



WoolProducers



CATTLE
COUNCIL
OF AUSTRALIA

By Email: rrat.sen@aph.gov.au

7 October 2005

Committee Secretary
Senate Rural and Regional Affairs and Transport Committee
Department of the Senate
Parliament House
CANBERRA ACT 2600

Dear Sir / Madam

Re: Inquiry into the National Animal Welfare Bill 2005

Sheepmeat Council of Australia (SCA), WoolProducers (WP) and Cattle Council of Australia (CCA) appreciate the opportunity to provide comments on the provisions of the National Animal Welfare Bill 2005.

SCA, WP and CCA are the Peak Industry Councils representing the policy interests of Australia's sheepmeat, wool and cattle producers. Contrary to the views pertained in the Bill, Australia already has a world class system of animal welfare codes and standards at a federal and state level, and is currently even further refining these measures.

Despite Australia's sheep and cattle producers identifying sound animal welfare practices as their number one priority, SCA, WP and CCA strongly oppose the provisions of the National Animal Welfare Bill 2005 (Bill) as they relate to livestock production, transport and export. This is due to the entire thrust of the Bill being misguided and unworkable. It adopts a heavy-handed and unnecessary regulatory approach to managing animal welfare, as opposed to the collaborative approach currently being used by Industry and Government.

Key concerns from the three Peak Industry Councils are as follows:

- 1. The Bill seeks to introduce an onerous, unnecessary, and costly regulatory approach to managing animal welfare.***

This approach 'flies in the face' of the cooperative and inclusive approach to managing animal welfare as contained in the Australian Animal Welfare Strategy (AAWS), which was developed and supported by all governments and industry stakeholders and endorsed by the Primary Industries Ministerial Council in May 2004.

For example, the Bill provides for the establishment of a National Animal Welfare Authority that would appoint animal welfare inspectors from animal 'rights' groups, including Animal Liberation, allowing them to undertake random inspections; immediately seize and treat livestock; seize property; and provide animal welfare "directions" to producers. These misguided provisions are completely unnecessary and do not promote a cooperative approach to managing animal welfare in Australia.

Part 4 of the Bill, relating to “duty of care” provides the inspectors a judgement call when deciding on what is appropriate for the particular species, environment or circumstances, rather than referring to the current Code of Practice. There is no support to move away from the current use of departmental and RSPCA inspectors.

It appears that the Authority will be able to do “whatever is necessary” to achieve its aims, thereby, having an extraordinary amount of un-checked power. There is no attempt by the proponents of the Bill to assess the considerable financial impact of this heavily regulated approach on the people who depend upon animals for their livelihood. An independent cost:benefit analysis would be essential for the public to better understand the full financial ramifications of this Bill.

Additionally, the membership of the Authority is heavily weighted towards the animal activist / animal welfare side, with at least 5 of the 14 positions falling within this category. In contrast, there is opportunity for only two representatives from “commercial producers or users of animals and animal products”. National animal welfare committees need to strike the right balance in representation across the relevant sectors, and this is clearly not achieved in the Bill. A clear distinction also needs to be made between the views and representation from genuine animal welfare groups versus the extreme and less representative views from animal rights and animal liberation groups.

In contrast, the AAWS facilitates a national consultative approach to animal welfare that welcomes involvement of broad community, industry and government interests. It will provide an enhanced, clear and consistent national framework that will enable governments and stakeholders to engage in setting readily identifiable and clearly defined national standards. The AAWS also provides a platform for effective communication, education and training across the whole community to promote an improved understanding of animal welfare.

2. *There is a need for Australia’s animal welfare provisions to be based on sound and world-class science, rather than emotion.*

The AAWS builds upon existing animal welfare arrangements in Australia and will provide for a sound scientific basis for future policy development. The AAWS will help achieve sustainable improvements in animal welfare based on national and international benchmarks, scientific evaluation and research.

Measures outlined in the Bill lack a science-based approach and do not reflect the current widely expected strategies for addressing key animal welfare issues.

