

# REPORT TO ACCOMPANY AN AMENDMENT TO THE CODE OF WELFARE FOR DAIRY CATTLE

## Introduction

1. The Animal Welfare (Dairy Cattle) Code of Welfare came into force on 19 February 2010. This report accompanies a 2014 amendment to the code to address the use of manually-applied blunt force trauma (a blow to the head) for killing calves on farm. This report is required by section 74 of the Animal Welfare Act 1999 (the Act). The report notes:
  - the reasons for NAWAC's recommendations;
  - the nature of any significant differences of opinion about the amendment, or any provision of it, that have been shown by the submissions; and
  - the nature of any significant differences of opinion about the amendment, or any provision of it, that have occurred within NAWAC.
2. In providing this report, NAWAC considers that this amendment complies with the purposes of the Act, that it is written clearly so as to be readily understood, and that representatives of those likely to be affected by it have been consulted. The amendment takes account of public submissions, scientific knowledge, available technology and good practice. This report is not required to, and does not attempt to, show every detail of the analysis and discussions that took place.
3. There are minimum standards in the amendment where the animal welfare implications are self-evident and require no explanation for their inclusion. NAWAC has decided that it will not provide comment on these, but will provide explanations on those that it believes are complex or controversial or on which it received submissions with significant differences of opinion.
4. It should be noted that the Act does not define "significant differences". While there were different opinions expressed in the submissions, NAWAC did not consider that all differences necessarily represented significant differences of opinion. NAWAC has taken the view that significant differences are either where there are large numbers of submissions which are contrary to a minimum standard in the code, or where a submission puts forward a justification based on scientific evidence or good practice for a different or alternative minimum standard. NAWAC notes that some individuals or organisations may interpret "significant differences" in a way that varies from the NAWAC view.
5. This amendment to the code of welfare applies to all persons responsible for the welfare of dairy cattle. It specifically relates to the on-farm killing of calves. The amendment does not apply to calves taken off the farm for killing, including calves killed at commercial slaughter facilities (which are covered by the code of welfare for commercial slaughter).
6. NAWAC was asked by the Minister to consider whether a blow to the head is appropriate for the planned killing of dairy calves on farms. NAWAC reviewed matters it is required to consider under the Animal Welfare Act 1999, as described below, and concluded that an amendment to the code of welfare was warranted, as discussed below. However, it

recognises that there is no one ideal method for killing calves on farm and animal welfare will only be improved using available technologies if the methods are applied properly and the code is followed.

### **Code preparation and public submissions**

7. The amendment was developed by a subcommittee of three members of NAWAC, and sent for comment to representatives of those likely to be affected (including representatives of farmers, dairy companies and veterinarians). It was then publicly notified on 14 March 2014 by email notification to subscribers to the website of the Ministry for Primary Industries, and by notices in the major newspapers in Auckland, Wellington, Christchurch, and Dunedin. In addition, it was sent to specific interested individuals and groups. The closing date for submissions was 1 May 2014.
8. A total of 357 submissions were received during public consultation. This included 73 form emails. The submissions were considered by NAWAC's subcommittee and a summary of submissions and NAWAC's responses prepared.
9. The subcommittee reviewed the amendment with regard to all submissions and reported the amendment back to NAWAC on 14 May 2014 for final consideration and approval for recommendation to the Minister.

### **Scientific knowledge, good practice and available technology**

10. There are number of technical issues that affect the welfare outcome of all methods of humane destruction. NAWAC commissioned a report to consider these factors for manual blunt force and alternatives. The review covered the following features:
  - Animal welfare compromise before the method is applied and until death is confirmed
  - Likelihood of causing death without a return of sensibility (consciousness) beforehand
  - Features useful for operators (e.g. straightforward to use, within existing technical competencies and knowledge)
  - Operator and farm safety
  - Aesthetics for operators and the public
  - Biosecurity risks
  - Impacts on the carcass (e.g. hide damage, blood contamination)
  - Availability and cost of equipment.

In summary, the report concluded that there is no single method that is ideal for each of these features.

11. A blow to the head with a blunt instrument, an appropriate firearm or the use of a captive bolt, can all kill calves effectively if properly applied, but each method can also cause pain and suffering if not used correctly. There is limited scientific evidence to support one method over another. Each method requires accurate targeting and the application of sufficient and consistent force. The use of either a firearm or a captive bolt is more

certain to achieve these. There is no common standard for type, size, shape or method of use of a blunt instrument. On balance NAWAC considers this evidence indicates that the proper use of a firearm or captive bolt will produce more consistent results and cause less welfare harm. International and local good practice support this conclusion. Regardless of the method used, it is essential that it causes immediate insensibility and that death is ensured by trained operators. This is consistent with current international recommendations for the euthanasia of calves.

12. NAWAC has developed this amendment so that it deliberately does not prescribe a required technique, but sets standards that all persons performing humane destruction must meet. This is so that operators can choose a technique that meets required animal welfare outcomes and fits their own situation.
13. In addition to the information in the above review, NAWAC considered industry guidance for on-farm destruction and international requirements and recommendations for euthanasia. Key references used for the review, and those considered by the Committee, are in the reference list below.

### **Public submissions and key issues**

14. Public submissions showed overall support for restricting the use of manual blunt force trauma to emergencies only. However, many submissions from the general public also stated that calves should not be killed at all for milk production and/or should not be removed from their mothers. There were also calls for blunt force to be prohibited altogether, or conversely, for its use to be retained for all on-farm killing. Submissions also raised concern that NAWAC's proposals were based more on consideration for the Minister's or the public's sensibilities than on science and good practice. NAWAC's conclusions based on good practice and available science are given above. Further submissions noted the need to clarify what constituted an emergency or commented that all killing on the farm should be subject to the same requirements.

#### *Emergency humane destruction versus planned killing*

15. One submission considered that the proposed provisions for emergency humane destruction should be applied to all killing on farm. NAWAC only considered issues relating to calf euthanasia and believes that there are significant technical issues that would need to be reviewed before recommending minimum standards for other classes of dairy cattle, or for reviewing techniques used for other species. There are also considerations that are unique to emergency killing rather than planned killing on farm. NAWAC has not considered these matters, or whether a code of welfare needs to address these issues. It was therefore decided to keep the scope of the amendment to calves, recognising that the changes to the minimum standard on emergency destruction also apply to adult dairy cattle.

### **The nature of any significant differences**

16. All significant differences of opinion about the Amendment, or any of its provisions, have been set out above or in NAWAC's response to submissions.

## Dr John Hellström

Chair, National Animal Welfare Advisory Committee

30 May 2014

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