

SPCA Submission

02 December 2021

On Proposed Changes to Ban Live Exports

under the Animal Welfare Act 1999



"We have an opportunity now to show the world that when we say we're kind, we mean it. When we say we have the highest standards for our animals and our people, we're being honest. And when we say our workplaces are safe and we have a sustainable plan for our economy, there are no exceptions."^{*}

Executive summary

- > SPCA supports Cabinet's decision to ban the export of cattle, sheep, deer and goats by sea by way of changes to the primary legislation. We know that New Zealanders are appalled by live exports and we are relieved that the government has listened to the experts, the science and the general public. We believe this decision is good for our animals, our people and our economy.
- > SPCA maintains that 'continuous improvement', introducing regulations, partnering with importing countries and farmers, commissioning reviews, extending post-arrival reporting, ensuring that cattle being loaded are in good condition, and updating guidelines have failed. The only option left is to permanently prevent the export of livestock by sea.
- > It has been reported that livestock ships are at least twice as likely to suffer a "total loss" from sinking or grounding as standard cargo vessels - risking the lives of both crew and animals. It cannot be claimed that disasters are one-off events or unforeseen tragedies.
- > Even when things go smoothly, the transportation of farmed animals by sea is inherently linked with major animal welfare compromise. It is disingenuous to rely on mortality figures to show that our animals are not affected by live export.
- > Every livestock export ship represents a reputational risk. We are pleased to see the government take the opportunity to support our food and fibres sector to meet increasing consumer demand for products that are produced ethically and sustainably.
- > Although acknowledging that this Bill does not propose any changes to the export of animals other than livestock, SPCA suggests that the framework around Animal Welfare Export Certificates could potentially be re-purposed to provide some oversight, transparency and public assurance around the continuing export of live chicks, finfish, eels and crayfish.

^{*}Open letter on live export to Prime Minister Jacinda Ardern by SPCA CEO Andrea Midgen and SAFE CEO Debra Ashton, September 2020



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Introduction

The following submission is made on behalf of The Royal New Zealand Society for the Prevention of Cruelty to Animals (trading as SPCA).

SPCA is the preeminent animal welfare organisation in New Zealand. The Society has been in existence for over 140 years with a supporter base representing many tens of thousands of New Zealanders across the nation.

The organisation includes 35 Animal Welfare Centres across New Zealand and approximately 60 inspectors appointed under the Animal Welfare Act 1999.

SPCA welcomes the opportunity to make a submission on the Animal Welfare Amendment Bill.



SPCA has long campaigned against livestock export by sea

SPCA has advocated for a total ban on the live export of farmed animals for decades.

The long history of disasters accompanying such journeys reinforced this position. Ships carrying live animals are at least twice as likely to suffer a ‘total loss’ as compared to standard cargo vessels (Kevany, 2020). As stated in the 2020 Heron review: “we note the obvious: rules and regulations themselves cannot necessarily prevent tragedies and accidents.” (Michael Heron QC, 2020)

Table 1: Summary of recent livestock ship disasters

Year	Location	No. and type of animals	Outcome	References
2021	Suez Canal	20 ships carrying animals blocked Animal numbers unknown	Stranded with insufficient feed and water	Kevany and Safi 2021
2021	Spain	1,700 cattle 864 young bulls	Culled for welfare reasons	Kevany and Kassam 2021a Kevany and Kassam 2021b
2020	New Zealand	6,000 pregnant cows	Ship capsized - death by drowning	Ives et al 2020
2019	Romania	14,000 sheep	Ship capsized - death by drowning	Skerrett 2019 Ng 2019
2017	Australia	2,400 sheep	Died on board - heat stress	Wahlquist 2018
2014	Australia	4,000 sheep	Died on board - heat stress	Towie 2014

In addition, SPCA has repeatedly raised concerns about the many factors that impact the welfare of exported animals before, during and after their journey. These include the conditions on the vessel, the lack of control over their treatment at the destination country, and the fear and anxiety inflicted on animals by the changes in environment that they are forced to undergo over weeks or months (Phillips, 2008).



It is not possible to protect animal welfare during live export

It is perplexing to SPCA that MPI's Regulatory Impact Statement begins from "a presumption that transporting animals, in and of itself, does not necessarily have an adverse effect on animal welfare." This may be true of domestic transport of pets, for example, but it is misleading to apply this assumption to livestock ships. It is generally accepted that the longer and more complex the journey an animal makes, the greater the risk to its welfare (Fisher, 2013).

The transportation of livestock animals by sea is inherently linked with major animal welfare compromise (Hing et al., 2021), particularly in regard to changes in feed, poor environmental conditions, stocking densities, damaging ammonia concentrations, disease, noise, motion sickness, changes in lighting pattern and heat stress (Phillips, 2008).

It is difficult to obtain information on the animals' welfare during live export journeys. MPI's public voyage reports are limited in their information. However, a study published this year (Hing et al., 2021) analysed information obtained from independent observers on board Australian export ships, across voyages carrying a total of 147,262 cattle to China. They compared conditions to the guidelines of the World Organisation for Animal Health (OIE) and the Australian Standards for the Export of Livestock – analogous to New Zealand's Guidance Material for the Transport of Cattle by Sea, though the Heron review described Australian standards as being more robust and up-to-date (Michael Heron QC, 2020).

