

4 August 2023

Mr [REDACTED]
First Assistant Secretary
Plant and Live Animal Exports Branch
Department of Agriculture, Fisheries and Forestry

Via email: ASELReview@aff.gov.au; [REDACTED]@aff.gov.au

Dear Mr [REDACTED]

Australian Standards for the Export of Livestock - Update 3.3

Thank you for the opportunity to comment on the proposed updates to the Australian Standards for the Export of Livestock (ASEL).

The RSPCA opposes the export of live animals by sea for slaughter and further fattening because of the extremely poor animal welfare outcomes inherent to the trade. While the trade continues, we support improvements to Australia's live export regulatory framework. Several changes are needed to improve the ASEL to support better animal welfare outcomes based on scientific evidence, and better reflect the Australian community's expectations.

As a science-based organisation, RSPCA would like to see the ASEL reflect best practice standards and scientific evidence. We note that the Department's proposed changes refer to economic implications and operational efficiencies in some parts, and we call for animal welfare science to be prioritised over exporter profits. Doing so is necessary in the face of consistent and increasing public concern about live animal export in Australia. We commend the inclusion of the Department's additional data analysis to help inform some of the proposed changes to the ASEL.

Public perception surveys conducted by independent research companies for the RSPCA over the past few decades show a steady and consistent increase in community concern about live export. Further, a 2022 poll showed that 67% of Australians¹ support an end to the trade, regardless of whether participants lived in regional or metropolitan locations. Public scrutiny of live animal exports, and in particular, its impact on animal welfare, remains strong. Continuous improvement underpinned by robust and enforceable standards is required.

We trust our feedback in the submission that follows will be of assistance to the review process and look forward to continuing to engage with the Department to improve the welfare of animals for as long as the live export trade exists.

Yours sincerely



Dr Suzie Fowler
Chief Science Officer
RSPCA Australia

RSPCA Australia

ABN 99 668 654 249
ACN 163 614 668

P 02 6282 8300
F 02 6282 8311
E rspca@rspca.org.au
W rspca.org.au

PO Box 265
Deakin West ACT 2600

¹ DigitalEdge Omnibus Poll conducted in the week of 17 January 2022.



RSPCA Australia feedback on proposed amendments to the Australian Standards for the Export of Livestock - Update 3.3

Live animal exports by sea

Penning requirements for horned cattle

Standard	RSPCA rationale	RSPCA recommendation
1.4.8	Cattle with large horns are at significant risk of injury by colliding with or getting stuck in transport infrastructure (such as pens, raceways, railings etc). In addition, large horns inhibit the animal's ability to easily access food and water in troughs either forcing the animal to starve or sustain injury to drink or eat. Either creates unacceptable animal welfare outcomes. Further, long horns are dangerous for handlers, drivers and crew.	ASEL must not permit the penning of cattle with horns exceeding 12cm.

Penning requirements for horned sheep

Standard	RSPCA rationale	RSPCA recommendation
1.7.7	RSPCA does not support this change. Sheep with less than one curl in their horns are still at significant risk of injury by colliding with transport infrastructure (such as pens, raceways, railings etc). In addition, longer horns inhibit the sheep's ability to easily access food and water in troughs either forcing the animal to starve or sustain injury to drink or eat. Either creates unacceptable animal welfare outcomes and is not acceptable. Longer horns also increase the risk for handlers, drivers and crew who may attempt to unhook the animal.	Do not allow the export of sheep with horns unless there is less than half a curl and the animal is less than 12 months of age that would require horn trimming as per MLA recommendations. Any sheep that is loaded with any horn requires additional space and we support the added inclusion of requirements to assess their suitability for loading based on access to feed/water and risk of injury to themselves or other animals

Livestock marking and isolation practices in Registered Establishments

Standard	RSPCA rationale	RSPCA recommendation
3.1.15	Point (e) should also cover all other animals that may be rejected, based on any of the other criteria outlined in the Standard. That is, the ASEL should require that animals that are rejected from a consignment (but neither injured nor distressed) should also be isolated upon identification or at the first reasonable opportunity.	Change the wording to: "An animal that meets any other of ASEL's rejection criteria should be isolated upon identification or at the first reasonable opportunity."

