

4 August 2023

ASEL Review Team
Live Animal Export Branch
Department of Agriculture, Fisheries and Forestry
GPO Box 858
CANBERRA ACT 2601

Via [email: aselreview@aff.gov.au](mailto:aselreview@aff.gov.au)

ASEL Update 3.3

Thank you for the opportunity to make a submission to the Australian Standards for the Export of Livestock (ASEL) Update 3.3.

We represent six of Australia's leading animal protection organisations with a combined supporter base of over 2 million Australians.

We wish to note that while we will always participate in reviews of this nature to strengthen regulatory requirements for animal welfare, no amount of regulation is capable of overcoming the inherent risks of exporting live animals into foreign jurisdictions. It is for these reasons that our sector remains opposed to the live animal export trade.

We trust our **attached** submission will be of assistance in conveying our position on the review. Should you require any clarification or further information, I can be contacted on

 [@allianceforanimals.org.au.](mailto:info@allianceforanimals.org.au)

Yours sincerely,



Dr Jed Goodfellow
Co-Director
Australian Alliance for Animals



About the Australian Alliance for Animals

The Australian Alliance for Animals is a national charity leading a strategic alliance of Australia's key animal protection organisations to achieve systemic change for animals. Through our six core member organisations, we have a combined supporter base of over two million people.

Learn more about our work on our website: www.allianceforanimals.org.au

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In the spirit of reconciliation, we acknowledge the Traditional Custodians of country throughout Australia and their enduring connections to land, sea and community. We pay respect to their Elders past and present.

ASEL Update 3.3

4 August 202

1. When an accredited veterinarian (AAV) or stockperson must accompany a voyage

Duration of voyage

We support the change to 4.1.8 and 4.1.9 inserting 'for the duration of the voyage' where the definition of a 'voyage' under ASEL is 'the period from the time the first animal is loaded onto the vessel (the first day of the voyage) until the time the last animal is unloaded at the final port of disembarkation'. However, steps must be taken to ensure that all persons responsible for decision making in relation to the voyage (exporters, importers, ship and port personnel) are fully aware of this definition and the associated requirements.

Type of voyage requiring an AAV

We support the clarification and the intent of bringing all requirements for AAVs together in one clause. However, the importance of requiring an AAV on all voyages, regardless of the destination or length of the journey, has been identified by animal welfare and veterinary organisations for decades. The length of any export voyage, combined with the risks posed by this form of transport and the numbers of animals transported mean that veterinary care is a basic requirement. While stockpersons may be highly competent in livestock handling and management, the quality and consistency of their training is insufficient to provide veterinary care, treatment, diagnostics and analysis. Travelling without an AAV present is a risk both to animal welfare and biosecurity.

If AAVs are not required on all voyages, then as an absolute minimum, the following voyages should require an AAV:

- All voyages over 5 days duration
- All voyages where the exporter has previously recorded non-compliances with ASEL

Where voyages take place without an AAV, exporters should be required to record CCTV in livestock areas and for the CCTV recordings to be made available to the regulator on request.

2. The definition of near and far markets

We support the removal of 'near' and 'far' market definitions. The introduction of this ineffective categorisation was not a recommendation of the ASEL Technical Advisory Committee but of the former Minister for Agriculture following extensive lobbying from the live cattle export industry. EAN 202/23 was introduced 24 hours prior to the agreed implementation time for the ASEL 3.0 stocking densities, which maintained the 'short-haul' and 'long-haul' definitions. We are pleased to see that the Department has analysed the ineffectiveness of this political intervention and is proposing to re-instate the previous approach recommended by the Technical Advisory Committee.

However, we maintain that basing stocking densities on whether a voyage exceeds 10-days is arbitrary. We question why cattle only require additional space "to allow for easier access to feed and water troughs and to be able to rest and lie comfortably" after a 10-day period. Cattle require easy access to feed and water troughs and to be able to rest and lie comfortably at all times of the voyage. We therefore maintain that cattle should be afforded the higher space allowance on all voyages regardless of duration.

3. The requirement for contingency plans for escaped livestock - Sea

Support with amendments.

Some escaped livestock will require emergency euthanasia (as defined under ASEL) due to injuries sustained during their escape. The requirement for exporters to deal with this should be explicitly stated in 4.1.18. In addition to procedures for humane recapture, additional equipment is required. Please refer to the submission from former AAV Dr [REDACTED] [REDACTED] for further information including documented photographic evidence.

The proposed wording only covers escaped livestock during loading. Livestock escape during both loading and unloading and procedures for humane recapture and euthanasia are required at both points of the supply chain.

Suggested amendments (underlined):

g) procedures and provisions for the humane recapture or euthanasia of livestock that escape during the loading and unloading process.

4. Penning requirements for horned cattle

We do not support this change.

Horns longer than 12 cm should not be approved for routine loading regardless of the direction they grow.

The original ASEL limitations on the carriage and penning of horned livestock have been continually eroded at the request of exporters, to the detriment of animal welfare. Variations in horn length and condition are indicative of poor on-farm management. Long horns increase the risk of injury through misadventure such as animals being trapped in railings or and troughs. Many of the Independent Observer Summaries contain instances of animals with long horns having their head trapped with difficult extraction and/or animal health and welfare consequences. Long horns also increase the risk of horn injury with stump exposure, a health and welfare issue.

Please refer to the submission from former AAV Dr [REDACTED] for further information including documented photographic evidence.

