

## Comments by Mercy For Animals on the Proposed Safe Food for Canadians Regulations

The following is respectfully submitted in response to the Canadian Food Inspection Agency's proposed amendments to the Safe Food for Canadians Regulations regarding handling and slaughter of animals for meat appearing in the *Canada Gazette*, Part I.

**Date:** April 21, 2017

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## Introduction

On behalf of Mercy For Animals (MFA) and the over 7,000 supporting signatories attached, I respectfully submit the following recommendations to the proposed Safe Food for Canadians Regulations.

MFA is an international animal protection organization dedicated to preventing cruelty to farmed animals and promoting compassionate food choices and policies. MFA has a long history of undercover investigations and legal advocacy efforts that have led to increased legal protections for farmed animals and better enforcement of existing animal cruelty laws. MFA Canada is supported by over 45,000 citizens.

We appreciate the efforts of the Canadian Food Inspection Agency (CFIA) to modernize the food safety regulations. The proposed regulations do not adequately reflect its commitment to animal welfare, however. The following recommendations seek to improve the measure of that commitment by increasing the efficacy and efficiency of the regulations with respect to animal handling, slaughter, and enforcement.

MFA makes the following recommendations, which are explained and supplemented in greater detail below:

- The regulations should require licensed facilities to replace live-shackle slaughter methods for poultry with less cruel controlled atmosphere systems that eliminate the horrific suffering caused by shackling, shocking, and cutting the throats of conscious animals.
- The regulations should require licensed facilities to provide comprehensive training in humane animal handling and identification of illness and injury in animals for all employees with animal handling responsibilities. Training should be required at hire and annually thereafter.
- The regulations should authorize and require official veterinarians and inspectors to stop the production line for any noncompliance that jeopardizes humane treatment of animals or food safety, including mishandling an animal or failure to render an animal unconscious before slaughter. Such stoppage should continue until the inspector determines that slaughter may be conducted in compliance with the regulations. The regulations should also provide for dissuasive fines and penalties for noncompliance.
- The regulations should ban the use of electric prods.
- The regulations should require installation of cameras that live stream to the internet in all areas where animals are received, kept, held, examined, inspected, driven or moved, and slaughtered.

These amendments will result in regulations more compatible with World Organization for Animal Health (OIE) standards and more consistent with citizens' demands for better welfare of animals raised and killed for food. We thank you for your attention to and consideration of these recommendations.

### **Recommendations**

This comment provides recommendations and support for our recommendations regarding the proposed regulations in the following areas:

- Facilities and Training
- Live Animal Handling and Care
- Slaughter
- Enforcement

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### **Facilities and Training**

1. **Proposed section 56(1)** of the regulations provides that a slaughter “establishment ... must have separate areas for (a) keeping, examining, and inspecting food animals; (b) segregating and isolating food animals under section 131 or paragraph 139(b); (c) holding food animals that show a deviation from normal behavior, psychology or appearance; and (d) humanely killing food animals under paragraph 139(c).” **The regulations should provide that each of these areas be equipped with cameras for ascertaining and monitoring compliance. The video from these cameras should be live streamed to the internet.**

In response to undercover video of sickening animal abuse, Israel<sup>1</sup> and France<sup>2</sup> now require cameras in slaughterhouses, and a similar proposal has been made in the Netherlands.<sup>3</sup> Additionally, lauded animal behaviorist Temple Grandin supports the use of cameras in slaughterhouses.<sup>4</sup>

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<sup>1</sup> Sharon Udasin, *Agriculture Ministry Orders Installation of Cameras in All Slaughterhouses*, JERUSALEM POST (Dec. 28, 2015), <http://www.jpost.com/Business-and-Innovation/Environment/Agriculture-Ministry-orders-installation-of-cameras-in-all-slaughterhouses-438657>.

<sup>2</sup> *L'Assemblée Vote L'obligation de Caméras Dans Les Abattoirs à Partir de 2018*, LE FIGARO (Jan, 12, 2017), <http://www.lefigaro.fr/flash-actu/2017/01/12/97001-20170112FILWWW00366-l-assemblee-vote-l-obligation-de-cameras-dans-les-abattoirs-a-partir-de-2018.php>.

<sup>3</sup> *Dutch Suggest Placing Surveillance Cameras in Slaughterhouses*, DUTCHNEWS.NL (Mar. 29, 2017), <http://www.dutchnews.nl/news/archives/2017/03/dutch-suggest-placing-surveillance-cameras-in-slaughterhouses/>.