	The word “reasonable” is subjective. What may be considered reasonable by an exporter or by a Veterinarian employed by the exporter, is likely very different to what the Australian community would consider reasonable. Therefore, the standards should be explicit in what is considered reasonable to mitigate ambiguity.	ASEL should include a definition of what the regulator considers as the “first reasonable opportunity”.
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The number of clear days livestock spend in a registered establishment

Standard	RSPCA rationale	RSPCA recommendation
3.7.7	The rationale for this change is unclear. However, because this change does not prescribe consecutive clear days at one location, it could potentially enable vendors, agents or exporters to move an animal from location to location without adequate time to rest, recoup and eat/drink. Therefore, we would like to see greater clarity in the wording of this standard.	The wording should specify that the number of “clear days” must take place at one premises or else the requirement of the number of clear days recommences whenever an animal is relocated to another RE.

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

Standard	RSPCA rationale	RSPCA recommendation
4.1.8	As the AAV’s role is to oversee animal welfare, it is vital they remain onboard to monitor animal welfare from the time the first animal is loaded to when the last animal is unloaded, to treat injured, sick or unfit animals in a timely and humane manner. Although the current definition of ‘voyage’ includes the time until the last animal is unloaded, the deletion of this wording from the body of the standard reduces clarity. The ASEL must not foster ambiguity at the risk to animal welfare.	ASEL must explicitly state that the AAV must be present for all voyages for the entire voyage, from the time the first animal is loaded to when the last animal is unloaded, to mitigate any ambiguity from vessel crew.
4.1.9	Live animal export is an inherently high-risk trade for animal health and welfare. Given the volume of animals shipped in any one consignment, AAVs should be appointed by the Department (not employed by the exporter) for every journey, for the entirety of the journey, to oversee animal welfare and address animal health onboard, regardless of the length of the journey.	AAVs should be appointed by the Department for all journeys, regardless of voyage length, to ensure sufficient animal welfare oversight and independence.
	Stock handlers do not have the requisite training, skills and knowledge to assess, diagnose and adequately treat animal health and welfare problems. While we acknowledge that many stock handlers may be highly competent and experienced in livestock management and behaviour, it is unreasonable, risky and unfair to expect stock handlers to fulfil a role that requires veterinary skills because they are not equipped with a six-year veterinary science degree.	AAVs, not just stock handlers, should be present on all live animal export voyages for the entire journey to ensure qualified oversight of animal health and welfare onboard.
	Additional oversight of exporters with a record of non-compliance is needed in the trade because animals are sentient and require greater care than inanimate cargo. Therefore, if AAVs were not	If our recommendation to include an AAV on every voyage is not adopted, an additional point under 1.4.9 is needed

	required to be on every journey, ASEL must require mandatory AAV presence on every consignment for exporters that have a record of any level of non-compliance.	to require an AAV to accompany every consignment of exporters that have a record of non-compliance.
	Given the inherently high risk to animal welfare in live export, ASEL should require CCTV footage for every consignment as an additional method of oversight and to allow for spot-checks, audits and evidence of compliance/non-compliance.	ASEL must require exporters to take and store CCTV footage of all live export voyages.

Standard 5 – The definition of near and far markets

Issue	RSPCA rationale	RSPCA recommendation
Definition	<p>RSPCA does not support any change to ASEL that would enable higher stocking densities, regardless of voyage duration. We are concerned that a proposed change in terminology will not adequately address the problem of exporters consistently under-estimating journey length. The Department's data analysis shows that most voyages (e.g. 63% of voyages for cattle) have been underestimated in duration. Furthermore, underestimation occurs for China destinations at an average of 3.9 days, yet none of the suggested options would provide adequate feed without addressing the underestimation issues. Therefore, more feed is required than any of the proposed options provide.</p> <p>ASEL should simplify pen space allocations to ensure that all animals, regardless of voyage length, have sufficient space to fulfil the basic welfare needs of easily accessing food and water, space to comfortably lie down at the same time, and room to transition from lying to standing. Standardising pen space allocations would also benefit exporters by reducing operational complexity and the regulatory burdens of allocating and monitoring multiple stocking densities.</p> <p>In addition, weather events are forecast to become more extreme and unpredictable², which further increases the likelihood of extended journey times. We highlight that increased journey times, especially when unexpected, increase the risk to animal welfare. Therefore, all journeys must be stocked at a lower stocking density which provides enough space for all animals to move between lying and standing freely, at a minimum. Using published allometric data, the space required to achieve this is estimated to equate to $0.047 \times \text{the weight of the animal}^{0.66^3}$, which is much higher than current allowances.</p>	All journeys, regardless of length, must be stocked in accordance with space requirements that allow all animals to transition between lying and standing ($0.047 \times \text{the weight of the animal}^{0.66}$, based on allometric estimates). This will help to mitigate the welfare risks associated with underestimated journey length and unexpected delays.