Suggested amendments (underlined):

- Delete 1.4.8 (b)
- Delete 5.3.1 (d) (ii)
- Reword Table 1 point 2: 'Horns that would may cause damage to the head or eyes of the animal or other animals'
- Reword Table 1 point 6: 'Horns longer than appropriate permitted for export.'

5. Penning requirements for horned sheep

We support the changes to 1.7.7. (a) to (c) with amendment. 'Export process' is not defined so we do not believe this change will address the problem identified in the notes. This phrase should be added to the definitions or changed here to 'during transport or any stage of the export process'.

We do not support the change to 1.7.7 (d). We believe that the maximum length for sheep horns should be half a curl. Even half a curl can be problematic for head space in troughs and getting heads stuck in odd places (farms and ships). However, sheep with full curls can get their horns easily hooked on troughs and railings.

Point 5.5.1 should be amended to require the maximum length for sheep horns to be half a curl. If sheep with a full curl are permitted, they should not be mixed with poll sheep.

See section 4 (Cattle) for comments on the changes to Table 1.

Please refer to the submission from former AAV Dr [REDACTED] for further information including documented photographic evidence.

6. Clarifying livestock identification requirements in laboratory test reports - Sea

We support this change.

7. Rejection criteria table - Sea

We support the addition of 'Sheep wool or hair longer than 25mm'. It is concerning that this requirement was not already listed in the rejection criteria table.

See section 4 for comments on the changes to Table 1 relating to horns.

8. Reserve fodder requirements

The provision of adequate and sufficient feed during the export voyage is one of the most basic duties exporters owe to exported livestock. The fact that fodder requirements are based on voyage length, and this is underestimated in 63% of cases, is a damning indictment on the industry's competence and commitment to animal welfare. We commend the Department for conducting this long overdue analysis and bringing light to this issue.

We have had the benefit of reviewing VALE's thorough and evidence-based submission and we endorse their recommendations. As VALE notes, it is not only the reserve fodder requirements that need to change, but also the base feed requirements. VALE's submission provides evidence that current ASEL feed requirements are not sufficient to meet the nutritional needs of cattle, particularly dairy cattle, and this leads to prolonged states of hunger, creating intense food competition which results in higher rates of lower leg and trample injuries. This is a completely unacceptable outcome. It does not meet the *Export Control (Animals) Rules 2021* requirements of ensuring the health and welfare of animals and it must be rectified as a matter of urgency.

We endorse VALE's recommendations, including the following:

- the Department should determine voyage length through a minimum RVL policy
- should the Department not introduce a minimum RVL policy, the only acceptable evidence-based amendment to ensure adequate food on all voyages is 3 days or 20%, whichever is greater

- fodder requirements for cattle should be increased to a minimum of 3% of body weight
- the Department must independently verify weights using a weighbridge at the port.

9. Competent stock handler on aircraft

We do not support the removal of the requirement for a competent stock handler to accompany air voyages.

We accept the reasoning that inspection of livestock during flights may be logistically difficult and potentially counterproductive to welfare as it may exacerbate the stress associated with transport. However, the only way to ensure livestock are able to be checked at an appropriate time (as required under 6.1.26) is to ensure that a competent stock handler accompanies the livestock consignment.

The risk of delayed access to the consignment for a stock handler who is not on the same flight is extremely high. Reasons for delay include restrictions on access to controlled areas, traffic or parking issues, weather delays, diversions and mechanical problems. Anyone familiar with air transport is aware of how frequent such events are.

0. Pregnancy testing and penning requirements for the export of juvenile alpaca - Air

We do not support the change to 6.1.14 (f) (ii) which would allow entire male and female alpacas under 35kg to be penned together.

Entire male and female alpacas must be kept separate from weaning onwards as 8-10% of males are fertile at 12 months of age (see Vaughan et al (2003) Artificial insemination in alpacas (*Lama pacos*), Australian Government, Canberra).

1. The requirement for contingency plans for escaped livestock - Air

We support this change with amendments to cover loading and unloading.

See response to section 3. The requirement for contingency plans for escaped livestock - Sea

2. Clarifying livestock identification requirements in laboratory test reports – Air

We support this change.

3. Rejection criteria table - Air

See section 4 for comments on the changes to Table 1 relating to horns.

4. Livestock marking and isolation practices in Registered Establishments

We support these changes.

We note the comment in the review document that 'The proposed amendments to this standard allow for greater flexibility regarding timing of removal of rejected livestock, balancing the best animal health and welfare outcomes with the management practices and infrastructure constraints at some registered establishments.'

Our view is that action should be taken to address infrastructure constraints where these limit the ability to isolate animals. In some cases, these constraints have been well known for at least a decade, documented in the 2013 Review of the Inspection Regime Prior to Export of Livestock from Fremantle Port (Fremantle Review) which indicated the difficulty of isolating sheep in sheds where access to inner pens is only possible through outer pens. The Fremantle Review commented that adjusting this design to reduce the pen size and to include a raceway 'would greatly enhance the ability to remove animals'. The Fremantle Review also recommended that 'inspection procedures and facilities are in place that allows the identification and removal of unfit animals in a timely manner.

5. The number of clear days livestock spend in a Registered Establishment

We support these changes with one point of clarification.

We are concerned that the change stating that 'clear days do not have to be consecutive' may undermine the purpose of setting minimum periods that animals must be held. The point of having 5 clear days for sheep to provide a minimum period to adapt to pelleted rations and reduce the effects of cumulative stressors. If the consecutive requirement is

removed this should be clarified to state that this relates to time in a single establishment, rather than separate elements of the export journey.

16. Record keeping requirements for Registered Establishments

We support these changes.