In both New Zealand and Australia, livestock export industries insist that guidelines are followed as a means to demonstrate that welfare can be managed.

Despite this assurance, independent observers on board Australian ships found the following:

- > **Hunger** – issues with provision of food were described in 43 % of independent observer summaries. At least 11 % of voyages had to ration food or had food supplies exhausted. One report noted "competition for access to feed troughs increased later in the voyage with pen hierarchy becoming obvious and incidents of trampling observed." Another observer reported that feed requirements for the pregnant cattle fell below Australian standards requirements within the first 6 days of the (on average) 20-day journey. Yet another reported that "on average, approximately 50 % of cattle were waiting their turn to feed. When they finally got to the trough there was usually nothing left... staff responded to this issue by removing skinny and weak cattle." Observers reported that access to food was impacted by indirect problems including poor pen conditions and limited mobility of animals (due to injury and illness).
- > **Thirst** – Water supply issues were described in 43 % of independent observer summaries. Reporters described animals being slow to adjust to the water delivery system, poorly secured water troughs being knocked off railings (soiling pens and limiting access to water), leaking hoses and water supply systems, water being contaminated by faeces, and several



instances where water supply systems failed entirely, leading to a failure of ad-lib access to water until staff took remedial action.

- > **Exposure to extreme temperatures** – Cattle exported by sea to China from New Zealand and Australia are transported across the equatorial zone. Exposure to extreme temperatures was described in 51 % of independent observer summaries. Overnight respite from hot conditions is an essential element of recovery from heat stress, but little to no respite is available for cattle transported across the equator. Other shipboard factors contribute to the heat load, including the ship's engine, sun-heated metal, faecal contamination preventing heat loss from the skin, inability to move away from other animals or seek shade or breeze, high pen humidity, and poor ventilation. Observer reports of heat stress described animals with tongues protruding, increased respiratory rate, open mouth breathing, gasping, lethargic demeanour, or drooling with tongues out over water troughs. Washing decks and hosing cattle was noted as having a limited and transitory effect.
- > **Space and bedding** – Poor pen conditions and insufficient space were observed in 81 % of the independent observer summaries. One observer noted that “the cattle were not loaded strictly in accordance with the load plan... some pens remained overstocked throughout the voyage.” Poor pen conditions included wet, sloppy pad or inadequate bedding material and insufficient space (i.e. not all animals were able to lie down simultaneously – cows require between 10-12 hours of lying a day to maintain health and welfare). One observer described that “The pad thickness developed over the voyage to a central depth on [sic] 5–10 cm with a much thicker piling up effect under the gates, into corners and along the walls. The texture was initially crumbly but progressed to variably tacky to sloppy mud by Day 7”. Another described a “20 cm deep build-up of a boggy mixture of fodder, chaff and manure in most alleyways and pens.”
- > **Health issues** – All observer summaries mentioned health issues. These included ocular, respiratory, musculoskeletal, metabolic, dermatologic, enteric, and systemic diseases. Cattle suffering from lameness are reported in practically all summaries. One veterinarian described “hoof deck syndrome”, where “abrasive deck surfaces . . . in combination with constantly wet, softened hooves (from faecal pad), concurrent illness and/or injured/heavy animals often leads to varying degrees of direct tissue damage . . . painful skin excoriations and/or hoof damage . . . joint and bone exposure and secondary infections.”

The National Animal Welfare Advisory Committee advised for the livestock export review that *“The understanding that animals are sentient, that they can have emotions, feelings, perceptions and experiences that matter to them, is integral... NAWAC therefore considers that good welfare must take into account the affective state of an animal – that is, what the animal may experience negatively or positively.”*

Mortality statistics represent the ‘tip of the iceberg’ in terms of the total impact of the export process on animal welfare (Fleming et al., 2020). Mortality rate is insufficient as an indicator of animal welfare, in any context, because it does not capture the suffering that is experienced by animals.



Visiting a ship loading and being satisfied with the pre-transport check is also insufficient to understand whether animal welfare will be affected on the journey. SPCA shares industry's confidence that New Zealand's regulatory framework and system of pre-export veterinary checks provides some assurance that the animals being loaded are in good condition. But regulations would need to apply and be enforced during the journey and post-arrival to even begin to address the animal welfare risk – and this is outside of New Zealand's jurisdiction.

It has been suggested that getting countries more involved with the care of the imported animals may help to address the animal welfare risk. However, the National Animal Welfare Advisory Committee advises that *“even where those in charge of the animals have the best intentions and receive ongoing support from New Zealand, fundamental differences in animal genetics, climate, farming systems, disease, parasite risk, and feed, will predispose towards significant animal welfare risks when sending our livestock overseas.”*

In 2019, around 5,000 cattle were exported from Australia and New Zealand to Sri Lanka (about 2,000 were New Zealand's cows), in a scheme that included partnering with receiving farmers to ensure that the animals were well looked after. An Australian live export company (Wellard) was contracted to ship the cows and help establish the farms to improve Sri Lanka's fresh milk supply. Wellard was required to provide Sri Lankan farmers with facilities, training and veterinary support. The scheme was underwritten by an Australian government loan of \$100 million. The export of New Zealand cattle was approved via the Animal Welfare Exports Certificate (AWEC) process.

