

An aerial photograph of a rural landscape. In the foreground, there are large, vibrant green fields, some of which appear to be planted with crops like corn. A winding river flows through the lower left portion of the image. In the middle ground, there is a cluster of farm buildings, including barns and houses, surrounded by trees. The background features rolling hills and mountains under a clear sky. A semi-transparent green banner is overlaid across the top half of the image, containing the title text.

British Columbia's Farmed Animal Welfare Legislative Framework

AUGUST 2023

An aerial photograph of a rural landscape. In the foreground, there are large, vibrant green fields, some of which appear to be agricultural plots. A river or stream flows through the lower left portion of the image. In the middle ground, there are several farm buildings, including barns and houses, surrounded by trees. The background features rolling hills and mountains covered in dense green forest. The overall scene is peaceful and scenic.

British Columbia's Farmed Animal Welfare Legislative Framework

AUGUST 2023

LIST OF ABBREVIATIONS

AHA	Animal Health Act
BCFIRB	BC Farm Industry Review Board
BC ITC	B.C. Introductions and Transfers Committee
CFIA	Canadian Food Inspection Agency
DFO	Fisheries and Oceans Canada (Department of Fisheries and Oceans)
DM	Deputy Minister
HAA	Health of Animals Act
HAR	Health of Animals Regulations
HMP	health management plan
MIR	Meat Inspection Regulation
NFACC	National Farm Animal Care Council
NPMA	Natural Products Marketing Act
PCAA	Prevention of Cruelty to Animals Act
RCMP	Royal Canadian Mounted Police
SFCR	Safe Food for Canadians Regulations

Definitions of Terms

Terms defined in the Glossary at the end of this document are linked to the Glossary the first time they appear underlined in the text.

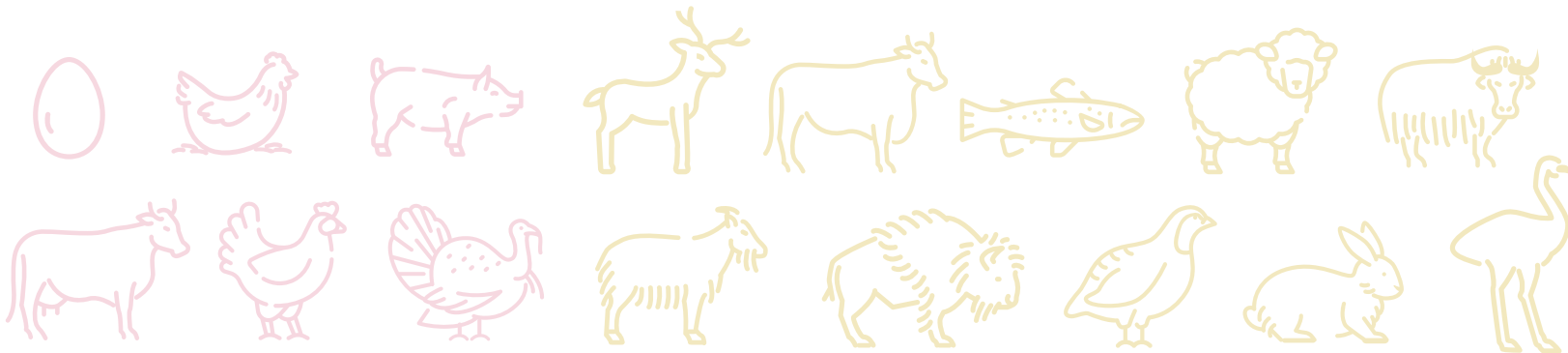


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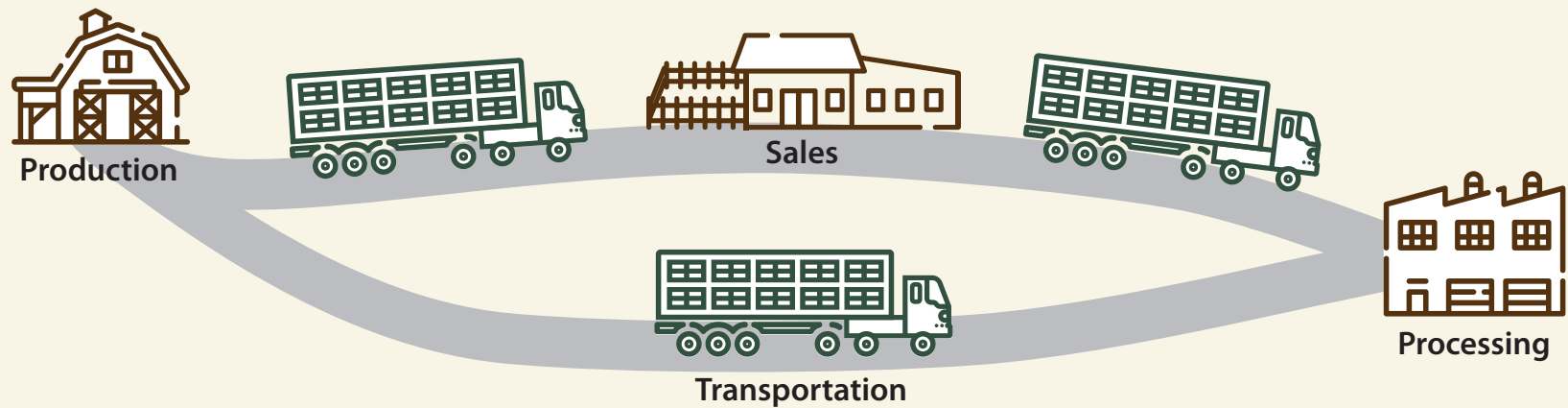
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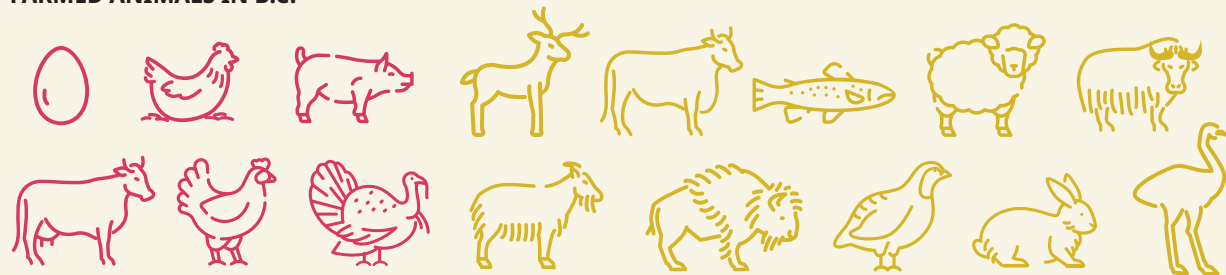
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BRITISH COLUMBIA'S FARMED ANIMAL WELFARE LEGISLATIVE FRAMEWORK



The farmed animal symbols in red represent animals associated with Marketing Boards/ Commissions established under the *Natural Products Marketing Act*

FARMED ANIMALS IN B.C.



Introduction

The British Columbia Farmed Animal Welfare Legislative Framework (Legislative Framework) was produced as part of the mandate of the Deputy Minister's (DM) Advisory Committee for Farmed Animal Welfare (the DM Advisory Committee) to make the provincial requirements for farmed animal welfare more explicit and transparent. The Legislative Framework was drafted by the B.C. Ministry of Agriculture and Food, with input from federal and provincial partners, and has been reviewed by the DM Advisory Committee. It is current as of August 2023.

In B.C., farmed animal welfare is maintained by a broad Farmed Animal Welfare Framework (the Broader Framework) composed of many actors, organizations, requirements, and voluntary measures.¹ The Legislative Framework, captured

1 Specifically, the Broader Framework includes the following: federal and provincial legislation; codes of practice and industry-developed standards and programs; federal, provincial, industry, and third-party inspections; federal, provincial, and non-governmental enforcement agencies; marketing boards and commissions; industry associations; veterinarians; farmers, ranchers, other operators in the value chain (e.g. transporters, auction houses, and slaughter establishments); and the general public.

in this document, supports the Broader Framework by describing the foundational legislative requirements for the welfare of farmed animals. The Legislative Framework provides a clear overview of the explicit legislative and regulatory welfare requirements that must be met in B.C. and describes the parties associated with those requirements.

To further demonstrate the distinction between the Legislative Framework and the Broader Framework, in B.C. there are six animal agriculture B.C. marketing boards and commissions that establish mandatory animal welfare programs for their licensed members. These programs feature audit and enforcement requirements empowered by the Natural Products Marketing Act (NPMA) and regulations. These programs represent a key foundation of the Legislative Framework and are included in the document below. Some other animal sectors have animal welfare programs that are accessed on a voluntary basis. However, as these programs are not required under federal or provincial (B.C.) legislation, they are not included in the Legislative Framework (but can be considered as an element of the Broader

Framework). In addition, unless explicitly required by legislation, the following elements of the Broader Framework have not been included in this document: national and provincial policies that set guidelines and standards for farmed animal welfare; codes of practice; industry standards, policies and guidelines; and independent welfare certification programs.

