

# Legislation & Regulation

## **Point-Counterpoint: Draft Australian Code of Animal Welfare and Response by Australian Federation of Animal Societies**

As reported previously in these pages (*Int J Stud Anim Prob* 3(3):250, 1982), the Australian Standing Council on Agriculture (SCA) recently concocted a draft version of a new animal welfare code, comprised of four sections:

1. The Pig
2. The Domestic Fowl
3. Road Transport of Livestock
4. Rail Transport of Livestock

Since the codes are the work of the SCA, a body made up of the state and federal ministers responsible for agriculture, the proposed codes will never officially come under the domain of the Australian federal government. Instead, they must be adopted by each of Australia's separate states. Nor, as Peter Singer noted in the Winter 1982 edition of *Ag*, does there appear to be any mechanism for making a breach of the codes an automatic offense. "At most," Singer observed, "it seems that it [failure to comply with the codes] might be evidence that could be used in a prosecution of cruelty."

After perusing the actual content of the codes, Singer concluded that they were woefully inadequate, furnishing only a bare minimum of protection for the physical health of animals, while virtually ignoring their behavioral and other welfare-related needs and, among other things, acknowledging and condoning many of the practices that are now considered integral to maintaining a profitable factory farm operation.

Writing for the Australian Federation of Animal Societies, Singer therefore prepared a detailed critique of the codes, suggesting modifications that would help to convert the codes into a practicable tool for ensuring that livestock have a better chance at a guaranteed minimum number of carefully defined rights.

A summary of the important passages in the codes, and the relevant changes suggested by the Federation for that section, are given below.

### *1. The Pig*

The code begins by listing what are assumed to be "the basic needs of pigs":

- Readily accessible food and water to maintain health and vigor
- Freedom of movement to stand, stretch, and lie down
- Light during the daylight hours
- Visual contact with other pigs
- Accommodation that neither harms nor causes undue strain, and that provides protection from the elements
- Rapid identification of vice, injury, and disease.

In addition, farmers are offered the general exhortation to "treat their animals efficiently and with consideration," since "the well-being of the animal is closely correlated with its economic efficiency."

Space to be furnished for pigs housed in groups should be "sufficient for each to sleep, feed, and exercise," whereas pigs kept individually (in pens, stalls, or tethers) "should be able to stand normally, lie with limbs extended, stretch, and should have a clean, dry place." Flooring, the code states, must "minimize the risk of injury or disease and allow pigs to stand normally." Pigs are to be fed at least once a day, and given a constant supply of water. The use of farrowing crates is held to be an acceptable practice; the only recommendation concerning them is that sows be given some time to get accustomed to the crate arrangement before the actual time of parturition arrives.

Although it is advised that the use of goading devices and surgical procedures be "minimized," there is no specific provision forbidding them, either.

The Federation's response, in their "Comments" piece, notes, first, that the list of "basic needs" omits any "recogni-

tion of the fact that pigs are intelligent and curious animals, with a well-recognized need for some activity." Nor are pigs acknowledged to have a basic right to walk around a little or turn around; this latter omission, to the Federation, indicates that those who formulated the code never intended to address the actual needs of pigs, but only to legitimize current practices of intensive agriculture.

The Federation recommends, therefore, that the code needs to be changed to underwrite the pig's fundamental right to movement and to some variety in activity. In addition, they assert, the code ought to recommend that an outside run be made available to pigs during daylight hours. They also note that, strangely, while pigs kept in *groups* are to be given sufficient space for exercise, "there is no mention of the needs of pigs housed individually to exercise."

Many of the other common practices that are tacitly accepted by the code are condemned by the Federation, including tethering of animals, the use of farrowing crates that frustrate the sow's natural nest-building instinct, goading devices, and castration. They also find the minimum space allowances suggested for pigs (1.4 sq meters per animal) to be woefully inadequate.

## 2. *The Domestic Fowl*

Virtually the same items addressed in the code for pigs are considered in the code for fowls; the list of "basic needs" for birds, for example, is an exact duplicate of that for pigs, except that the word "fowl" has been substituted for "pig."

Flooring for birds (as for pigs) is to "minimize the risk of injury and disease and allow fowls to stand and move normally." No specific kinds of flooring, however, are recommended or proscribed, and multi-tier cages are considered acceptable. Lighting is allowed to be kept as dim as 2 lux, if low light is felt to be useful to control vices like feather picking. Induced moulting is also condoned. Again, as with pigs, birds are to be fed at least daily (minimum trough length, 10 cm per bird) and water provided ad libitum.

Stocking density data, given in Appendix 1 of the code, are a bit tricky to interpret, since they are given in kilo-

grams of live weight per square meter; such figures are usually expressed in square centimeters per bird. But, by way of example, the allotment stipulated for laying hens in cages, 48 kg/sq meter, works out to about 460 cm for each bird.

