

# **Stage 1: Formatting improvements and work plan priorities**

## **Review of the Australian Standards for the Export of Livestock**

Technical Advisory Committee consultation report and work plan



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### **Acknowledgements**

The committee thanks the individuals and organisations that provided submissions and members of the reference group for their input.

To the Secretary of the Department of Agriculture and Water Resources,

On behalf of the technical advisory committee it is my pleasure to present the report of the first stage of the committee's work on the review of the Australian Standards for the Export of Livestock (ASEL). This stage focused on the existing regulatory requirements of the standards, bringing them together into a single document. This important first step re-formats the document, reducing duplication and inconsistencies within the text and ensuring the document is suitable for review, whilst increasing simplicity of comprehension for both users of the standards and interested members of the community.

To help inform the committee's deliberations, a draft reformatted version of the standards was released for public comment on 6 February 2018. The committee received 19 submissions, all of which are available for examination on the Department of Agriculture and Water Resources' website. This feedback was used to help the committee recommend to the Department an improved format so that future stages of the review can focus solely on the content of the standards.

A significant portion of the submissions was devoted to proposed changes to the content contained within the ASEL. While not addressed in this first report, they have proved important in assisting the committee in determining priorities for examination in subsequent stages of the committee's work.

The committee receives input from a Reference Group comprising parties with special interest in the export of livestock from Australia. This includes animal welfare and industry representatives. The committee members are appreciative of the input by stakeholders to date and look forward to ongoing input as the work of the committee continues in coming months.

Widespread feedback from Reference Group members has resulted in the committee recommending to the Department that an independent review be undertaken of relevant literature and research to underpin the scientific integrity of the standards. The committee appreciates the department's early consideration of this recommendation and the steps it has taken to progress this work. The timing and priorities for topics to be considered by the committee in subsequent stages over coming months has been agreed by the committee members, and these are listed in the report.

During the course of deliberations of stage 1, the events surrounding the voyage of the Awassi Express to the Middle East in August 2017 received significant public and industry attention. The committee devoted considerable attention to matters relating to the shipment of livestock from Australian ports to Middle Eastern ports during the Northern Hemisphere summer. Some outcomes of these deliberations are incorporated into the report to the Department which follows.

The committee members express our appreciation to all who have assisted the committee in undertaking the review to date and look forward to making a significant contribution to policy and practice in this subject.

A handwritten signature in black ink, appearing to read 'C. Back', written in a cursive style.

Dr. Chris Back

Chair—Technical Advisory Committee

Review of the Australian Standards for the Export of Livestock

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# Introduction

The technical advisory committee has been appointed by the Department of Agriculture and Water Resources to review the Australian Standards for the Export of Livestock (ASEL) and ensure they remain fit for purpose.

The Australian Standards for the Export of Livestock (ASEL) sets out the requirements to ensure animals are fit-to-export and manage the risks to animals' health and welfare throughout the export voyage. The standards cover the activities undertaken within Australia to source and prepare the animals for export and the minimum requirements during the export voyage or journey.

It is important to note that requirements for all activities after the animals are unloaded from vessel or aircraft within the importing country are not covered by ASEL and are out of the scope of this review, as they are covered by *Export Supply Chain Assurance System* (ESCAS). Similarly, all specific engineering and technical requirements about the vehicles, vessels or aircraft used to transport and export livestock are also out of scope, as they are set by the relevant transporting authority.

The current version of the standards, ASEL v2.3, was published in 2011. The purpose of this review is to ensure the standards remain fit for purpose and continue to be supported by the latest scientific research outcomes. As part of its review work, the committee will, in consultation with stakeholders, propose amendments to the standards to encourage best practice, enable flexibility and innovation, and reduce unnecessary red tape while ensuring sound animal health and welfare outcomes.

The review will be conducted as a series of stages with each stage expected to take six to eight months to complete. Dividing the review into stages allows the committee to address issues in priority order and align review topics with projected research outcomes. In each of these stages the committee will conduct public submission processes to ensure all interested stakeholders are given the opportunity to participate in the review process.

During stage 1, the committee was tasked with:

- 1) seeking comments and views on a proposed new format for ASEL and whether the new format made the standards clear and concise. The committee was also to use this feedback to help the committee recommend to the Department an improved format so that future stages of the review can focus on the content of the standards.
- 2) seeking views on what issues, in priority order, should be addressed by the committee during its review of ASEL. This feedback was to help the committee develop its work plan, sensibly staging priority issues.

To achieve these tasks, the committee released an issues paper and draft reformatted standards on 6 February 2018, seeking comments from the public.

# 1 Submissions received

In stage 1, the committee sought feedback on a proposed reformatted version of the standards and invited stakeholders to nominate their top priority issues with the content of the standards and where they may be improved during future stages of the review. Submissions were sought over a six week period from 6 February to 20 March 2018.