Most notably, the codes of practice developed through the National Farm Animal Care Council (NFACC) are excluded from this Legislative Framework. The codes developed through NFACC are widely regarded as national standards of farm animal care and are recognized in the Animal Care Codes of Practice Regulation² as “reasonable and generally accepted practices” of agricultural production.³ The codes developed through NFACC also play a key role in B.C.’s agricultural marketing

2 Under the *Prevention of Cruelty to Animals Act* (PCAA).

3 While the regulation recognizes the codes developed through NFACC as generally accepted practices, these practices are not established as legal requirements. Instead, the regulation establishes that an individual acting in accordance with the NFACC codes must not be convicted of an offence in relation to causing distress to an animal under the PCAA.

board/commission animal welfare programs, in that the programs either draw from or are based on the codes developed for that sector. Some of the agricultural marketing board/commission's general/consolidated orders also contain requirements for their licensed producers to follow the codes developed through NFACC.⁴ However, as there are limited explicit requirements to follow the codes developed through NFACC in federal and B.C. legislation, the codes themselves are not included in this document, except in the few cases when referenced directly by legislation or through the farmed animal welfare programs of the farmed animal marketing boards/commissions.

This Legislative Framework is intended to be a general overview of the key welfare requirements in legislation and is not intended to be a comprehensive description of all farmed animal legislation; there may be other requirements for each of the defined sectors not fully captured in this document. This document describes but does not evaluate laws and regulations currently in place with respect to animal welfare and does not reflect changes made to federal or provincial legislation after August 2023.

⁴ For example, the B.C. Milk Marketing Board's Consolidated Orders require producers to follow the Code of Practice for the Care and Handling of Dairy Cattle.

ELEMENTS OF THE LEGISLATIVE FRAMEWORK

The Legislative Framework includes animals and/or animal sectors that are primarily associated with food or food products in B.C.:

- Chickens (Hatching Eggs)
- Chickens (Meat Production)
- Chickens (Egg Production)
- Turkey
- Beef Cattle
- Dairy Cattle
- Bison
- Deer
- Water Buffalo
- Hogs
- Goats
- Rabbits
- Ratites
- Sheep
- Game Birds
- Finfish

The Legislative Framework includes six farmed animal marketing boards and commissions⁵ established under the provincial *Natural Products Marketing Act* (related species are underlined above). Farmers who raise more than a threshold number of animals, as established by each respective board and commission, are subject to additional programs and requirements.

Farmed Animal Activities

The four farmed animal activities identified

⁵ See the entry: 'B.C.'s Agricultural Marketing Boards and Commissions' in the Production section.

in the Legislative Framework are Production, Transportation, Sale, and Processing. Each of these is subject to different legislative requirements for animal welfare, reflecting the different types and levels of animal welfare risk associated with each activity.

Animal Sectors

The Legislative Framework applies to three distinct sectors: livestock and poultry licensed by agricultural marketing boards and commissions, livestock and poultry not licensed by marketing boards and commissions, and finfish. The Legislative Framework highlights key differences between these sectors within each of the four farmed animal activities described above.

Requirements and Areas of Responsibility

The Legislative Framework identifies federal and provincial legislation with specific requirements meant to protect the welfare of farmed animals. In some cases, legislation that focuses on ensuring animal health has been included. The Legislative Framework shows which key players are responsible for implementing, inspecting/auditing, and enforcing the requirements of legislation.

Key Players in Ensuring Animal Welfare

Although many key players are involved in B.C. in ensuring the welfare of farmed animals, the Legislative Framework only identifies those that have responsibilities set out in federal and provincial legislation.

REQUIREMENTS ACROSS THE FRAMEWORK

To eliminate repetition in this document, this section provides an overview of the key players and responsibilities that apply in the same way across all activities and sectors in the Legislative Framework.

Key Players and Their Responsibilities

Anyone Who is Responsible for a Farmed Animal

Anyone who owns or is responsible for farmed animals (e.g., farm employees, producers, transporters, etc.) has responsibility to care for those animals. Section 445 of the *Criminal Code of Canada* (Criminal Code) designates killing, injuring, poisoning, or causing unnecessary suffering to animals as a criminal act. It also requires that an owner of an animal must not wilfully permit an animal or bird to experience unnecessary pain, suffering, or injury.

Under the provincial *Prevention of Cruelty to Animals Act* (PCAA) anyone who owns or has custody or control over an animal must care for the animal and not cause or allow it to be in distress. This entails a requirement to provide animals with adequate food, water, shelter, ventilation, light, space, exercise, care, and veterinary treatment. If an animal must be killed (e.g., for humane reasons or at a slaughter establishment), it must be done in a way so as not to cause that animal to be in distress.

LEGISLATION APPLICABLE OVER THE ENTIRE LEGISLATIVE FRAMEWORK

Federal Legislation	Provincial Legislation
<p><i>Criminal Code of Canada</i> <i>Health of Animals Act</i></p>	<p><i>Prevention of Cruelty to Animals Act</i> <i>Animal Health Act</i></p>

There is also federal and provincial legislation with requirements related to animal health and disease prevention. At the federal level, the *Health of Animals Act* (HAA) and its regulations require anyone who owns or has the possession, care, or control of an animal to report actual or suspected reportable diseases/toxic substances to the Canadian Food Inspection Agency (CFIA). The provincial *Animal Health Act* (AHA) also requires all persons responsible for an animal to

- not cause conditions that contribute to the spread of a reportable disease or notifiable disease;
- comply with veterinary advice related to reportable or notifiable disease;
- take preventative measures for diseases; and
- make reports with respect to specific diseases to the Chief Veterinarian of B.C.

Anyone with a Commercial Operation Involving Farmed Animals

Anyone with a Commercial Animal Operation must ensure that their employees are properly trained to meet the requirements of the PCAA and the AHA.

Veterinarians

As medical professionals in animal health, veterinarians also have responsibilities that support farmed animal welfare within the Legislative Framework.

At the federal level, the HAA requires veterinarians to report any animals with suspected reportable disease infection or toxic substance contamination to the CFIA.

At the provincial level, the PCAA requires veterinarians to report anyone they suspect of causing or allowing an animal to be in distress to the B.C. Society for the Prevention of Cruelty to Animals (BC SPCA). Under the AHA, veterinarians must report animals that are or may be infected with a suspicious, reportable, or notifiable disease to the provincial Chief Veterinarian. Veterinarians must also report an individual who does not follow their instructions concerning a reportable or notifiable disease to the Chief Veterinarian.

The Office of the Chief Veterinarian (BC Ministry of Agriculture and Food)

The Office of the Chief Veterinarian is responsible for administering the AHA and its regulations. The Chief Veterinarian has broad powers to control and/or respond to a reportable or notifiable disease under the AHA. Inspectors within the Office of the Chief Veterinarian are primarily responsible for administering the requirements of specific AHA regulations (e.g., the Game Farm Regulation under the AHA) and other legislation (e.g., the *Milk Industry Act* and regulations). If an inspector finds that an individual is not meeting their responsibilities under the AHA or an AHA regulation, the Chief Veterinarian can revoke or suspend a licence, permit, or registration or recommend charges to Crown counsel.

BC Society for the Prevention of Cruelty to Animals (BC SPCA)

The BC SPCA is responsible for enforcement of the animal welfare requirements of the PCAA. The BC SPCA has broad powers under the PCAA to ensure animal welfare is protected, including conducting proactive inspections at Commercial Animal Operations. However, the BC SPCA generally conducts its animal welfare investigations in response to complaints and has the ability to obtain search warrants to enter any premises if a BC SPCA agent believes on reasonable grounds that there is an animal in distress in that premises.

Under the provincial Prevention of Cruelty to Animals Act (PCAA) anyone who owns or has custody or control over an animal must care for the animal and not cause or allow it to be in distress.

Typically, when a BC SPCA special provincial constable is of the opinion that an animal is in distress, they will first verbally inform the person responsible for the animal of that distress, and may provide them with a written notice. If the individual fails to relieve the cause of distress, the constable can take any action they consider necessary to relieve the animal's distress, including, without limitation but subject to any warrant requirements, taking custody of the animal and arranging for food, water, shelter, care, and veterinary treatment for it. The constable can also recommend charges to Crown counsel.

Canadian Food Inspection Agency (CFIA)

Across the sectors and activities included in this Legislative Framework, the CFIA has powers to inspect and enforce the federal HAA. The CFIA can conduct inspections as frequently as it decides is necessary for the purpose of detecting diseases or toxic substances or for the purpose of verifying compliance with the HAA. If an inspector believes on reasonable grounds that a requirement of the HAA or its regulations has been violated, they may seize and detain any animal or thing⁶ in relation to the violation.⁷

⁶ “Thing” is not specifically defined in the legislation.

⁷ The CFIA may require a warrant to conduct search and seizure operations, depending on the circumstance. See HAA sections 38-41.

