



1 June 2016

Proposed Animal Welfare Regulations – Young Calves and Live Animal Exports

Updated Recommendations

Ref. briefing paper B16-0356, dated 26 May 2016

Purpose:

1. Following discussion among the members of the Ministerial Group for Young Calf Regulations on 31 May 2016, this paper provides an updated set of recommendations to secure Ministerial authorisation of the policy intention for each of the proposed regulations covering the welfare of young calves.
2. PCO must have policy authorisation from Ministers before the end of this week if regulations are to be drafted in time to be in place for the upcoming bobby calf season.
3. Once drafted, it is intended that the regulations be submitted to Cabinet for final approval on 25 July 2016.
4. An attached table sets out the proposed regulations in more detail.

Recommendations:

5. MPI recommends that the Ministerial Group for Young Calf Regulations:
 - a) **Note** the scope of the regulatory proposals that have been consulted on in relation to the welfare of young calves. Noted
 - b) **Note** that there will be compliance costs for farmers, transporters and meat processors associated with the proposed regulations. These costs are balanced against the improvements to young calf welfare and the benefits to be gained by further safeguarding New Zealand's trade reputation. Noted
 - c) **Note** that a formal Regulatory Impact Statement setting out the costs, benefits and impacts of these proposals in greater depth will be provided for consideration by Cabinet on 25 July 2016. Noted
 - d) **Agree** to the policy in relation to each of the following proposals:
 - 1) Requiring that a young calf must be at least four full days of age before it is transported for sale or slaughter. That calf must also display certain

physical characteristics, including the ability to stand and walk and freedom from disease.

- 2) Setting a maximum duration of 12 hours journey time for young calves that are being transported for sale or slaughter.
- 3) Prohibiting the killing of any calves by blunt force trauma except in emergency circumstances.
- 4) Prohibiting the transportation of young calves by sea across the Cook Strait.
- 5) Requiring loading and unloading facilities be provided and used when young calves are transported for sale or slaughter.
- 6) Requiring that suitable shelter be provided for young calves before and during transportation and at points of sale or slaughter.
- 7) Limiting to 24 hours the maximum time, in the run-up to slaughter, that a young calf may be off feed (down from 30 hours). By that point, the calf would need to be either slaughtered or fed again.

Agreed / Not Agreed

- e) **Agree** that, where required, the regulations will be drafted to place a requirement on the defendant to demonstrate they have systems in place to enable their compliance or to keep records which demonstrate their compliance.

Agreed / Not Agreed

- f) **Agree** to invite the Minister for Primary Industries to issue instructions to the Parliamentary Counsel Office (PCO) to prepare draft regulations to give effect to each of the proposals that have been agreed to.

Agreed / Not Agreed

- g) **Agree** to invite the Minister for Primary Industries to also instruct the PCO to amend the codes of welfare, as necessary, as a consequence of any provisions made in the regulations.

Agreed / Not Agreed

- h) **Agree** to the following proposals coming into force by 1 August 2016:

- 1) Requiring that a young calf must be at least four full days of age before it is transported for sale or slaughter. That calf must also display certain physical characteristics, including the ability to stand and walk and freedom from disease.
- 2) Setting a maximum duration of 12 hours journey time for young calves that are being transported for sale or slaughter.
- 3) Prohibiting the killing of any calves by blunt force trauma except in emergency circumstances.
- 4) Prohibiting the transportation of young calves by sea across the Cook Strait.

Agreed / Not Agreed

- i) **Agree** to delay commencement of the following proposals:

- 5) Requiring loading and unloading facilities be provided and used when young calves are transported for sale or slaughter (delay by 12 months).

- 6) Requiring that suitable shelter be provided for young calves before and during transportation and at points of sale or slaughter (delay by 12 months).
- 7) Limiting to 24 hours the maximum time, in the run-up to slaughter, that a young calf may be off feed (down from 30 hours). By that point, the calf would need to be either slaughtered or fed again (delay by six months).

Agreed / Not Agreed

- j) **Note** that the Minister for Primary Industries intends to submit the regulations direct to Cabinet for approval on 25 July 2016.

Noted

- k) **Note** that the Minister for Primary Industries intends to ask Cabinet for approval to waive the 28 day rule in order to bring the majority of the proposals into effect by 1 August 2016.

Noted

- l) **Note** that the Ministry for Primary Industries will continue to work with leading industry groups to ensure that appropriate steps are taken to help the farmers, transporters meat processors and others that are affected by these regulations prepare accordingly.

Noted

- m) **Note** that the Minister for Primary Industries also intends to ask for Cabinet approval of draft regulations relating to live animal exports.

Noted

Signed:

Hon Steven Joyce
Minister for Regulatory Reform
1 / 6 / 2016

Hon Amy Adams
Minister of Justice
1 / 6 / 2016

Hon Nathan Guy
Minister for Primary Industries
1 / 6 / 2016

Hon Jo Goodhew
Associate Minister for Primary Industries
01 / 06 / 2016

Proposed animal welfare regulations - young calves and live animal exports

31 May 2016

Proposed regulation	Status quo	Comes into force	Proposed offence
1. Requiring that a young calf must be at least four full days of age before it is transported for sale or slaughter. That calf must also display certain physical characteristics, including the ability to stand and walk and freedom from disease.	Already required by the Transport Code of Welfare.	1 August 2016	\$500 infringement offence. No criminal conviction.
5. Requiring loading and unloading facilities be provided and used when young calves are transported for sale or slaughter.	New requirement. However, the Transport Code of Welfare does include a requirement to minimise the risks to animals when loading or unloading.	1 August 2017 (12 month transition)	
2. Setting a maximum duration of 12 hours journey time for young calves that are being transported for sale or slaughter.	Recommended in the Transport Code of Welfare, but not required. In practice, most journeys are less than 8 hours but a minority are 12+.	1 August 2016	
3. Prohibiting the killing of any calves by blunt force trauma except in emergency circumstances.	Already required by the Dairy Cattle Code of Welfare. This regulation would extend to beef calves as well.	1 August 2016	Prosecutable offence in regulation with penalty up to \$5,000 for individuals and \$25,000 for bodies corporate. Criminal convictions may also be applied.
4. Prohibiting the transportation of young calves by sea across the Cook Strait.	New requirement. However, these journeys are not current practice across the industry.	1 August 2016	
6. Requiring that suitable shelter be provided for young calves before and during transportation and at points of sale or slaughter.	Broad requirement exists in Dairy Cattle Code of Welfare. Current practice for many stakeholders, but not all.	1 August 2017 (12 month transition)	
7. Limiting to 24 hours the maximum time, in the run-up to slaughter, that a young calf may be off feed (down from 30). By that point, the calf would need to be either slaughtered or fed again.	Changes existing requirement. Codes of welfare currently allow 30 hours between last feed and slaughter. However, many processing plants practice same-day slaughter.	1 Feb 2017 (6 month transition)	
Live animal exports Cabinet has already given approval regulations relating to the live export of animals: <ul style="list-style-type: none"> Bringing the conditional ban on the export of livestock for slaughter under the Animal Welfare Act (currently sits under a Customs Export Prohibition Order that will expire on 20 December 2016). Enabling MPI to require exporters to report on the welfare of animals during their journey and up to 30 days after they have arrived. These will be progressed at the same time as the regulations relating to young calves.			