<sup>4</sup> Temple Grandin, *Getting Comfortable With Cameras*, MEAT + POULTRY (Feb. 1, 2009), <http://www.meatpoultry.com/Writers/Dr-Temple-Grandin/Getting-comfortable-with-cameras.aspx>.

MFA has recorded egregious abuses and clear violations of the law similar to those prompting Israel and France to require cameras in slaughterhouses. At Maple Lodge Farms, Canada's largest poultry producer, videos captured cruel handling of chickens, including employees cutting the throats of chickens while the birds were still conscious and sensitive to pain.<sup>5</sup> MFA also documented live turkeys at a Lilydale slaughterhouse being inhumanely handled and remaining conscious after having their throats slit.<sup>6</sup> The footage shows turkeys gasping for air and flapping their wings *after* going through the throat slicer, and an employee describes what happens when live birds enter the scalding tank.

Cameras are not a panacea or a substitute for effective, in-person inspections and sufficient enforcement. Cameras will, however, go a long way toward assisting inspectors in their duties and ensuring greater compliance with the regulations.

2. **Proposed section 56(e)** pertains to the condition of floors, ramps, etc., used by food animals to provide secure footing and avoid injury during movement. **To be consistent with OIE standards,<sup>7</sup> the regulations should also provide that ramps, gangways, chutes, etc., be designed to prevent stress in animals.** Ramps, gangways, chutes, corridors, etc., should not lead animals into dark areas or include distracting transitions. Additionally, walls should be solid and high enough to prevent outside distractions.
3. **The regulations should also require comprehensive animal welfare training for all employees of licence holders who interact with animals.** The training should cover species-specific education on animal behavior and stress, assessing insensibility, effective stunning techniques, humane euthanasia, and assessing compromised and unfit animals. The training should be mandatory at hire and annually thereafter. Licensed facilities should be required to adopt a zero tolerance policy for animal abuse.

**This training is necessary to successfully implement the proposed regulations.**

Paragraph 129 requires a licence holder to (1) "assess whether a good animal is showing signs of suffering or injury on its arrival," (2) "monitor [the animal]" to assess whether the animal has encountered suffering or injury since arriving at the establishment, and (3) take immediate corrective action to remedy any conditions that might cause avoidable suffering, injury, or death to an animal. Absent a mandate for meaningful training, these requirements cannot be satisfied.

## **Live Animal Handling and Care**

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<sup>5</sup> Mercy For Animals Canada, *Shocking Cruelty at Canada's Biggest Poultry Producer*, available at <http://www.maplelodgeharms.ca/>.

<sup>6</sup> Mercy For Animals Canada, *Lilydale Turkey Torture*, available at <http://lilydaleturkeytorture.ca/>.

<sup>7</sup> OIE Animal Welfare Standards, Article 7.5.1 Slaughter of Animals, General Principal 4, available at [http://www.oie.int/index.php?id=169&L=0&htmfile=chapitre\\_aw\\_slaughter.htm](http://www.oie.int/index.php?id=169&L=0&htmfile=chapitre_aw_slaughter.htm).

4. **Proposed section 128(2)** permits the use of electric prods, with some constraints. **The routine use of electric prods must be prohibited. Electric prods must only be used as a diagnostic tool by a veterinarian.** Electric prods have been shown to increase stress, carcass bruising, and blood splashes.<sup>8</sup>

Electric prods are also prone to misuse, as documented in an undercover investigation of an Alberta hog transporter, Western Hog Exchange.<sup>9</sup> Dr. Ian J.H. Duncan, BSc, PhD,<sup>10</sup> emeritus chair in animal welfare at the University of Guelph, upon viewing this footage, stated:

[T]he third scenes involve a male worker using an electric prod repeatedly on a crippled pig that is unable to walk. The pig is squealing in pain and distress and the worker continues to prod it. One worker warns another that prodding should not be carried out if there is a CFIA Inspector present. This is completely unacceptable and cruel. Electric prods should only be used in emergencies and never used repeatedly.