For example, S. 80 of the Bill seeks to immediately ban the sheep husbandry practice of mulesing, despite there being no alternative currently available. With evidence suggesting that up to 3 million sheep could die from fly strike (maggot infestation) without an effective alternative in place, to enact an immediate blanket ban would be counter-productive to animal welfare objectives. The national sheep industry has proactively identified 2010 as the latest date for mulesing to be conducted in Australia, and has embarked on a strategy that is

underwritten by animal welfare principles, training and accreditation, communication and investment in finding viable and commercial alternatives to meet this aim.

Additionally, Part 5 of the Bill would effectively shut down Australia's live export trade, as mentioned below, despite the recent establishment of our world class *Australian Standards for the Export of Livestock*, which are scientifically based and have been widely accepted.

3. *The Bill through its onerous and unworkable provisions would effectively shut down Australia's valuable live export trade.*

The Bill under Part 5 would render the trade non-commercially viable, thereby slashing up to \$1 billion from Australia's economy and 9,000 jobs from its workforce. The Bill is unworkable in a range of areas, including:

- The Bill seeks to impose Australia's standards and laws on destination countries (in relation to both live exports and importation of meat products – S.93), and insist on non-government inspectors having the right to inspect destination port facilities and abattoirs.

Animal welfare standards in destination countries that are markets for Australian livestock are solely the province of the Governments of those countries. Standards must be viewed within the cultural context of these countries. Overseas governments and people would reject and resent any inference that their animal welfare standards be audited by Australian non-government inspectors, or judged against Australian standards.

The live export industry and Australian Government are investing heavily in our destination countries and through cooperation and collaboration are creating very positive changes in the areas of animal handling and processing.

Animal welfare should not be placed on the trade agenda, and any mention of it in trade negotiations would contradict the Sanitary and Phytosanitary (SPS) WTO Agreement. The Office International des Epizooties (OIE) is the appropriate body under the WTO with the mandate for dealing with animal welfare issues.

- In establishing a National Animal Welfare Authority, the Bill would shortsightedly replace the Australian Government as the arbiter of live export standards and the issuing authority for all permits and licences.

Australia's live export trade operates under strict and enforceable government regulations covering the sourcing of animals on farm through to the final export destination. These regulations are based on world's best practice. It would be very unwise for the Australian Government to cede either its powers or authority over animal welfare to a lesser body.

- In addition to the above unworkable provisions, the proposed powers of the National Animal Welfare Authority further disallow industry any opportunity to invest with certainty or confidence in the trade. For example, the

Authority would be able to withdraw a permit at anytime; detain vessels; accompany transportation vehicles / vessels; and decide the number of veterinarians and stockmen to be employed during transportation.

4. *There was no consultation with key stakeholders prior to the release of the Bill.*

The lack of consultation with key stakeholders and industry organisations prior to the Bill being tabled in Parliament does not help to engender widespread support or ownership for this draft legislation.

5. *The Bill proposes to regulate current animal welfare Codes of Practice, without consideration of the existing industry and government review process already underway, which is designed to further enhance the development and maintenance of Codes.*

An important aspect of the current review is to ensure Codes of Practice are supported by the latest world class science, rather than emotion. Also important is the continued promotion of industry quality assurance and best practice programs, which usually always deliver the best results in enhancing the skill base of industry participants. The Bill does not adequately address these areas.

6. *It is a concern that the Bill seeks to introduce labeling of animal products to provide consumers with information about the production methods in regard to animal welfare or the ethical or moral concerns or religious beliefs of customers.*

Once again, the Bill unfortunately aims to mix animal welfare issues and trade, and this is contrary to Australian Government and WTO policy. Such labeling issues should remain market driven issues. Also, it remains totally unclear what the cost of such labeling regulations would be and who would bear the cost of them.

Thank you for the opportunity to provide a response to this Bill, and please do not hesitate to contact Sheepmeat Council (02 6273 3088), WoolProducers (02 6273 2531) or Cattle Council (02 6273 3688) should you require any further information.

Yours sincerely

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