

# Regulation of Australian Agriculture – Productivity Commission Draft Report

Submission from the Australian Veterinary Association Ltd



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## About us

The Australian Veterinary Association is the national organisation representing veterinarians in Australia. Our 8500 members come from all fields within the veterinary profession. Clinical practitioners work with companion animals, horses, farm animals, such as cattle and sheep, and wildlife. Government veterinarians work with our animal health, public health and quarantine systems while other members work in industry for pharmaceutical and other commercial enterprises. We have members who work in research and teaching in a range of scientific disciplines. Veterinary students are also members of the Association.

## Introduction

The Australian Veterinary Association (AVA) commends the Productivity Commission on its analysis of issues relating to balancing the costs of regulation in the agricultural sector with the need for demonstrable compliance with standards and community expectations.

Further to our previous submission, we wish to comment specifically on the following sections in the draft report:

- Chapter 5 – Regulation of farm animal welfare regulation
- Chapter 6 – Access to agricultural and veterinary chemicals
- Chapter 7 - Biosecurity

## Regulation of farm animal welfare

*Draft recommendation 5.1 and information request 5.1*

The Australian government should re-commit to a position of national leadership in animal welfare. Since cessation of the Australian Animal Welfare Strategy (AAWS) in 2013 there has been a slowing of progress, fragmentation of efforts which risks of loss of confidence in Australia's animal welfare credentials.

### **Development of animal welfare standards and guidelines**

The AVA has championed the return of a national framework such as that which was established under the AAWS model, to drive continuous and sustainable improvements in animal welfare, and oversee the development of nationally-consistent standards. This could be overseen by an independent national committee or expert panel constituted along the lines of the former AusAWAC or NCCAW committees, or the NAWAC committee in New Zealand. There should be a good balance of representation of the various stakeholders within this structure, should this model or something similar be reinstated.

Previously under AAWS, sectoral groups were comprised of representatives from industry, animal welfare groups, animal welfare scientists, government and the veterinary profession. From these groups were derived reference and writing sub-committees who developed the draft standards and guidelines, which were submitted via AusAWAC to the (then) Animal Welfare Committee. Both the sectoral groups and the AusAWAC committee included the above-mentioned spectrum of representation, which should lead to a reasonable balance of views informing the standards development. There were views expressed at the time that community groups were under-represented, and AVA would also suggest additional expertise from veterinarians and animal welfare scientists may lead to development of more defensible animal welfare standards. One criticism of the standards

and guidelines development process has been that they have delivered minimal change from the content of the original Model Codes in many cases.

### **Scientific basis to standards**

Decisions around setting of minimum standards should be based on the best scientific evidence available, an issue highlighted in the Productivity Commission's draft report. For example, the current standard for tail docking in sheep permits short tail docking, whereas the science indicates that short-tail docking leads to negative outcomes such as vulval cancer, rectal prolapse, and increased fly strike risk. Similarly standards which require pain control during procedures such as castration, tail docking and mulesing are currently set at 6 months of age in sheep, however science shows these practices are very painful at the much younger ages when these procedures are typically performed. These are lost opportunities to improve animal welfare standards over and above current practice.

The AVA supports the Productivity Commission's recommendation that any science which is used to underpin standards should be seen to be independent of industry as far as possible, to remove any perception of conflict of interest which may result in criticism of the process. As mentioned in the Commission's report, queries were raised about the process used to determine a suitable time off feed for bobby calves, including a number of problems with the way the study was conducted and interpreted, and the associated RIS process.

The system could be improved by contribution of funds into a central resource for animal welfare research in respective industry sectors, and then awarded at arm's length by an independent body or expert panel (which might be part of a reinstated AAWS-like structure). This body would determine which research questions need to be answered to fill gaps in knowledge and guided by community expectations. The body would also be responsible for selection of independent researchers to undertake the work. There should also be an agreement that work will be published irrespective of findings, to improve transparency around this process.

Funds to support this process could be derived from industry levies collected from all livestock transactions. This would be minimal on a per head basis so as to have negligible impact on consumers.