Royal Canadian Mounted Police (RCMP)/ Municipal Police

The Royal Canadian Mounted Police (RCMP) and municipal police have the power to enforce all animal welfare requirements in legislation, including the *Criminal Code of Canada* and PCAA. Law enforcement officers can conduct investigations and recommend charges to Crown counsel under either the Criminal Code or the PCAA. However, the RCMP and municipal police generally refer issues related to farmed animal welfare to the BC SPCA.

Under the PCAA, a peace officer (e.g., member of RCMP or other law enforcement authorities) must assist the BC SPCA special provincial constables in their enforcement role if requested. The BC SPCA has a standing agreement with the Ministry of Attorney General to request police (municipal or RCMP) assistance to keep the peace when executing search warrants or conducting investigations.

B.C. Farm Industry Review Board (BCFIRB)

Under the PCAA, the B.C. Farm Industry Review Board hears appeals of certain BC SPCA animal seizure and costs decisions. BCFIRB's decisions can be enforced through court orders. BCFIRB decisions can be appealed to the Supreme Court of B.C.

Production

British Columbia's
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Production

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Raising of and caring for farm animals. Stages of production can include, but are not limited to: breeding, growing, and finishing.

	MARKETING BOARD/COMMISSION LIVESTOCK AND POULTRY	LIVESTOCK AND POULTRY	FINFISH
REQUIREMENTS The requirements for farmed animal welfare during production	Federal legislation		
	Provincial legislation		
	Agricultural Marketing Board/Commission Programs		
IMPLEMENTATION Sets out who is responsible for implementation of the requirements	Producers		
	Veterinarians		
INSPECTION/AUDIT Indicates who conducts inspections/audits to ensure requirements have been implemented	Agricultural Marketing Board/Commissions		
	BC SPCA		
	CFIA		
	The Office of the Chief Veterinarian		
			DFO
ENFORCEMENT States who is responsible for enforcement if requirements have not been implemented or adhered to	Agricultural Marketing Boards/Commissions		DFO
	BC SPCA		
	CFIA		
	The Office of the Chief Veterinarian		
	RCMP		

FARMED ANIMAL WELFARE LEGISLATIVE FRAMEWORK FOR PRODUCTION

APPLICABLE LEGISLATION

Federal Legislation	Provincial Legislation
<i>Criminal Code of Canada</i>	<i>Prevention of Cruelty to Animals Act</i>
<i>Health of Animals Act</i>	<i>Animal Care Codes of Practice Regulation</i>
<i>Health of Animals Regulation</i>	<i>Animal Health Act</i>
<i>Fisheries Act</i>	<i>Poultry Health and Buying Regulation</i>
<i>Fisheries (General) Regulation</i>	<i>Game Farm Regulation</i>
<i>Pacific Aquaculture Regulation</i>	<i>Natural Products Marketing Act</i>
	<i>British Columbia Broiler Hatching Egg Scheme</i>
	<i>British Columbia Chicken Marketing Scheme</i>
	<i>British Columbia Egg Marketing Scheme</i>
	<i>British Columbia Hog Marketing Scheme</i>
	<i>British Columbia Milk Marketing Board Regulation</i>
	<i>British Columbia Turkey Marketing Scheme</i>
	<i>Milk Industry Act</i>
	<i>Milk Industry Standards Regulation</i>

OVERVIEW

Within the Legislative Framework, production is defined as the process of raising and caring for animals farmed for food or food products. The stages of production include any or all of the following: breeding, hatching, growing, herd/flock management, and/or finishing.

The production sector in B.C. spans the entirety of the province and includes a diverse range of animals, described above in the Introduction. Livestock and poultry production operations can vary in size from a single animal up to tens of thousands of animals.

Finfish farms in B.C. can be ocean-based, freshwater-based, or land-based. Ocean-based finfish farms generally produce Atlantic salmon, Chinook salmon, and sablefish. Fish species raised in land-based and/or in freshwater facilities include Chinook salmon, rainbow trout, sockeye salmon, tilapia, and barramundi.

Potential Risks to Animal Welfare

Of the four activities identified in the Legislative Framework, farmed animals live most of their lives within the production phase. Potential risks to welfare during this phase include inadequate daily food, water, shelter and housing, space,

handling, herd/flock management, and access to veterinary care. Some animal husbandry activities during an animal's production lifecycle may also pose a risk to welfare if not managed properly.

KEY PLAYERS AND THEIR RESPONSIBILITIES

The several key players involved in every aspect of the Legislative Framework are identified above in the Introduction and have similar roles and responsibilities in each of the four activities. The roles and responsibilities of key players that are unique to production are discussed below.

Finfish Producers

The *Fisheries Act* and its regulations give the federal Minister of Fisheries and Oceans the power to create licence conditions for aquacultural operations. Requirements can be different for different types of licences, and some conditions of licence establish welfare requirements for farmed finfish. For example, marine finfish aquaculture licence-holders must develop standard operating procedures for the humane handling of fish raised in the facility.⁸ There are fewer welfare requirements under the freshwater/land-based aquaculture conditions of licence, but finfish producers are still required to ensure that the fish are cared for according to the needs of the species.

⁸ Standard operating procedures are described in the facility's Health Management Plan.

There are six farmed animal marketing boards and commissions in B.C. responsible for the regulation of the Marketing Boards and Commissions Livestock and Poultry Sector.

Livestock and Poultry Producers

Producers are responsible for livestock and poultry while the animals are in their care and must provide their animals with adequate food, water, shelter, ventilation, light, space, exercise, care, and veterinary treatment.

The provincial *Milk Industry Act* and the Milk Industry Standards Regulations establish licensing requirements for dairy farmers. This legislation also requires producers of dairy animals⁹ to maintain clean and dry bedding for dairy animals, maintain animal cleanliness, and ensure that dairy barns and milking parlours are used, constructed, and maintained to prevent injury to dairy animals.

Producers who farm fallow deer, bison, and/or reindeer in B.C. must meet animal welfare requirements in the Game Farm Regulation, under the AHA, related to humane removal of antlers and the humane killing of farmed game.

Under the federal HAA, operators of poultry hatcheries are responsible to follow certain sections of the National Farm Animal Care Council Code of Practice for the Care and Handling of Hatching Eggs, Breeders, Chickens and Turkeys. Poultry producers must also meet animal health requirements under the provincial AHA.

⁹ Under the *Milk Industry Act* and regulations, dairy animals include cows, goats, sheep, water buffalo, caribou, horse, and reindeer.

B.C.'s Agricultural Marketing Boards and Commissions

There are six farmed animal marketing boards and commissions in B.C. responsible for the regulation of the Marketing Boards and Commissions Livestock and Poultry Sector. The six boards and commissions require their licensed producers to follow animal welfare programs established by their sector's national regulated marketing authority or national industry association. To ensure their members implement their programs, boards and commissions have the power to conduct audits, issue warning notices, limit access to certain business benefit programs, restrict the amount of production allowed, raise the cost of a licence fee, suspend or cancel licences, or, in some cases,¹⁰ charge an administrative monetary penalty fee.

The following table shows the six farmed animals boards and commissions, as well as some of the required programs they have implemented in relation to animal welfare:

¹⁰ Some farmed animal marketing boards and commissions have opted not to employ administrative monetary penalties and instead rely on other enforcement mechanisms. In some instances, these can be other kinds of monetary penalties; for example, the BC Milk Marketing Board has the authority to charge licensed producers for marketing costs and losses resulting from non-compliance.

Agricultural Marketing Board/ Commission	Required Animal Programs Related to Animal Welfare
BC Broiler Hatching Egg Commission	<u>Canadian Hatching Egg Producers Animal Care Program</u> <u>The Canadian Hatching Egg Producers Canadian Hatching Egg Quality Program</u> BC Poultry Biosecurity Program
BC Chicken Marketing Board	<u>Chicken Farmers of Canada Raised by a Canadian Farmer Animal Care Program</u> <u>Chicken Farmers of Canada Raised by a Canadian Farmer On-Farm Food Safety Program</u>
BC Egg Marketing Board	<u>Egg Farmers of Canada Animal Care Program (Egg Quality Assurance)</u> <u>Egg Farmers of Canada Start Clean-Stay Clean (Egg Quality Assurance)</u> <u>BC Egg Barn Fitness Program</u> BC Poultry Biosecurity Program
BC Turkey Marketing Board	<u>Turkey Farmers of Canada Flock Care Program</u> <u>Turkey Farmers of Canada On-Farm Food Safety Protocol</u>
BC Milk Marketing Board	<u>Dairy Farmers of Canada proAction Program</u>
BC Hog Marketing Commission	<u>PigCARE</u> <u>PigSAFE</u> <u>PigTRACE</u>

BC Farm Industry Review Board

BCFIRB is responsible for overseeing B.C.'s marketing and commodity boards under the *Natural Products Marketing Act* (NPMA). To help ensure orderly marketing of products, BCFIRB can issue directives to the regulated marketing boards and commissions, including directives to establish mandatory biosecurity/animal welfare programs. A person aggrieved by or dissatisfied with an order, decision, or determination of a marketing board or commission may appeal the order, decision, or determination to the BCFIRB.