To prevent such cruel misuse, the regulations should ban the use of electric prods except as a diagnostic tool by a veterinarian. **This is consistent with OIE standards, which state that “[e]lectric goads and prods should only be used in extreme cases.”**<sup>11</sup>

5. **Proposed section 129(4)** provides that “if a food animal is showing signs of suffering, a licence holder must immediately (a) alleviate its suffering; (b) humanely kill it; or (c) slaughter it in accordance with these Regulations.” We commend the commitment to identifying and alleviating animal suffering but recommend the following amendment to the proposed regulation: **Animals who are suffering must not be moved to slaughter and should instead be immediately and humanely euthanized. Euthanasia must follow recommendations from the Canadian Veterinary Medical Association.**<sup>12</sup>

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<sup>8</sup> Correa, J. A., *et al.* (2010). “Effects of different moving devices at loading on stress response and meat quality in pigs.” *J. Anim. Sci.* 88(12): 4086-4093.

<sup>9</sup> Mercy For Animals Canada, Transport Torture, [http://transport.mercyforanimals.org/?\\_ga=1.153836027.2135694594.1489169696](http://transport.mercyforanimals.org/?_ga=1.153836027.2135694594.1489169696).

<sup>10</sup> Dr. Ian J.H. Duncan, BSc, PhD, is professor emeritus of applied ethology in the Department of Animal and Poultry Science at the University of Guelph and also holds the oldest university chair in animal welfare in North America. He has published two books, 35 book chapters, and more than 150 scientific papers.

<sup>11</sup> OIE Animal Welfare Standards, Article 7.5.2, Moving and handling animals, at 1.f.i., *available at* [http://www.oie.int/index.php?id=169&L=0&htmfile=chapitre\\_aw\\_slaughter.htm](http://www.oie.int/index.php?id=169&L=0&htmfile=chapitre_aw_slaughter.htm).

<sup>12</sup> Canadian Veterinary Medical Association, Euthanasia – Position Statement, <https://www.canadianveterinarians.net/documents/euthanasia>. The CVMA incorporates by reference the American Veterinary Medical Association Guidelines for the Euthanasia of Animals (2013), *available at* <https://www.avma.org/KB/Policies/Documents/euthanasia.pdf>.

6. **Proposed sections 135(1) and (2)** allow an animal to be without food for 24 hours after unloading and animals in crates (i.e., poultry) to be without food or water for 24 hours. **These sections should be amended to (1) reduce the period permitting animals to go without food or water, and (2) clarify that the maximum amount of time in lairage without food or water takes into account the intervals mandated by Health of Animals Regulations on Humane Transportation.**

As currently written, the regulations permit animal suffering because 24 hours (to which we must add the transport period and period of feed deprivation prior to transport) is far beyond the physiological fasting capacity for most animals.

The following research supports reduced feed deprivation periods. Animal shipments must be scheduled to arrive at the slaughterhouse in such a way that they do not need to be kept in lairage.

**Cattle:** Fourteen hours of food and water deprivation result in vigorous attempts to obtain food and water, and 24 hours of deprivation result in physiological changes.<sup>13</sup> When journeys of 24 and 31 hours were compared, it was determined that 24 hours was more appropriate because increasing journey durations resulted in higher levels of dehydration and depletion of muscle glycogen and an increased need to rest.<sup>14</sup>

**Pigs:** Pigs are strongly motivated to eat and drink after being deprived of food and water for eight hours.<sup>15</sup>

**Sheep:** After 12 hours of food deprivation, sheep become highly motivated to eat, and after 24 hours, they lose 7–8% of live weight.<sup>16</sup>

**Broiler Chickens:** Relatively short periods of feed deprivation (up to 6.5 hours) lead to fatigue and dehydration, as indicated by depletion of both liver and muscle glycogen and elevated plasma osmolality.<sup>17</sup>

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<sup>13</sup> Broom, D., *et al.* (2002). "The welfare of animals during transport." Report of the Scientific Committee on Animal Health and Animal Welfare, European Commission Brussels, Belgium.

<sup>14</sup> Knowles, T.G., *et al.* (1999) "Effects on cattle of transportation by road up to 31 hours." Veterinary Record 145: 575-582.

<sup>15</sup> Brown, S.N., *et al.* (1999). "Behavioural and physiological responses of pigs to being transported for up to 24 hours followed by six hours recovery in lairage." Veterinary Record 145(15): 421-426.

<sup>16</sup> Broom, D., *et al.* (2002). "The welfare of animals during transport." Report of the Scientific Committee on Animal Health and Animal Welfare, European Commission, Brussels, Belgium.

<sup>17</sup> Savenije, B., *et al.* (2002). "Effects of feed deprivation and transport on preslaughter blood metabolites, early postmortem muscle metabolites, and meat quality." Poultry Science 81(5): 699–708; Warriss, P., *et al.* (1993). "The depletion of glycogen stores and indices of dehydration in transported broilers." British Veterinary Journal 149(4): 391–398.