² Tadesse D, Puchala R, Gipson, TA & Goetsch, AL. (2019). Effects of high heat load conditions on body weight, feed intake, temperature, and respiration of Dorper, Katahdin, and St. Croix sheep. *Journal of Applied Animal Research*, vol. 47, no. 1.

³ Petherick J C (2007) Spatial requirements of animals: Allometry and beyond. *Journal of Veterinary Behaviour*, 2.

Pen space allocations	In setting the minimum standards, ASEL should require that the welfare of animals in live export is underpinned by the Five Domains framework for animal welfare assessment: nutrition; environment; health; behavioural interactions; and the resulting mental state /experiences of the animal ⁴ . Sufficient space is required to enable easy access to food and water, and to be able to all comfortably lie down to rest at the same time in order to avoid negative welfare experiences such as hunger, thirst and fatigue. Forcing animals to stand for several days on end in any environment will lead to poor animal welfare.	Minimum pen space allocations should enable each animal to easily access food and water, and to comfortably transition from lying to standing at the same time, as described above.
Animal welfare over profit	<p>RSPCA notes the Department's reference to exporters missing out on the economic opportunities (in the 'Definition of near and far markets paper') that could have resulted from exporting a greater number of cattle via higher stocking densities. We also note the specific reference to cattle exports to Vietnamese ports allegedly being "uneconomical" due to reduced stocking densities under ASEL, which has allegedly resulted in increased road transport and higher animal welfare risks.</p> <p>Road transport standards in importing countries should be addressed under the Export Supply Chain Assurance System (ESCAS). Increasing stocking density on live export voyages to make an overseas route viable is not in the interests of animal welfare.</p> <p>We also note that 51% of eligible heavier cattle were allocated pen space as if travelling to a near market when they travelled on a voyage that actually took 10 days or longer which would have resulted in unacceptably poor welfare for those animals. This is an extremely poor outcome and reiterates the need for a standard space allocation across short-haul and long-haul voyages as recommended above.</p>	<p>The RSPCA is not in favour of any changes to stocking density only in the name of improved economic opportunities and we do not accept any assertion that there would be perverse welfare outcomes from land transport that should otherwise be managed through ESCAS.</p> <p>RSPCA recommendation is that all animals should be provided the maximum pen space allocation as recommended above regardless of journey duration.</p>

Reserve fodder requirements

Standard	RSPCA rationale	RSPCA recommendation
5.1.15	The Department's data analysis highlights systemic issues of inaccurate voyage duration estimations. It shows that the length of most live export voyages has been underestimated and prolonged by an average of 1 day, and 3.9 days for longer voyages such as to China. Yet the suggested changes to ASEL in regard to fodder proposes a decrease in the amount of fodder reserves (i.e., 2 days of reserve feed or 20%, whichever is greater). This would result in a significant deficiency of feed for the majority of animals exported. Therefore, the RSPCA does not support this proposed amendment. Rather, we call for an increase in the amount of reserve	RSPCA does not accept any of the proposed options. Rather, we strongly recommend an increase in the current requirement to provide a minimum of 3 days of reserve or 20% (whichever is greater) to account for unexpected delays, unpredictable weather events, and prevalence of underestimated voyage length.

⁴ Mellor D et al (2020). The 2020 five domains model: including human-animal interactions in assessments of animal welfare. *Animals*, 10(10), 1-24.