Canadian Food Inspection Agency

In addition to CFIA's responsibility for inspection and enforcement of the requirements under the HAA and its regulations, CFIA is responsible for inspecting poultry hatcheries licensed under the Health of Animals Regulations (Part VIII.1). CFIA inspectors conduct inspections of hatcheries at a standardized frequency informed by risk-based assessments. They can also conduct inspections in response to consumer complaints/referrals.

If, upon inspection, a hatchery operation is not meeting requirements, CFIA inspectors will submit an inspection report to CFIA investigation specialists, who will decide what enforcement actions are required. Decisions are based on level of risk, degree of severity, and history of non-compliance.¹¹

¹¹ See the CFIA's publication: Standard Regulatory Response Process – Canadian Food Inspection Agency (canada.ca)

***The Office of the Chief Veterinarian
(BC Ministry of Agriculture and Food)***

Dairy inspectors at the Office of the Chief Veterinarian are responsible for inspection and enforcement of dairy facilities licensed under the *Milk Industry Act* and its regulations. Dairy inspectors can make unannounced inspections once every two years, or as needed, to ensure the requirements under the Milk Industry Standards Regulation are met. Dairy inspectors enforce the *Milk Industry Act* through suspensions or cancellations of certificates of approval and escalating recommendations to Crown counsel for prosecution, if required.

Fisheries and Oceans Canada

Fisheries and Oceans Canada is responsible for issuing licences for aquaculture facilities under the *Fisheries Act* and its regulations.

DFO is also responsible for inspecting licensed aquaculture facilities and conducting in-person audits of randomly selected marine finfish aquaculture facilities throughout the year (120 sites visited per year). In-person audits include a document review, which ensures aquaculture operators have the documentation and records required under a facility's conditions of licence. In addition to document reviews, DFO verifies that a facility is following its written health management plan (HMP), which is submitted and approved on an annual basis under finfish aquaculture licences. HMPs include standard operating procedures for the

care and humane handling of fish raised at the facility. DFO will also respond to public complaints about specific sites and can perform targeted audits. DFO does not currently do routine audits of land-based aquaculture facilities, except in the case of licence holders who raise fish for marine grow-out.

If aquaculture facilities are not meeting requirements, DFO will investigate to determine if enforcement actions are needed. Enforcement actions include written warnings, licence suspension or cancellation, issuance of violation tickets, and recommendations to Crown counsel for prosecution.

Transportation

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Transportation

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The movement of live farmed animals for any purpose associated with agricultural practice or activity (e.g., the transportation of animals to auction houses or abattoirs, for veterinarian care, during animal seizure, or during movements between farms); as well as the movement of fish between sites by road, water, or air. It can also include moving fish underwater in net pens (to another site for slaughter).

<p>REQUIREMENTS</p> <p>The requirements for farmed animal welfare during transportation</p>	<p>MARKETING BOARD/COMMISSION LIVESTOCK AND POULTRY</p>	<p>LIVESTOCK AND POULTRY</p>	<p>FINFISH</p>
<p>IMPLEMENTATION</p> <p>Sets out who is responsible for implementation of the requirements</p>			<p>Finfish Producers</p>
<p>INSPECTION/AUDIT</p> <p>Indicates who conducts inspections/audits to ensure requirements have been implemented</p>			
<p>ENFORCEMENT</p> <p>States who is responsible for enforcement if requirements have not been implemented or adhered to</p>			

Federal legislation

Provincial legislation

Anyone involved in the transportation of animals

Commercial Transporters of Animals

Receivers

Veterinarians

CFIA

BC SPCA

The Office of the Chief Veterinarian

CFIA

BC SPCA

The Office of the Chief Veterinarian

RCMP

FARMED ANIMAL WELFARE LEGISLATIVE FRAMEWORK FOR TRANSPORTATION

APPLICABLE LEGISLATION

Federal Legislation	Provincial Legislation
<p><i>Criminal Code of Canada</i></p> <p><i>Health of Animals Act</i></p> <p>Health of Animals Regulation</p> <p><i>Fisheries Act</i></p> <p>Fisheries (General) Regulation</p> <p>Pacific Aquaculture Regulation</p>	<p><i>Prevention of Cruelty to Animals Act</i></p> <p><i>Animal Health Act</i></p> <p><i>Livestock Identification Act</i></p> <p>Livestock Identification Regulation</p>

OVERVIEW

Within the Legislative Framework, transportation is defined as the movement of live farmed animals for any purpose associated with an agricultural or aquacultural practice or activity. Farmed animals are transported for sale, processing, export, veterinary care, or movement between farms. Less common reasons for transportation include emergency relocation (e.g., due to wildfires or flooding) or animal seizure resulting from enforcement actions. Transportation by motor vehicle and/or trailer is the most common method of farmed animal transportation in B.C.; other modes of transportation include movement via aircraft, railway car, and marine vessel. Similarly, the transport of live fish between sites can happen by road, water, or air, for the purpose of sale, processing, or movement of juveniles for ongrowing.

Most farmed animals in B.C. will require transportation at some point in their lives and may be transported within B.C., or within Canada, or exported internationally. Transportation is a potentially high-risk activity for farmed animals. Some animals are particularly sensitive to being transported, with the activity causing

high levels of stress or presenting a high risk of injury. Transportation of highly sensitive animals such as bison and ratites is generally avoided unless absolutely necessary.

While there are a number of steps involved in the process of transportation, some key preparations across species include determining fitness for transport, planning the transport route, and preparing animals for the journey.

POTENTIAL RISKS TO FARMED ANIMAL WELFARE

Transportation of farmed animals carries a potentially high level of risk to their welfare, including but not limited to

- improper assessments of transport fitness;
- injury associated with transport, onloading and offloading for transportation;
- stress related to change of environment, and the mixing of unfamiliar animals;
- impacts related to length of time between feed, water, and rest; and
- potential impacts related to environmental changes during transport.

KEY PLAYERS AND THEIR RESPONSIBILITIES

The several key players involved in every aspect of the Legislative Framework are identified above in the Introduction and have similar roles and responsibilities in each of the four activities. The roles and responsibilities of key players that are unique to transportation are discussed below.

Part XII of the federal Health of Animals Regulations (HAR) states that it is the responsibility of all persons involved in the transportation of animals to ensure the welfare of those animals during transport and to be knowledgeable enough to meet the requirements of the regulations.

Anyone Involved in the Transportation of Animals

Part XII of the federal Health of Animals Regulations (HAR) states that it is the responsibility of all persons¹² involved in the transportation of animals to ensure the welfare of those animals during transport and to be knowledgeable enough to meet the requirements of the regulations.¹³ Responsibilities under the regulations include assessing animals' capacity to be transported; handling animals humanely; ensuring animals are not overcrowded; ensuring animals have been given appropriate access to fresh air, food, water, and rest; and meeting any special care requirements needed by a particular animal, such as special consideration for lactating animals. HAR Part XII applies to the transportation of animals entering, leaving, or travelling within Canada; it covers all modes of transportation, including trucks, boats, and planes. Once exported animals leave Canada, the importing country is responsible for the welfare of the animals.

¹² In general, this would apply to anyone who loads, confines, transports, and/or unloads an animal.

¹³ For further information, see [Health of Animals Regulations: Part XII: Transport of Animals-Regulatory Amendment Interpretive Guidance for Regulated Parties - Canadian Food Inspection Agency \(canada.ca\)](#)

Key players must work together to ensure the welfare of farmed animals is maintained throughout all steps of transportation, including between facilities and in all modes of transportation.

Anyone who loads, confines, or transports an animal is responsible for ensuring that the animal is fit for transport. Similarly, anyone who unloads an animal at a destination must ensure that the animal is able to be safely unloaded. An animal deemed unfit to be transported cannot be loaded or transported except to receive veterinary care (at the recommendation of a veterinarian). An animal that is compromised can be loaded and transported only if the animal is isolated and steps are taken to prevent its suffering. Every person who confines or transports an animal that becomes unfit or compromised during the process must take reasonable measures to prevent the animal's unnecessary suffering and, as soon as possible, must either

- transport the animal to the nearest place where it can receive care;
- transport the animal to the nearest place where it may be humanely killed; or
- humanely kill the animal in the conveyance.

A person who transports an animal to a slaughter establishment or assembly centre must

provide a written ‘Transfer of Care’ document stating that the animal has arrived at the establishment. The document must contain

- the condition of the animal on arrival;
- the date, time, and place where the animal was last fed, watered and rested; and
- the date and time of arrival of the animal at the slaughter establishment or assembly centre.

The individual who receives an animal from a transporter (the ‘receiver’¹⁴) becomes responsible for the care of that animal, including meeting the requirement to provide food, water, and rest.

There are no sections in HAR Part XII specifically related to fish; however, the general humane transportation sections would apply to fish in the same way they apply to all other animals.

Livestock and Poultry Producers

Poultry and livestock producers may be involved in any or all aspects of farmed animal transportation including loading, transport, and unloading. Producers are often responsible for the transport steps concerning the decision to transport, the organization of the transport, deciding the destination, assessing fitness for transport, loading the animals, etc.