Moreover, fasting of 24 hours during lairage will undoubtedly cause the intervals prescribed in the humane transportation regulations to be exceeded, making a 24-hour fasting regulation meaningless. If, however, animals arrive at the slaughter establishment and are held for 24 hours or more with food, water, and rest, the regulations should require no more than eight hours of fasting after that interval is complete and prior to slaughter.

**The final regulations should require that any animal fasted for more than eight hours in lairage, whether unloaded or confined in a crate to be held at the establishment (i.e., not immediately processed for slaughter), must be provided with water and feed.**

## Slaughter

- 7. Proposed section 142(2) should be amended to require licence holders to replace live-shackle slaughter methods with less cruel multi-stage or inert gas controlled atmospheric stunning (CAS) systems to be used before a bird is suspended.**

As the undercover investigations at Maple Lodge Farms and the Lilydale slaughterhouse demonstrate, systems that entail hanging live, conscious birds and then stunning them in an electric bath are inadequate to assure humane treatment of birds and compliance with the regulations.

When CAS is used correctly, its welfare benefits over traditional live-shackle systems are numerous:<sup>18</sup>

- Birds do not have to be live shackled upside down. Live shackling is painful to the legs of birds and causes pain during breathing. Chickens do not have diaphragms, so when they are hung upside down, their other organs compress their lungs, making breathing difficult.
- Being handled by humans as they are pulled from the crate to be shackled is undoubtedly stressful for birds, even with the gentlest handlers, and can result in broken wings and legs with less gentle handlers. This handling step is eliminated in CAS.
- In an electric stun bath operation, birds not of a proper size sometimes miss the stun bath and go to slaughter fully conscious. In addition, some birds' wings touch the stun bath before their bodies do, causing painful pre-stun shocks. As birds stay

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<sup>18</sup> Berg, C. and M. Raj (2015). "A Review of Different Stunning Methods for Poultry-Animal Welfare Aspects (Stunning Methods for Poultry)." *Animals (Basel)* 5(4): 1207–1219; Coenen, A. M., *et al.* (2009). "Remote monitoring of electroencephalogram, electrocardiogram, and behavior during controlled atmosphere stunning in broilers: implications for welfare." *Poultry Sci.* 88(1): 10–19; McKeegan, D.E.F., *et al.* (2007). "Physiological and behavioural responses of broilers to controlled atmosphere stunning: implications for welfare." *Animal Welfare* 16: 409–426; Shields, S. J. and A. B. Raj (2010). "A critical review of electrical water-bath stun systems for poultry slaughter and recent developments in alternative technologies." *J. Appl. Animal Welfare Sci.* 13(4): 281–299.

in their transport crates to be stunned by CAS, all birds receive the same mixture of gases, effectively eliminating the risk of birds going to slaughter conscious.

Simply put, CAS is an expedient method to reduce the widespread abuse and cruelty inherent in poultry slaughter and is consistent with the regulatory goals of the CFIA and consumers' expectations regarding the treatment of animals at slaughter.

8. Similarly, **proposed section 143** should be amended to provide that the religious slaughter of birds that allows for reversible stunning should employ multi-stage or inert gas CAS rather than electric bath stunning.<sup>19</sup>
9. **Proposed section 141** provides that “[a] licence holder must not cut the carcass of a food animal after bleeding has started if it shows signs of sensibility that may indicate a potential return to consciousness.” **This is key to ensuring no conscious animal is slaughtered, but the regulations should also provide that in such a case, the animal must be stunned again. Back-up methods of stunning should be available at all times, and workers must be trained to assess insensibility in animals.**<sup>20</sup>

### Enforcement

10. **Official veterinarians and inspectors should be authorized and required to stop the production line where animals have been improperly handled or insufficiently stunned<sup>21</sup> to immediately correct the violation. Further, official veterinarians and inspectors should be directed to order production to remain stopped until the licence holder has demonstrated ability to comply with the regulations.**

All stoppages, and the reason for the stoppages, should be recorded in a report filed by the inspector. Such reports should be made available to the public upon request.