	fodder required to account for the prevalence of exporters' underestimation of journey length, unexpected delays and increasing unpredictable and extreme weather events.	
	Exporters should be required to evidence the weight of each consignment and the extrapolated feed required and provided for the journey. Therefore, exporters should be required to provide weighbridge reports to the Department to evidence actual feed requirements (plus contingency) to effectively mitigate the risk of feed shortages.	Weighbridge reports must be included to evidence the requirements of feed based on bodyweight.
	<p>We commend the Department for its provision of data analysis on live export journeys, particularly in regard to feed requirements. We are concerned that the prevalence of underestimation of journey length and the insufficient provision of feed is likely to cause poor animal welfare outcomes such as hunger, malnutrition, depressed immunity and increased risk of infection, disease, and risking starvation and death.</p> <p>It is clear that exporters are failing in their attempts to self-regulate and provide adequate feed. Therefore, the regulator must provide greater support by taking responsibility for accurately estimating journey lengths.</p>	The Department must commit to its suggestion to introduce a minimum recommended voyage length (RVL) policy to better protect animal welfare, not leave it to the exporters to self-regulate.
	Previous studies have shown repeated issues with feed provision for dairy cattle exports by sea ⁵ . It is possible, given the repeated incidences of these shortfalls, that not only are the reserve amounts not sufficient, but the baseline feed allowance at 2.5% BW is not sufficient for the age/status of the cattle being exported. Evidence shows dairy heifers should be fed <i>above</i> 2.5% ⁶ and we urge the Department to consider investigating the need to increase the baseline feed requirement in addition to the review of the reserve fodder requirements to address the prevalence of insufficient feed availability for dairy cattle.	The Department must investigate the need to increase minimum feed requirements for dairy cattle exports by sea to be greater than 2.5% of their body weight.

Medication on board

Standards	RSPCA rationale	RSPCA recommendation
Minimum veterinary medicines	While this has not been flagged as a proposed change in this review, the RSPCA notes that the Standard is inconsistent in its requirement on medication onboard for different species. For example, it requires anti-inflammatories and topical wound treatment for cattle and buffalo, and pink eye treatment for all animals to be on board. It is now well accepted that animals feel pain and discomfort, and that it is necessary to provide medication or treatment to alleviate pain and suffering in all livestock species. Therefore, it should be required that all species (not only cattle and buffalo) have appropriate medication such as anti-inflammatories and topical wound treatment available on board.	The ASEL should prescribe consistent medication use and storage for all livestock that are to be live exported to enable Vets or Stock Handlers to appropriately address animal health and welfare issues.

⁵ Hing S et al (2021). Animal Welfare Risks in Live Cattle Export from Australia to China by Sea. *Animals*, 11(10), 2862.

⁶ Willis G (2011). *Review of fodder quality and quantity in the livestock export trade*.

Live animal exports by air

Competent stock handler on aircraft

Standard	RSPCA rationale	RSPCA recommendation
6	As outlined above under Standard 4, RSPCA believes that AAVs, not just stock handlers, should be present on all live animal export journeys to ensure qualified oversight of animal health and welfare onboard. Given the unpredictability of export and air travel we do not accept the requirement for removing stock handlers during livestock export by air. We suggest maintaining this requirement to ensure that should there be any emergencies on board or unexpected need to land at an unplanned location the welfare of the animals can be appropriately managed and maintained.	At very least, a competent stock handler must be present on aircraft for all live animal export consignments by air.
	RSPCA acknowledges the difficulty of physically assessing animals during air journeys. A requirement for live and recorded CCTV would enhance the ability to monitor animal welfare in-flight, without compromising the safety of stock handlers. Importantly, real-time observation of animals in flight would enable stock handlers to identify animal welfare issues in real-time and prioritise those issues to be addressed when safe to do so. It would also allow auditing and monitoring for compliance by regulators.	ASEL must require live CCTV for all livestock journeys by aircraft.
	In addition, ASEL should require evidence from exporters that they have existing emergency procedures for addressing animal welfare events in-flight and who is responsible for this.	ASEL must require exporters to provide evidence of emergency procedures in the event of animal welfare events in-flight.

The requirement for contingency plans for escaped livestock – Air

Standard	RSPCA rationale	RSPCA recommendation
6.1.29	We support the proposed addition to ASEL to include procedures for the humane recapture of animals that escape during the loading process for air travel. This should be extended to include animals who escape during the unloading process and should also require a procedure for euthanasia where it is in the best interests of the animal at loading or unloading or as soon as reasonably possible.	Add two additional points to standard 6.1.29 as follows: g) procedures for the humane recapture of animals that escape during the unloading process. h) ensure plans and procedures provide for euthanasia where it is in the best interests of the animal at loading or unloading or as soon as reasonably possible.

General wording changes - sea and air

Standard	RSPCA recommendation
Penning requirements for horned cattle - Table 1 Rejection criteria for all species by sea	RSPCA recommends modifying the wording in these tables from “that would cause” or “that would” to the risk-based wording “would be likely to cause...”
Penning requirements for horned sheep - Table 1 Rejection criteria for all species by sea	
Rejection criteria table - Sea: Head	
Rejection criteria table - Air	