¹⁴ Specifically referred to in the HAR as a “consignee,” which is defined in the ‘My CFIA Glossary of Terms’ as “the person or organization who is supposed to receive a shipment from a transporter. This person or organization is financially and legally responsible for the shipment while it is in their care.”

Finfish Producers

In order to transport fish, finfish producers require an operating licence under the Pacific Aquaculture Regulations of the *Fisheries Act* and a transfer of live fish licence under the Fisheries (General) Regulations of the *Fisheries Act*. Producers who have a Marine Finfish Licence must meet welfare requirements related to the humane transportation of live fish. Specifically, the Marine Finfish conditions of licence require that fish must be handled humanely during transfer and that water quality must be closely maintained and monitored to minimize fish stress during transport. Marine finfish producers must also apply for a licence from the B.C. Introductions and Transfers Committee (BC ITC) to transport their live fish. Land-based/freshwater licence holders must also follow legal requirements for the transfer or transport of finfish; however, the conditions of licence do not address welfare specifically.

Commercial Transporters of Animals

In addition to the general humane transport requirements outlined in HAR Part XII, commercial transporters must follow additional requirements under the regulations. These include requirements to

- train their employees in specific animal handling and transportation practices;
- establish contingency plans to protect animal welfare during unforeseen transportation delays or if an animal becomes compromised or unfit during transportation;

- verify the last time an animal was fed/watered/rested upon loading; and
- keep specific kinds of records of the animals upon loading.

The HAR overlaps with the Safe Food for Canadians Regulations (SFCR) in federal (live-stock and poultry) slaughter facilities during the transfer of responsibility from the transporter to the receiver and the handoff in monitoring the animals in lairage. If one regulation sets requirements that are stricter than the other, the licence holder must comply with the stricter requirements.

Livestock Inspectors with Ownership Identification Incorporated

Livestock Inspectors with Ownership Identification Incorporated are appointed under the provincial *Livestock Identification Act* to conduct inspections of cattle, horse, and game animals to confirm lawful possession prior to transportation, sale, or slaughter.¹⁵ The inspections are intended to protect producers against the loss of animals by theft, straying, or misappropriation, but the inspectors are also empowered under the *Livestock Identification Act* to stop, detain, and/or redirect livestock shipments if they believe that shipment is being transported contrary to the AHA (and regulations) or the federal HAA (and regulations). Livestock inspectors are only designated to operate in the portion of the province east of the Cascade Mountains.¹⁶

¹⁵ The Livestock Identification Regulation also establishes some responsibilities concerning the records of sale and the transportation of meat and hides from swine, sheep, and goats. See sections 34-37.

¹⁶ As per the Livestock Identification Regulation.

B.C. Introductions and Transfers Committee (BC ITC)

The BC ITC is a joint federal-provincial committee with members from DFO, the B.C. Ministry of Forests, and the B.C. Ministry of Water, Land and Resource Stewardship. The BC ITC is responsible for reviewing applications for the transportation of certain live aquatic organisms between facilities or into bodies of water, and issuing licences if the transfer is deemed appropriate. The BC ITC does not assess transfers based on risks to fish welfare. Instead, transfers are assessed based on the risk of disease transmission to wild populations, the potential impacts to the genetics of wild stock, and the risk of damage to the surrounding ecosystem.

Veterinarians

Veterinarians play an important support role in the humane transportation requirements of HAR XII, related primarily to providing advice or recommendations concerning animal health and (animal) fitness for transport.

HAR Part XII also contains an explicit requirement for veterinarians: if an animal becomes unfit during the transport process while aboard a vessel, a veterinarian (or the vessel master) must take reasonable measures to prevent that animal's suffering, including humanely euthanizing the animal if necessary.

The Chief Veterinarian and Appointed Inspectors

The AHA grants broad inspection powers to the Chief Veterinarian and appointed inspectors in relation to reportable or notifiable disease. During transport an inspector may enter and inspect any vehicle or place that likely holds or previously held an animal. Further, they may stop a vehicle if the inspector believes that an animal affected by a reportable or notifiable disease is or has been present in the vehicle.

Canadian Food Inspection Agency

The CFIA is responsible for inspecting and enforcing federal legislation for humane animal transportation in Canada. They monitor compliance with both HAR Part XII and the relevant sections of the SFCR to help ensure the welfare of animals during transport.

CFIA inspectors have the power to inspect any vehicle that is transporting animals and any location where animals are or may be transported to or from. Inspections are based on level of assessed risk at the facility or vehicle. The CFIA can perform routine inspections at licensed facilities, assembly centres, and entry points into Canada, but does not routinely conduct inspections on live fish transfers. CFIA inspectors also conduct inspections in response to complaints/referrals.

If non-compliance is identified during an inspection, CFIA inspectors will submit

an inspection report to CFIA investigation specialists, who will decide what enforcement actions are required. Decisions are based on level of risk, degree of severity, and history of non-compliance.¹⁷ The timeline of CFIA enforcement action is dependent on the severity of non-compliance and can range from a few weeks up to a maximum of two years.

¹⁷ See [Standard Regulatory Response Process - Canadian Food Inspection Agency \(canada.ca\)](#)

An aerial photograph of a large, circular metal stock pen on a farm. The pen is constructed from silver metal bars and is situated on a dirt area. Long shadows are cast across the ground, indicating it is either early morning or late afternoon. A yellow banner is overlaid across the top portion of the image, containing text. In the background, a small trailer is visible on the right side.

Sale |

**British Columbia's
Farmed Animal Welfare Legislative Framework**



Sale | British Columbia's Farmed Animal Welfare Legislative Framework

Change of ownership through the selling and buying of animals, via direct sale, public sale yard (auction house) or livestock dealer; includes assembly yards and other collection points. This also includes live (fin)fish sales.

	MARKETING BOARD/COMMISSION LIVESTOCK AND POULTRY	LIVESTOCK AND POULTRY	FINFISH
REQUIREMENTS The requirements for farmed animal welfare during sales	Federal legislation		
	Provincial legislation		
IMPLEMENTATION Sets out who is responsible for implementation of the requirements	Producers		
	Public Sales Yards		
	Livestock Dealers		
	Transporters		
	Receivers		
			Sellers of Live Fish
INSPECTION/AUDIT Indicates who conducts inspections/audits to ensure requirements have been implemented	BC SPCA		
	CFIA		
	The Office of the Chief Veterinarian		
ENFORCEMENT States who is responsible for enforcement if requirements have not been implemented or adhered to	BC SPCA		
	RCMP		
	CFIA		
	The Office of the Chief Veterinarian		

FARMED ANIMAL WELFARE LEGISLATIVE FRAMEWORK FOR SALE

APPLICABLE LEGISLATION

Federal Legislation	Provincial Legislation
<i>Criminal Code of Canada</i>	<i>Prevention of Cruelty to Animals Act</i>
<i>Health of Animals Act</i>	<i>Animal Health Act</i>
Health of Animals Regulation	Livestock Licensing Regulation
	Poultry Health and Buying Regulation
	Game Farm Regulation

OVERVIEW

Within the Legislative Framework, sale is defined as a change of ownership through the selling and buying of animals, by direct sale, public sale yard (auction house), or livestock dealer. It also includes assembly yards and other collection points.

Farmers who wish to sell their livestock can do so independently, directly from their farm, or by utilizing livestock markets to auction off their animals either online or in person. Auction houses provide a public place for animals to be sold for feeding, breeding, backgrounding, or slaughter. Operating an animal auction house requires a public livestock sales operator licence and livestock dealer licence under the Livestock Licensing Regulation of the AHA.

To get to an auction house, livestock and poultry can be transported by their owner or through a commercial transport company. Once animals are received at an auction house, they are held in holding pens until the auction begins. This can be from a few hours up to a few days. During the auction, animals are shown via video feed or are brought out to be viewed by potential buyers before being returned to holding pens, where they remain until they are transported to a different location.

One-day permits may be issued to hold a livestock public sale in B.C. These sales typically occur in-person at a producer's operation or at public facilities like local fairgrounds, but may also happen online. Typically, the animals are picked up on the same day or shipped to the buyer following the sale (from producer to producer). One-day livestock public sales are typically used as part of the 4-H B.C. program.

In B.C., cattle (beef and dairy) are the most auctioned species. Some auction houses also sell chickens, rabbits, ducks, geese, quail, pigs, goats, sheep, and exotic birds, typically for non-commercial operations. Marketing board/commission poultry and hogs are transported directly to processing plants under pre-established purchase arrangements and so generally do not end up at auction.

In general, 'buying stations' are distinct from auction houses in that they are direct-to-marketer venues where animals are delivered by their owner or a transporter to be purchased directly by a livestock dealer. Buying stations are not open to the public, so operators of buying stations do not require a public livestock sales operator licence.¹⁸

Assembly yards are facilities or locations where animals from different sources are temporarily collected to be sold or redirected

¹⁸ Although they are still required to be licensed as either a livestock dealer or livestock dealer agent. See the section entitled 'Producers, public livestock sales yard operators (and their employees), livestock dealers, livestock dealer agents (and their employees)', below.