Such authority is crucial for ensuring that the regulations are followed and that egregious animal cruelty does not result from improper stunning or driving of animals.<sup>22</sup>

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<sup>19</sup> Alabsy, A., *Gaseous Stunning of Turkeys: Can it be Applied in Halal Processing?* (Apr. 10, 2014) <https://halaltransactions.wordpress.com/2014/04/10/controlled-atmospheric-stunning-in-poultry-can-it-be-certified-halal/>; Shields, S. J. and A. B. Raj (2010). “A critical review of electrical water-bath stun systems for poultry slaughter and recent developments in alternative technologies.” *J. Appl. Animal Welfare Sci.* 13(4): 281–299.

<sup>20</sup> Erasmus, M., *et al.* (2010). “Measures of insensibility used to determine effective stunning and killing of poultry.” *J. Appl. Poultry Research* 19(3): 288-298; Grandin, T., *How to Determine Insensibility (Unconsciousness) in Cattle, Pigs, and Sheep in Slaughter Plants*, <http://www.grandin.com/humane/insensibility.html> (2015).

<sup>21</sup> In other words, for violations of regulations such as proposed sections 56, 127–129, 134, and 140–143.

<sup>22</sup> For example, official inspectors for the United States Department of Agriculture have authority, upon any inhumane slaughter or handling in connection with slaughter, to stop the slaughter of animals until



A suspension of the licence, which occurs after the fact and only if the problem is not corrected by a certain date, will not be sufficient to prevent animal cruelty or to prevent meat from animals who die other than by slaughter from entering the food system. Similarly, suspension or condemnation of meat products fails to address issues such as incorrect placement of the stunning device or mechanical problems with stunning and slaughter equipment, which are likely to reoccur and should be immediately corrected.

Unlike relying exclusively on suspensions or other actions at great administrative cost, requiring official veterinarians and inspectors to stop the production line for improperly stunned or inhumanely handled animals will protect Canadians by promoting food safety and facilitate compliance by serving as a strong deterrent.

11. The Regulatory Impact Analysis Statement for the proposed regulations states that enforcement includes the issuance of an administrative monetary penalty under the Agriculture and Agri-Food Administrative Monetary Penalties Act (AMPA).<sup>23</sup> The AMPA does not currently list the Safe Food for Canadians Act as a law for which it provides administrative monetary penalties.<sup>24</sup> **Please clarify that the AMPA will also be amended to include authority to issue administrative monetary penalties for violations of regulations under the Safe Food for Canadians Act.**
12. **Additionally, the proposed regulations themselves should provide for adequately dissuasive fines and other appropriate penalties.** MFA recommends that the fine for a violation of sections 140 through 143 of the proposed regulations (requiring adequate stunning before hanging and cutting) be \$2,000 *per animal, including poultry*.
13. Section 68(1) of the Meat Inspection Regulations, which provides that “[a]n operator shall comply with any instructions from an official veterinarian that a food animal must be condemned or must be held and segregated from all other food animals for rest, treatment or slaughter,” should be carried forward into the Safe Food for Canadians Regulations.
14. **Proposed section 124(1)** should be amended to include a sub-paragraph (h), which defines “edible”: “the food animal from which the meat product is derived was slaughtered in accordance with sections 140 through 143.”

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they receive satisfactory assurances that the violation will not reoccur. See USDA regulation at 9 C.F.R. § 313.50, available at <https://www.law.cornell.edu/cfr/text/9/313.50>.

<sup>23</sup> Safe Food for Canadians Regulations, Canada Gazette Vol. 151, No. 3 (Jan. 21, 2017), <http://www.gazette.gc.ca/rp-pr/p1/2017/2017-01-21/html/reg1-eng.php/>.

<sup>24</sup> AMPA, S.C. 1995, c. 40 (“An Act to establish a system of administrative monetary penalties for the enforcement of the Canada Agricultural Products Act, the Farm Debt Mediation Act, the Feeds Act, the Fertilizers Act, the Health of Animals Act, the Meat Inspection Act, the Pest Control Products Act, the Plant Protection Act and the Seeds Act”).

## Conclusion

MFA appreciates the opportunity to comment on the proposed regulations governing animal handling and slaughter under the Safe Food for Canadians Act, and we strongly urge the CFIA to revise the proposed regulations to match the expectations of its citizenry regarding the treatment of animals raised and killed for food in this country.

Please do not hesitate to contact us to discuss these comments or to obtain copies of the scientific literature in support of our recommendations.

Respectfully submitted this 21st day of April, 2017

A handwritten signature in black ink, consisting of a large, stylized 'K' and 'H' intertwined, with a horizontal line underneath.

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Mercy For Animals