### **Regulatory Impact Statement (RIS) process**

There are some ways in which the process of development of the RIS for draft standards could be improved. The RIS is essentially a cost-benefit analysis, weighing up the economic *costs* of introducing proposed animal welfare standards against the estimated *benefits* to the animals in terms of improving their welfare.

The RIS has traditionally been conducted by consultants with economics and/or regulatory expertise. They are best placed to assess the potential costs to industry of any proposed new standards. It is suggested that the assessment of the other side of the equation (the animal welfare benefits) could be improved however if performed by people with animal welfare science expertise – specifically animal welfare scientists or veterinarians with post-graduate animal welfare science training. The RIS consultants are always happy to accept submissions from stakeholders about the relevant science, but animal welfare scientists could assist them in the interpretation of this literature.

To illustrate this point, science based on single measurables such as blood cortisol levels, can sometimes be equivocal when trying to assess animal welfare, and viewed in isolation, papers based on these sorts of findings can be misleading. Animal behavioral indicators of welfare can actually be more important, and can add significantly to the picture if fully appreciated, but are sometimes inadvertently overlooked. Animal welfare scientists could add significantly to the interpretation of any papers supplied to the consultants, and thus the assessment of this side of the cost/benefit equation could be enhanced, leading to a more robust analysis.

Of course there should be transparency around evidence used to support arguments on both sides of the equation – explaining which papers have been included or not, to support any subsequent recommendations.

### **Standards implementation**

Consistency of implementation across jurisdictions is important to achieve tangible improvements in animal welfare, and provide certainty to industry.

There should be a commitment by jurisdictions to do so at the beginning of the Standards and Guidelines development process. We have seen some states decide late in the piece to either withdraw from the Standards and Guidelines process or implement only as voluntary guidelines, thus weakening the process and leading to inconsistencies nationally. One solution to this is the development of national drafting instructions in parallel with the Standards and Guidelines development process, so that implementation under legislation in each jurisdiction is relatively consistent. This was used previously during implementation of the pig code with some success.

### **An outcomes-based approach for national standards?**

The best animal welfare outcomes are achieved through a combination of input-based and output-based measures. Welfare inputs such as space requirements provide measurable criteria for objective assessment of the conditions under which animals are being farmed, consistency from one operation to another and certainty to farmers as to what conditions they must provide. Output based measures such as health, productivity, and behavioural indices help to inform us how animals are coping with their environment. Inputs are sometimes easier to monitor from a compliance perspective so a combination of the two is preferred.

### **Monitoring and enforcement of livestock welfare regulation**

#### *Draft recommendation 5.2*

The AVA supports draft recommendation 5.2. Improved outcomes for domestic animals could be achieved by consistent implementation of standards across jurisdictions, combined with better resourcing of state regulators, who are already empowered under the animal welfare legislation in most jurisdictions to fulfil this role. Better resourcing of independent auditing and enforcement is needed, to ensure continuing community confidence in the process.

In some cases co-regulation through industry quality assurance schemes can complement farm animal welfare regulation and help producers to demonstrate compliance and good welfare to their customers. Independent monitoring and transparency is important to provide confidence the schemes are meeting their objectives.

### **5.6 Live export regulation**

The AVA supports strengthening of the current live animal export regulatory framework.

Compliance monitoring should be independent of the exporter companies. This includes the veterinarians on board ships, who should be retained and paid by either an independent national body or government. Compliance monitoring throughout the supply chain should be performed by independent auditors, employed and paid independently to provide confidence in the process.

Any pre-embarkation pregnancy testing should be carried out by an Australian-registered veterinarian. The AVA also supports mandatory pre-slaughter stunning for all exported animals.

## **6.2 Access to agricultural and veterinary chemicals**

#### *Information request 6.1*

The requirement for addition of the Globally Harmonised System (GHS) for the labelling of Agvet chemicals in January 2017 is potentially counter-productive for productivity and an unnecessary additional regulatory burden. The current system of APVMA assessment and labelling is robust and successfully addresses work health and safety risks. Any suspension in supply of medications due to the additional labelling requirements could be counterproductive for animal health and welfare. Agvet chemicals showing APVMA registered labels should be considered to be already meeting the aims of the GHS.