Assembly yards are facilities or locations where animals from different sources are temporarily collected to be sold or redirected to other sites, such as processing establishments.

to other sites, such as processing establishments. There are no licensing requirements specifically for assembly yards.¹⁹

Live finfish sale in B.C. is distinct from the sale of other farmed animals. In general, live finfish sales occur in retail (e.g., grocery) stores or restaurant settings. Certain fish species, such as tilapia, are produced in aquaculture and are then sold live to vendors for public sale and/or processing. Vendors or restaurants selling live finfish to the public are inspected by B.C.'s regional health authorities under the *Public Health Act* and regulations. There are no animal welfare components to these inspections.

Potential Risks to Animal Welfare

The selling and buying of farmed animals present potential risks to animal welfare, including but not limited to the following:

- handling and comingling with animals from other premises;
- stress from changes in routine;

¹⁹ However, under the Premises Identification Regulation of the *Animal Health Act*, any parcel of land where livestock animals are kept, assembled, or disposed of must be registered in the B.C. Premises Identification Program; which includes production sites, auction houses, assembly yards, processing facilities, etc. There are no specific welfare requirements related to registration.

- improper housing conditions and/or food and water;
- overcrowding and inadequate holding at live markets; and
- disease transmission and injury during transportation.

KEY PLAYERS AND THEIR RESPONSIBILITIES

The several key players involved in every aspect of the Legislative Framework are identified above in the Introduction and have similar roles and responsibilities in each of the four activities. The roles and responsibilities of key players that are unique to sale are discussed below.

Producers, Public Livestock Sales Yard Operators and Employees, Livestock Dealers, Livestock Dealer Agents and Employees

Individuals selling or buying animals at public markets (including producers) must ensure that animals are free of reportable diseases. Owners and operators of animal markets must ensure that their markets are kept clean and that animals can be inspected and tested.

In B.C., under the Livestock Licensing Regulation of the *Animal Health Act*, any non-producer who deals in livestock must be

licensed as a livestock dealer (or as a livestock dealer agent), and/or anyone who operates a public livestock market must be licensed as a public livestock sales operator. Anyone who buys or sells animals under these licences must keep records about animal sales, including descriptions of the animals and contact information for buyers.

Transporters and Receivers

Transporters and receivers at public markets are required by the HAR to complete transfer of care documents and keep records related to the transport of animals.

Livestock Inspectors with Ownership Identification Incorporated

Livestock inspectors with Ownership Identification Incorporated are appointed under the provincial *Livestock Identification Act* to conduct inspections of cattle, horse, and game animals to confirm lawful possession prior to transportation, sale, or slaughter.²⁰ The inspections are intended to protect producers against the loss of animals by theft, straying or misappropriation, but the inspectors are also empowered under the *Livestock Identification Act* to stop, detain, and/or redirect livestock shipments if they believe that shipment is being transported contrary to

²⁰ The Livestock Identification Regulation also establishes some responsibilities concerning the records of sale and the transportation of meat and hides from swine, sheep, and goats. See sections 34-37.

the AHA (and regulations) or the federal HAA (and regulations). Livestock Inspectors are only designated to operate in the portion of the province east of the Cascade Mountains.²¹

Canadian Food Inspection Agency

The CFIA is responsible for inspection and enforcement of humane transportation requirements under HAR Part XII, including transportation to and from assembly centres (e.g., an auction market, an assembly yard, and a holding facility, other than a slaughter establishment). Inspections at assembly centres are done based on level of risk. CFIA inspectors can seize animals or things, or issue orders to require cleaning. The CFIA has the power to take enforcement actions and does so based on level of risk to the animal, severity of the issue, and the history of non-compliance.

Sellers of Live Fish

People who sell and/or export live fish must be licensed by the provincial and/or federal government, depending on their specific context and activities. However, there are no specific welfare requirements under these licences. Individuals and/or businesses selling live fish are only required to follow the welfare requirements that apply to the entire Legislative Framework.

²¹ As per the Livestock Identification Regulation.

Processing

British Columbia's
Farmed Animal Welfare Legislative Framework





Processing

British Columbia's
Farmed Animal Welfare Legislative Framework

The slaughter of livestock or poultry destined for consumption, usually within a licenced or registered slaughter establishment. Slaughter can also occur on-farm or at a licenced processing facility for Finfish.

REQUIREMENTS The requirements for farmed animal welfare during processing	MARKETING BOARD/COMMISSION LIVESTOCK AND POULTRY	LIVESTOCK AND POULTRY	FINFISH
	Federal legislation		
	Provincial legislation		
	Federal Slaughter Establishment Licences		
	Provincial Abattoir Licences		
	Provincial Farmgate/Plus Licences		
			Finfish Producers
			Fish Processors
			DFO
	CFIA		
	Ministry of Agriculture and Food		
	BC SPCA		
			DFO
	CFIA		
	Ministry of Agriculture and Food		
	BC SPCA		
	RCMP		

FARMED ANIMAL WELFARE LEGISLATIVE FRAMEWORK FOR PROCESSING
APPLICABLE LEGISLATION

Federal Legislation	Provincial Legislation
<p><i>Criminal Code of Canada</i> <i>Safe Food for Canadians Act</i> Safe Food for Canadians Regulation <i>Health of Animals Act</i> Fisheries General Regulation Pacific Aquaculture Regulation</p>	<p><i>Prevention of Cruelty to Animals Act</i> <i>Food Safety Act</i> Meat Inspection Regulation</p>

OVERVIEW

In this document, both ‘processing’ and ‘slaughter’ mean the killing of an animal for food or food products, usually within a licensed or registered slaughter facility.

Most producers raising meat animals will require slaughter services to sell their animals as food. Some producers hold a slaughter establishment licence, whereas others take their animals to a slaughter facility. In B.C., slaughter facilities are regulated by the provincial or federal government. Both federal and provincial facilities can only slaughter the animal species they are explicitly licensed to slaughter.

Federally licensed slaughter facilities can process high volumes of animals and export their final product across provinces and outside of Canada. Depending on the species requested in their licence, federal facilities in B.C. may process poultry, cattle, pork and/or ‘other’²² animal species.

There are three provincial Slaughter Licence categories in B.C.: abattoir licences, Farmgate licences, and FarmGate Plus licences. Slaughter facilities that hold a provincial abattoir licence can process an unlimited number of animals but

²² ‘Other’ includes species other than cattle, calves, sheep, lambs, goats, swine, horses, poultry, or rabbits.

can only sell their product in B.C. Depending on the species requested by the licensee, animals that may be slaughtered in provincial abattoirs include chicken, turkey, cattle, hogs, sheep, lamb, goat, rabbits, bison, ostrich, emu, ducks, geese, other poultry/guinea, water buffalo, deer, and fallow deer. Larger slaughter facilities may purchase live animals directly from feedlots or producers and then slaughter/process the animals at their facilities.

Provincial Farmgate or Farmgate Plus licences only allow a limited²³ number of animals to be processed. Farmgate Plus licence holders can sell their products anywhere in B.C., while Farmgate licence holders can only sell their products from their farm or at some farmers' markets.²⁴

Federal licence holders, provincial abattoir licensees, and Farmgate Plus licensees may offer custom slaughter services for producers.

Farmed fish are commonly slaughtered on-farm but may also be slaughtered and processed off-farm at processing facilities licensed by either the provincial or federal government. There are no humane slaughter requirements specific to off-farm fish processors (though overarching welfare legislation would still apply²⁵).

23 Farmgate licence-holders are permitted to slaughter five animal units annually. Farmgate Plus licence-holders are permitted to slaughter up to 25 animal units annually. An animal unit is a combined animal weight, when measured alive, of 455 kg (1,000 lbs).

24 Specifically, farmers' markets in their regional district or at farmers' markets within 50km of their farm in adjacent regional districts.

25 For example, the PCAA, HAA, etc.

In B.C., provincial abattoir licence holders must follow the requirements of the provincial Meat Inspection Regulation (MIR).

Potential Risks to Animal Welfare

The slaughter of animals creates potential risks to animal welfare including but not limited to

- disease and injury during handling and commingling with animals from other premises;
- stress related to change in routine;
- travel to and from processing facilities; and
- improper slaughter procedures and facilities.

KEY PLAYERS AND THEIR RESPONSIBILITIES

The several key players involved in every aspect of the Legislative Framework are identified above in the Introduction and have similar roles and responsibilities in each of the four activities. The roles and responsibilities of key players that are unique to processing are discussed below.

Federal Slaughter Facility Licence Holders

In B.C., federally licensed slaughter facilities must follow the requirements detailed in sections 128–136 of the SFCR. Licence holders must ensure that

- all animals in their care are provided food, shelter, and safe drinking water after arriving at the facility;
- animals can move through the facility without injury;
- sick, injured, or violent animals must be separated from other animals; and

- all animals must be handled and slaughtered humanely.