Soon after arrival there were claims that the “high-yielding, pregnant dairy cows” the local farmers were promised were instead “overpriced, unhealthy and infertile” (RNZ/ABC, 2019). The cattle were not suited to local conditions, did not produce well, and hundreds of cattle suffered and died, leaving local farmers facing financial ruin: some farmers were reported to be suicidal (NZ Herald, 2019; RNZ/ABC, 2019). Sri Lanka's own auditor-general described the project as “poorly planned and inhumane.” Wellard described the project as “a success.” (RNZ/ABC, 2019).

The Animal Welfare (Export of Livestock for Slaughter) Regulations 2016 were introduced to protect New Zealand's trade reputation, and made significant changes including the introduction of post-arrival reporting. Guidance material for the export of livestock by sea was introduced in 2013, and has been updated since, including as part of MPI's ‘continuous improvement’ programme. Animal Welfare Export Certificates are considered carefully.

Despite all of this, public concern reached a point in 2020 that the Heron review was launched, and Minister O'Connor announced a ban in April 2021, stating that “We must stay ahead of the curve in a world where animal welfare is under increasing scrutiny.” SPCA agrees, and maintains that the only intervention that will address the fundamental concerns of the New Zealand public is to permanently prevent the export of farmed animals by sea.



The reputational risk is significant

SPCA agrees with the assessment in MPI's Regulatory Impact Statement that the reputational risks of livestock export by sea are real, likely to result in ongoing negative reputational impacts, and cannot be eliminated completely. This risk will continue during the two-year phase-out period.

It could be argued that the animals that would have been exported will now be killed as bobbies, resulting in a negative welfare outcome and a different kind of reputational risk. SPCA has more confidence in our farmers: we are encouraged by industry efforts to treat all animals in the production chain with world-leading care and respect and to find other uses for bobby calves (e.g. see DairyNZ's Dairy Tomorrow strategy). In the SPCA Certified animal welfare programme, we aim to work with farmers who are committed to keeping calves with their mothers.

Even if more animals are slaughtered in New Zealand as bobby calves, we note that New Zealand's regulatory requirements around the handling of young calves were significantly strengthened relatively recently (Beehive Press Release, 2016). We can be confident that these regulations will apply to these animals here, while the wellbeing of exported animals is outside of our control.

Offloading our surplus animals without control of their welfare is unacceptable - these animals work hard for New Zealanders. As expressed in New Zealand's animal welfare strategy, we have responsibilities towards animals in our care.

Banning the export of livestock by sea means taking the opportunity to give effect to ambitious ideals, highlighted in documents like the Fit for a Better World strategy, that we can support our food and fibres sector to meet increasing consumer demand for products that are produced ethically and sustainably.

As summarised by Fisher (2013) in reference to the Australian industry, which we believe applies well to the New Zealand situation: *"It may not be a direct trade-off, but one day farmers may need their political capital and the residual goodwill of the public more than they need the live export industry."*

Other farmed and wild animals continue to be exported live

Minister Whaitiri stated at the first reading of the Bill that "These actions do not set a precedent for other animal exports."

SPCA acknowledges that the Animal Welfare Export Certificate process has historically been applied to livestock but not necessarily other animals, and that the welfare risks to animals exported by air are different.



However, the reputational risk remains. Our native longfin eels, as threatened as the North Island Brown kiwi, are exported live from New Zealand for slaughter along with shortfin eels – in 2018, over 143 tonnes of eels were exported (Hancock, 2019). In 2020, more than 300 tonnes of live crayfish were exported for slaughter (Taunton, 2020). Approximately 2.8 million day-old chicks are exported every year (Hutching, 2018).

The export of all animals – not just sheep, cattle, deer and goats – can give rise to serious welfare problems relating to the conditions the animals experience during the journey itself and to the potentially concerning treatment of the animals once they reach the importing countries.

SPCA notes that the National Animal Welfare Advisory Committee submitted to the livestock export review that the same animal welfare considerations must be given to all animals exported live from New Zealand.

Although this Bill does not currently propose any changes to the export of animals other than livestock, SPCA suggests that the framework around Animal Welfare Export Certificates and public reporting of the number of animals in each shipment could potentially be re-purposed to provide some oversight and public assurance around the export of other animals like day-old chicks, live eels and crayfish.

Conclusion

SPCA is supportive of this amendment and believes that it is the appropriate option to address risks to animal welfare. In addition, the amendment will effectively protect New Zealand’s reputation - in turn contributing to a sustainable, thriving primary sector.

SPCA appreciates the opportunity to contribute to the Animal Welfare Amendment Bill and would welcome further engagement on this issue. If any further information is required, the Society is happy to discuss this matter further.



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