughter is currently legal in all States and Territories.¹¹⁵

16 Glossary

16.1 To be amended:

- (a) 'Facilities': There seems to be a repetition of listed facilities in the third paragraph. Also, it is unclear whether the third paragraph is intended to be included or not included in the list of facilities.
- (b) The glossary is not extensive enough. Though farmers may have a common understanding of industry terms, some words should be clarified to avoid error. For example, the following terms should be defined: agistment, blunt trauma, colostrum, cryptorchid, dipping, diurnal, downer cattle, fodder, insect worry and NSAID.

17 Conclusion

- 17.1 As stated, Voiceless's position is that the proposed S&G are not adequate in their current state. At a minimum, Variations C1 to C7 should be incorporated, as well as other changes recommended in this submission. Voiceless is cognisant of the difficulty for cattle farmers to implement all changes, but it is important that the Government ensures stringent requirements are put in place to allow the highest possible standard of animal welfare.

Respectfully submitted by Ruth Hatten, Legal Counsel, Voiceless

¹¹⁵ See Australian Standard for the Hygienic Production and Transportation of Meat and Meat Products for Human Consumption, and Model Code of Practice for the Welfare of Animals: Livestock at Slaughtering Establishments, and relevant State legislation: ACT - s20, the Animal Welfare Act 1992, NSW - s24, the Prevention of Cruelty to Animals Act 1979, NT - s79, the Animal Welfare Act 2007, QLD - s45, Animal Care and Protection Act 2001, SA - Schedule 2, Animal Welfare Act 1985, TAS - s9, Meat Hygiene Regulations 1993, VIC - must comply with the Meat Industry Act 1993, WA - must comply with the Western Australian Meat Industry Authority Act 1976.