Federal licence holders are also responsible for assessing whether an animal is showing signs of suffering or injury when it arrives at the facility following transport.

Provincial Abattoir Licence Holder

In B.C., provincial abattoir licence holders must follow the requirements of the provincial Meat Inspection Regulation (MIR). The welfare requirements for these licensees are the same as for the federally licensed abattoirs. Provincial abattoirs are required to submit food safety plans detailing standard operating procedures, which include procedures related to the humane treatment of animals in line with provincial policies for the slaughter industry.²⁶ These include

- reporting²⁷ any suspected inhumane treatment or undue suffering of an animal upon its arrival at a slaughter establishment;
- humane treatment during unloading (from transport) and when holding animals before slaughter; and
- stunning animals prior to the slaughter process.

26 For example, the Code of Practice for Licenced Abattoirs found here: [code_of_practice_licenced_abbatoirs.pdf \(gov.bc.ca\)](https://www.gov.bc.ca/abbatoirs.pdf)

27 An operator must report to either a provincial inspector, or, if the provincial inspector is not on-site, directly to the BC SPCA and/or the CFIA.

Provincial Farmgate and Farmgate Plus license Holders

Farmgate and Farmgate Plus licence holders must have food safety plans and humane slaughter plans to show standard operating procedures in line with established provincial policies for the slaughter industry. Farmgate and Farmgate Plus licence applicants must also complete a provincial government SlaughterRight training course on food safety and humane slaughter practice.²⁸

Finfish Producers

Marine Finfish Aquaculture licence holders must submit a health management plan to DFO each year. The HMP must show how they will ensure the humane handling and harvesting (slaughter) of fish raised in their facility. Freshwater/land-based aquaculture licence holders only require a HMP in specific circumstances, including farming of specifically identified species, or if they are raising finfish that will be transferred to marine-based facilities.

Fish Processors

Non-producers who slaughter/process live fish have no specific welfare requirements under provincial or federal legislation. However, these individuals are still required to follow the overarching legislation that applies to the entire Legislative Framework.

²⁸ See [SlaughterRight training - Province of British Columbia \(gov.bc.ca\)](https://www2.gov.bc.ca/gov/content/industry/food_safety/food_safety_training/SlaughterRight) for further information.

Livestock Inspectors with Ownership Identification Incorporated

Livestock Inspectors with Ownership Identification Incorporated²⁹ are appointed under the provincial *Livestock Identification Act* to conduct inspections of cattle, horse, and game animals to confirm lawful possession prior to transportation, sale, or slaughter.³⁰ The inspections are intended to protect producers against the loss of animals by theft, straying, or misappropriation, but the inspectors are also empowered under the *Livestock Identification Act* to stop, detain, and/or redirect livestock shipments if they believe that shipment is being transported contrary to the AHA (and regulations) or the federal HAA (and regulations). Livestock Inspectors are only designated to operate in the portion of the province east of the Cascade Mountains.³¹

B.C. Ministry of Agriculture and Food

The Ministry of Agriculture and Food (the Ministry) is responsible for the inspection and enforcement of provincial slaughter facilities licensed under the MIR. The Ministry is also

²⁹ Ownership Identification Incorporated is a private company owned by the BC Cattlemen's Association, the BC Breeder and Feeder Association, the BC Association of Cattle Feeders, Horse Council BC, and the Mountain Auction Markets Association.

³⁰ The Livestock Identification Regulation also establishes some responsibilities concerning the records of sale and the transportation of meat and hides from swine, sheep, and goats. See sections 34-37.

³¹ As per the Livestock Identification Regulation.

responsible for developing, maintaining, and updating provincial policy for the slaughter industry including training manuals, guidelines, and codes of practice. The Ministry reviews food safety and humane slaughter plans, which must be approved during licence application or renewal.

At licensed abattoirs, Ministry inspectors are required to be present during slaughter operations, beginning from when an animal arrives at the facility, through the slaughter process, to when the carcass is chilled and stored, to monitor compliance with the MIR and the approved standards outlined in an operator's food safety plan and standard operating procedures.³² Animals must be inspected both before and after they are slaughtered.³³

The Ministry conducts compliance inspections of Farmgate or Farmgate Plus facilities based on risk³⁴ and through document reviews. These inspections are generally conducted on at least an annual basis, depending on the facility's risk rating. Inspectors are not required to be present during slaughter at facilities holding a Farmgate or Farmgate Plus licence.

³² The MIR also contains requirements related to the labelling of carcasses or meat products.

³³ However, in the case of poultry or rabbits, only a sample of the total group needs to be inspected before slaughter.

³⁴ Risk is assessed based on factors like water quality, the facility's food safety plan(s), carcass transportation methods, management effectiveness/compliance history, the number of animal units being processed, etc.

Ministry officers are responsible for investigating reports of non-compliance at abattoirs and for conducting licensing and annual inspections at Farmgate and Farmgate Plus licensed facilities. Ministry officers will also respond to complaints about illegal slaughter or improper slaughtering methods at any provincially licensed facility.

If requirements are not being followed at licensed abattoirs, Ministry inspectors are responsible for working with facility operators to correct the issue. However, if the issue is serious enough, an investigation will be done by Ministry officers. If an animal welfare issue appears to have happened before arriving at a licensed abattoir, either on-farm or in-transit, the Ministry has a policy to contact either the BC SPCA or the CFIA.

If an enforcement action is required following an investigation, Ministry officers can use several enforcement tools to ensure compliance. Depending on the severity of the issue, Ministry officers will use graduated enforcement actions, which can include

- issuing a verbal and/or written warning;
- drafting a non-compliance report;
- suspending inspection services;
- suspending an operator's licence; and
- recommending charges to Crown counsel.

Canadian Food Inspection Agency

The CFIA is responsible for ensuring humane slaughter treatment within federally licensed abattoirs. CFIA staff are present at federal abattoirs during all slaughter activities. CFIA conducts inspections before and after an animal is slaughtered to make sure requirements in the SFCR are being followed. All livestock is inspected by CFIA prior to slaughter. For poultry, a representative sample of the total poultry shipment is inspected prior to slaughter.

If there is non-compliance at a federally licensed abattoir, CFIA inspectors will gather information and submit a report to their enforcement division. The CFIA has the power to take enforcement actions and does this based on risk, severity, and the history of non-compliance.

Fisheries and Oceans Canada

DFO is responsible for issuing licences for aquaculture facilities under the *Fisheries Act* and its regulation and for inspecting and enforcing the conditions of those licences. DFO conducts in-person audits at licensed facilities throughout the year (120 sites visited per year). As many aquaculture facilities slaughter fish on-site, HMP reviews can include a review of the facility's humane slaughter procedures. DFO also responds to public complaints about specific sites. DFO has previously piloted on-site inspections during harvest operations, but these are not regularly done.

If requirements are not being followed, the DFO enforcement division will decide if enforcement actions are needed. Enforcement actions that DFO can use include written warnings, and recommendations to Crown counsel for prosecution. The federal Minister of Fisheries and Oceans can also suspend or cancel aquaculture licences for non-compliance with the requirements of those licences.

GLOSSARY

4-H. A youth development program with a focus on agriculture. The mission statement of 4-H B.C. is “4-H British Columbia builds awareness of agriculture, inspiring, educating and supporting youth to reach their full potential.” The 4 H’s represent their core values of

- Head: managing, thinking.
- Heart: relating, caring.
- Hands: giving, working.
- Health: being, living.

Audit. For the purpose of the Legislative Framework, an audit is performed by qualified personnel to determine, by evaluation of objective evidence, the adequacy and conformance with established procedures, or applicable documents, and the effectiveness of implementation. Can be performed on-site or not.

Auditor. A person trained to conduct an audit.

Backgrounding. The process of growing weaned calves using a feeding program before sending them for finishing.

BC Farm Industry Review Board (BCFIRB). BCFIRB is responsible for overseeing regulated products marketing in B.C. and supervises the operations of all agricultural marketing boards and commissions created under the NPMA. BCFIRB is responsible for hearing appeals if an animal is seized under the PCAA.

B.C. marketing boards and commissions. Farm animal marketing boards and commissions are responsible for the regulation of certain

farmed animal sectors within the province through a regulatory scheme under the NPMA. Farmers who raise more than a threshold number of the regulated animals, as established by each respective board and commission, are subject to additional programs and requirements. The farmed animal Marketing Boards and Commissions in B.C. are

- The BC Broiler Hatching Egg Commission (chicken hatching-eggs);
- The BC Chicken Marketing Board (chickens intended for meat production);
- The BC Egg Marketing Board (chickens intended for egg production);
- The BC Milk Marketing Board, (dairy production from cows);
- The BC Turkey Marketing Board (turkey); and
- The BC Hog Marketing Commission (hogs).

BC Society for the Prevention of Cruelty to Animals (BC SPCA). The BC SPCA is the delegated animal welfare inspection and enforcement body under the PCAA.