## *Draft recommendation 6.2*

AVA supports recommendation 6.2 and APVMA's proposal for Agvet chemicals registered by two trusted international regulators to be registered in Australia without further assessment – with the provisos that the methodology used to evaluate the efficacy and safety of these medicines is identical or equivalent to that used in Australia. Also that the overseas and Australian product have the same use pattern, formulation and manufacturer. We currently have a very safe system and should not compromise safety and efficacy for expedience.

APVMA should be allowed to review antimicrobial drug registrations taking into account current information on levels of resistance in likely target pathogens, and should also be able to regulate on the basis of need for the drug. That is, if we don't need a particular antibiotic because we already have effective drugs with a narrower spectrum, APVMA should be able to refuse registration.

Control-of-use regimes differ across states and territories, and the AVA strongly supports harmonisation across jurisdictions, including standardised prescription writing requirements between states.

“Do not use” labelling is often problematic and potentially impedes agricultural productivity with no proven benefit in terms of risk management. For example, many medicines, drenches and anti-parasitics developed for sheep are labelled “do not use” for goats and alpacas by default if there is no specific withholding period data available for those other species. Also some products are labelled “do not use” by default if the animal may at some time in their life be used to produce milk.

In many cases, there is zero likelihood of residues, based on usage and residue patterns of the same active formulation used in equivalent species, but the “Do not use” restriction makes such use illegal. This precautionary approach limits the potential for these animals to be treated. A default withholding period similar to that used in New Zealand would be a better approach, for example a 35 day default withholding period used for milk from treated animals. Also, veterinarians should be able to use their discretion to use these medicines in variance with the label instructions, based on their clinical judgement.

## **Biosecurity**

Increased intensification and urbanisation is leading to greater threats to biosecurity and to Australia's favourable disease status.

A decline in numbers of government veterinary officers and people with biosecurity expertise at the state and territory level has increased the likelihood of a disease outbreak going undetected until it is established. This was highlighted in the recent [OIE PVS evaluation report](#).

The AVA believes that government veterinary employment should be increased, and that there should be new vets trained to replace those retiring from this role. In addition, schemes that increase private practitioner involvement in livestock and surveillance work, to support the work of our government colleagues, should be strengthened. As well as benefitting surveillance, this will help to improve on-farm herd health, biosecurity and animal welfare, which ultimately increases productivity and profitability.

Suggestions for ways in which these aims may be achieved include better resourcing of schemes such as the [National Significant Disease Investigation Program](#), which promote engagement of private veterinarians in surveillance activities, and increased resourcing of training programs for private veterinarians in livestock disease investigation and emergency animal disease preparedness.

### *Information request 7.1*

Better transparency around animal welfare standards, monitoring and enforcement, are key to maintaining public confidence and reducing covert activities including farm trespass.

Farm trespass poses risks to biosecurity and disease control. It also may impact directly on the welfare of the animals involved. Existing trespass and privacy laws should be enforced, rather than introduction of specific laws

which may send the wrong message.

The key to restoring public faith in animal-use enterprises is greater transparency of operations. Consumers have a desire to connect with the origins of their food and this is an increasing trend in younger consumers. Retailers respond to pressure from both activists and consumers. Continued support from the community is essential to the future of livestock industries, and the most effective deterrent to farm trespassers.

The AVA supports the concept of independent auditing schemes such as accredited industry quality assurance schemes and other animal welfare marketing schemes which allow the consumer to make informed decisions. The AAWS promoted sustainable improvements in animal welfare practices and at the same time, community awareness through extension programs.

Some industries have already realised this and are making moves to 'open the farm gate' either physically or virtually. This includes real-time web cams established on free range egg farms, inside farm sheds and farm tours, and is a critical educational approach to increase understanding of agriculture among consumers. Some US and Canadian slaughter plants have voluntarily established video auditing by third party auditors for this reason.

Some forms of animal use may not lend themselves to this type of 'open door policy'. This is where it becomes so important that the public have faith in strong regulation and enforcement and that animal use is being properly monitored. As mentioned above, better resourcing of our state animal welfare regulators is one way of achieving this.

Ultimately a combination of improved monitoring and regulation, as well as schemes to promote transparency wherever possible, are key to ensuring ongoing public support for the use of animals in farm production systems.