The Federation believes that the code for fowl needs to be much more specific and forthright in denouncing the cruelty of many practices currently in use. Wire floors, for instance, ought to be clearly designated as unsuitable. And the keeping of hens in cages, they believe, should be completely banned, irrespective of stocking density. A level of lighting as low as 2 lux—which is permissible according to the code—would, they argue, contradict an earlier provision set forth in the code itself, *i.e.*, that fowl have a basic need for visual contact with each other. The Federation recommends a light level of at least 10 lux.

Forced moulting is another practice condemned by the Federation. They feel that it ought to be plainly stated that forced moulting is a deliberately imposed stressor, done solely for the convenience of the husbandryman. Stocking density regulations, too, are considerably off the mark. For instance, the 460-sq cm figure cited as adequate for layers in cages compares poorly with the 735 sq cm proposed by the U.K.'s Brambell Committee. The cages themselves, the Federation argues, ought to be phased out completely within a 5-year transitional period.

Other procedures permitted by the code, such as debeaking, are denounced by the Federation because they are undoubtedly severely painful. They are performed to alleviate only the symptoms of more fundamental welfare problems like overcrowding.

## 3. *Road Transport of Livestock*

### 4. *Rail Transport of Livestock*

These two sections of the code will be summarized together since, with the exception of several very minor details, the principles and particular recommendations set forth in the sections on road and rail transport are alike.

It is stated that transit of animals subjects them to stresses from a variety of sources, such as handling; unfamiliar surroundings, noises, and sensations; psy-

chological factors associated with overcrowding or isolation; and deprivation of food and water. A combination of such stresses, it is asserted, may also have cumulative effects. Specific responsibility for the animals in transport must rest with the driver, "except when either an attendant appointed by the owner or an agent of the owner travels with the consignment."

Animals held in yards must be provided water; if they are to be held at that point for more than 24 hours, food must be furnished as well. Only pigs, because of their sensitivity to temperature, need to be sheltered. Other species—sheep, cattle, horses, and goats—do not need such protection.

Only very general standards for transport vehicles are stipulated in the code, for example: "the floor of the vehicle should be of a non-slip material." For loading, use of electric prods is allowed, although their use "should be restricted to the minimum necessary to complete loading." However, metallic rattles are suggested as a far better tool, since they prompt the animals to move in response to sound. During loading and unloading operations, no animals should be lifted off the ground at any time, and experienced stockmen must supervise both loading and unloading operations.

For every 24 hours of travel time, a rest period of 12 to 24 hours must be provided to immature ruminants and all monogastric animals like horses and pigs. If a full 24-hour rest period is included, the code states that these animals may travel for as long as 36 additional hours without further rest. In the instance of mature ruminants, the transit time after a 24-hour rest may be extended to 48 hours.

Several appendices then set forth guidelines for the stocking densities, amounts of food and water required, and special requirements of animals in transit. In some instances, it is advised that animals ought to be transported (or penned) separately—for example, unbroken horses, young calves, or any group of animals whose constituents vary greatly in size. For adult poultry, crates or containers must be loaded sufficiently loosely

that the birds have space "to stand, move and seek comfort," but should also be packed densely enough that bruising during transport is prevented. Fowls should not be held in shipping containers for more than 24 hours unless they are given food and water.

The Federation's "Comments" heartily endorses the proposed regulation that one person be clearly designated as responsible for animals in shipment, at every point in the journey, and further suggests that a document accompanying each consignment of animals list the person in charge for each phase of transit. However, they take strong objection to the statement that only pigs require shelter from excesses in temperature. Instead, they recommend that other species, too, be furnished shade whenever the temperature exceed about 30°C. The use of electric prods, the Federation believes, must be totally eliminated, not merely used as little as possible, since "these implements are very liable to abuse when tempers become frayed."

The allowable periods of transit seem to the Federation to be too long—if journeys of many days are required, they contend, the best solution may lie simply in establishing more local abattoirs. Maximum permissible transit times proposed by the Federation are:

- For immature ruminants and monogastric animals—18 hours, with 24 hours' rest before the next stage of travel
- For mature ruminants—18 hours, extendable to 24 hours if 24 hours' rest is provided
- Animals transported singly or in small groups should be allowed to get out of the container and exercise every 24 hours.

Finally, the Federation is concerned about the section in Appendix 3 that would allow fowl to be kept in containers or crates for more than 24 hours, as long as food and water are offered. Since the animals in these crates are so severely constricted, the Federation holds, they ought never to be held in these containers for longer than 24 hours, under any circumstances.