BC SPCA special provincial constable. A person appointed as an authorized agent under the PCAA who has also been appointed as a special provincial constable under the *Police Act*, with specific duties, obligations, and powers set out in both the PCAA and the *Police Act*.

Canadian Food Inspection Agency (CFIA). The CFIA is a federal organization responsible for the inspection and enforcement of animal health and welfare requirements under the HAA, HAR, and SFCR.

Commercial animal operation. The keeping or use of specific kinds of animals for one or more of the purposes outlined in the provincial [Animal Care Codes of Practice Regulation](#), performed on a commercial basis. The specific animal species of relevance to the Legislative Framework include cattle, bison, pigs, poultry (including chicken, ducks, geese, and turkeys), rabbits, and sheep.

Compromised. Under HAR, an animal is compromised if it

- is bloated but has no signs of discomfort or weakness;
- has acute frostbite;
- is blind in both eyes;
- has not fully healed after a procedure, including dehorning, detusking, or castration;
- is lame other than in a way that is described in the definition of ‘unfit’;
- has a deformity or a fully healed amputation and does not demonstrate signs of pain as a result of the deformity or amputation;
- is in a period of peak lactation;
- has an unhealed or acutely injured penis;
- has a minor rectal or minor vaginal prolapse;
- has its mobility limited by a device applied to its body including hobbles other than hobbles that are applied to aid in treatment;
- is a wet bird; or
- exhibits any other signs of infirmity, illness, injury, or of a condition that indicates that it has a reduced capacity to withstand transport.

Custom slaughter. Custom slaughter is a service offered by some slaughter facilities. The licensed slaughter facility will provide slaughter and customized butchering services to producers; as opposed to other facilities which generally purchase animals from producers and keep the products obtained from the slaughter.

Distress. The PCAA defines distress as an animal being

- deprived of adequate food, water, shelter, ventilation, light, space, exercise, care, or veterinary treatment;
- kept in conditions that are unsanitary;
- unprotected from excessive heat or cold; injured, sick, in pain or suffering; and/or abused or neglected.

DM Advisory Committee for Farmed Animal Welfare. An external-to-government committee established in April 2023 for a limited term, mandated to advise the Deputy Minister of Agriculture and Food on the Broader Framework in B.C., to make it more explicit and transparent, and to ensure that it promotes high standards of farmed animal welfare and supports those involved in delivering these standards on an ongoing basis.

Enforcement. Actions taken by key players to encourage responsible parties to comply with legislative requirements if those requirements have not been implemented or adhered to. Enforcement actions may include a number of actions along an enforcement continuum from education to recommending charges.

Farmed animal. For the purposes of the Legislative Framework, a farmed animal is any animal that is farmed for food or a food product. A complete list of animals included in this definition can be found in the “Elements of the Legislative Framework” section in the Introduction to this document.

Finfish. A loose term referring to any fish of the class *Osteichthyes*. Finfish species licensed for aquaculture production in B.C. include Atlantic salmon, Pacific salmon, sturgeon, sablefish, barramundi, Nile tilapia, and lingcod. “Fish farming” refers to the practice of aquaculture, which is the intentional cultivation of fish or other seafood in fresh or saltwater.

Finishing. The final step before sending animals to market or for slaughter. It includes growing animals to market/slaughter weight, with the aim to increase body weight and value of the animal.

Fisheries and Oceans Canada (DFO). The federal department that has primary jurisdiction over the conservation and management of fisheries resources in B.C. and issues licences for the operation of aquaculture facilities in B.C. DFO is directly involved in the inspection and enforcement of fish health in aquaculture under the *Fisheries Act* and its relevant regulations, specifically the Fishery (General) Regulations and the Pacific Aquaculture Regulations.

Game birds. For the purpose of the Legislative Framework, farmed species of ducks, geese,

quail, partridge, pheasants, and squab. There is no standard industry or government definition of game bird species.

Humane handling. Handling practices that prevent avoidable suffering by minimizing excitement, pain, injury, or discomfort.

Humane harvesting. For purposes of this document, humane harvesting refers to practices involving finfish. There is no set definition of humane harvesting and exact practices vary. In general, it describes a slaughter practice that prevents avoidable suffering by ensuring a finfish experiences minimal excitement, pain, injury, or discomfort. It usually involves stunning.

Humane slaughter. There is no set definition of humane slaughter and exact practices vary by species. In general, it describes a slaughter practice that prevents avoidable suffering by ensuring a food animal experiences minimal excitement, pain, injury, or discomfort; usually involving stunning.

Humane treatment. There is no set definition of humane treatment, and humane practices can vary depending on the specific context. Humane treatment of animals can sometimes include concepts like the ‘5 Freedoms’, which considers the humane treatment of animals to include freedom from hunger, thirst, discomfort and pain, injury, and disease.

Inspection. Checking or testing someone or something against established standards. Inspections can be unannounced and typically

include an on-site review of operations, facilities, and records to ensure compliance with an Act and/or regulation.

Inspector. For the purpose of the Legislative Framework, an inspector is designated under a provincial or federal Act with prescribed powers to allow them to determine compliance with the Act and its regulations, and the requirements and standards it outlines.

Lairage. A holding area; the place where animals are held prior to slaughter. For poultry, for example, lairage may be in their crates in the trailer once it has been unhooked from the truck or stacked on the floor until they are slaughtered.

Livestock and poultry sector. The production of livestock and poultry that is not licensed by a marketing board or commission.

Marketing Boards and Commissions

Livestock and Poultry Sector. Livestock and poultry production that is licensed by a marketing board or commission through a scheme under the NPMA. See glossary entry for 'B.C. marketing boards and commissions'.

Notifiable disease. An environmental toxin, infestation, syndrome, or transmissible disease that is prescribed as a notifiable disease under the AHA for purpose of implementing monitoring measures to determine its presence, identity, nature, effects, or spreads; to avoid barriers to trade; and for any other reasons in the public interest.

Ongrowing (fish). Raising fish to marketable size in aquaculture; also referred to as 'grow-out'.

Oversight. For the purpose of this document, the review of animal use and welfare policies, plans, programs, and projects within the Legislative Framework, not including on-farm audits or inspections of producers, marketers, etc. It is the responsibility of oversight bodies to review, monitor, and supervise organizations to ensure they are achieving expected results and are in compliance with applicable policies, laws, regulations, and/or standards. B.C.'s Legislative Framework does not have a designated oversight body as defined; however, BCFIRB does have an oversight role over the marketing boards and commissions designated under the NPMA.

Ownership Identification Incorporated.

A private company owned by the BC Cattlemen's Association, the BC Breeder and Feeder Association, the BC Association of Cattle Feeders, Horse Council BC, and the Mountain Auction Markets Associatio

Policies, guidelines, and standards.

Documentation developed by various parties to outline best practices and, in some cases, required practices for those involved with farmed animals. Where required, these policies, guidelines and standards may be used during audit or enforcement activities to assess farmed animal welfare practices and activities.

Ratites. Ostriches, emus, and rheas.

Reportable disease. An environmental toxin, infestation, syndrome, or transmissible disease that is prescribed as a reportable disease under the AHA, for the purpose of implementing preventative, control, or eradication measures to safeguard animal health or public health in relation to diseases that could spread from animal to human; to avoid barriers to trade; or for any other reasons in the public interest. Under the HAR, 'reportable disease' is defined as a disease prescribed as reportable by the federal Minister of Health that may affect an animal or may be transmitted by an animal to a human.

Requirements. Legislated requirements in applicable federal and provincial legislation.

Royal Canadian Mounted Police (RCMP).

The federal enforcement body responsible for enforcement of the *Criminal Code of Canada*.

Unfit. Under HAR, an animal is unfit if it

- is non-ambulatory;
- has a fracture that impedes its mobility or causes it to exhibit signs of pain or suffering;
- is lame in one or more limbs to the extent that it exhibits signs of pain or suffering and halted movements or a reluctance to walk;
- is lame to the extent that it cannot walk on all of its legs;
- is in shock or is dying;
- has a prolapsed uterus or a severe rectal or severe vaginal prolapse;
- exhibits signs of a generalized nervous system disorder;

- is a porcine that is trembling, has difficulty breathing and has discoloured skin;
- has laboured breathing;
- has a severe open wound or a severe laceration;
- has sustained an injury and is hobbled to aid in treatment;
- is extremely thin;
- exhibits signs of dehydration;
- exhibits signs of hypothermia or hyperthermia;
- exhibits signs of a fever;
- has a hernia that impedes its movement, including when a hind limb of the animal touches the hernia as the animal is walking;
- causes the animal to exhibit signs of pain or suffering;
- touches the ground when the animal is standing in its natural position; or
- has an open wound, ulceration or obvious infection;
- is in the last 10% of its gestation period or has given birth during the preceding 48 hours;
- has an unhealed or infected navel;
- has a gangrenous udder;
- has severe squamous cell carcinoma of the eye;
- is bloated to the extent that it exhibits signs of discomfort or weakness;
- exhibits signs of exhaustion; or
- exhibits any other signs of infirmity, illness, injury or of a condition that indicates that it cannot be transported without suffering.