Public consultation during this period was advertised on the homepage, live animal export and consultation sections of the Department's website and through a Departmental [media release](#), while alerts and reminders were issued via social media platforms such as Twitter. The committee also made direct contact with members of the Reference Group and state and territory governments.

The committee received 19 submissions from individuals, businesses, industry, animal welfare organisations and government Departments. The committee has analysed these submissions to recommend format improvements for the standards and set the direction for the rest of the review.

## 1.1 2012/13 ASEL review

The Department of Agriculture and Water Resources initiated a review of ASEL in 2012 to implement recommendations from the *Independent Review of Australia's Livestock Export Trade - the Farmer Review*, 2011. The 2012 ASEL review steering committee, made up of representatives from state and territory governments and animal welfare, veterinary, livestock producer and industry representative organisations, provided their final report in May 2013.

The report contained an incomplete draft version of the standards, renamed to the Australian Animal Welfare Standards for the Export of Livestock (AAWSEL) and recommended improvements to both the content and format of the standards.

However, the 2013 ASEL review report concluded with 13 unresolved issues relating to animal welfare. These unresolved issues prevented the full implementation of the review's recommendations.

Unresolved issues included:

- 1) Reducing reportable mortality rates
- 2) Exporting by sea *Bos taurus* cattle with a body condition score of 4 or 5
- 3) Sourcing of *Bos taurus* cattle for export by sea to the Middle East from May to October
- 4) Maximum weight of cattle and buffalo sourced for export by sea as slaughter/feeder animals and for breeding
- 5) Departmental discretion to approve the sourcing of lambs and goat kids for export by sea
- 6) Time off shear prior to export by sea and Departmental discretion to approval the shearing of hair sheep
- 7) Sourcing of feral goats for export by sea
- 8) Minimum time sheep, goats, cattle and buffalo must remain at registered premises prior to export by sea
- 9) Stocking densities in registered premises

- 10) On board stocking densities for pregnant cattle, camels and buffalo
- 11) Requirements for accredited veterinarians on sea voyages
- 12) On board stocking densities for cattle, buffalo, sheep and goats
- 13) Provision and management of on board bedding.

The committee notes that the Department has implemented some of the suggestions from the 2013 ASEL review by incorporating them into export advisory notices. These requirements have been further incorporated into the draft reformatted standards released in stage 1 of this review.

## 1.2 Main themes of submissions received in stage 1

The priority issues most cited in stakeholder submissions include (no. of citations):

- Stocking density (12)
- Bedding (12)
- Heat stress (7)
- Shipments to the Middle East at particular times of year (6)
- Independent engagement of Australian Government accredited veterinarians (AAVs) (5)
- Presence of veterinarians on voyages (5)
- Minimum periods for livestock at a registered premises (3)
- Ventilation and ammonium levels (3)
- Pregnancy testing requirements (3)
- On board veterinary medicines and equipment (3)
- Reportable mortality rates (3)

A number of stakeholders also noted:

- The importance of an independent literature review of animal health and welfare research to be completed before the commencement of stages 2 and 3.
- Issues relating to the scope of the standards including: the relevance of the *International Convention for the Prevention of Pollution from Vessels 1973* (MARPOL 73/78) and International Air Association and Transport Authority (IATA) Live Animal regulation requirements to ASEL; and the need for consistency with the Land Transport Standards.
- Minor amendments to requirements and ‘quick wins’.

## 1.3 Further comments by the reference group

A range of key stakeholders including the Australian Veterinary Association, the Australian Livestock Exporters’ Council, the RSPCA and various livestock producer bodies provide direct input in the review process as members of the ASEL Reference Group. This group provides expert comments and further information to the committee as requested throughout the course of the review.

The reference group first convened in a face-to-face meeting on 20 February 2018. This was a valuable exercise for the committee to both personally meet the key stakeholders and open direct lines of communication, but also to understand the expectations and key priorities for major stakeholders of the review.

At the meeting, reference group members reinforced the importance of a balanced and transparent review process that promoted equality amongst stakeholders and supported a high-quality document to facilitate sound animal welfare outcomes and best industry practice. The committee is mindful of this importance and shares the view that the unbiased and transparent consideration of issues is crucial to the success of both the review and of the standards. A number of members noted that the ASEL review did not yet include an independent literature review to incorporate the desired underlying scientific credibility to the review's process.

## **1.4 Independent literature review**

In response to stakeholder views on the need for a sound scientific basis of the standards, the committee has suggested that the Department commission an independent review of scientific literature relevant to the standards. The Department is progressing the procurement of the independent literature review and as a result, the committee expects to draw from the literature review before the draft report for stage 2 is released.

## **1.5 Research**

Through the issues paper, the committee sought recommendations for recent or upcoming research that may be appropriate for the committee to consider both during and when allocating issues to specific review stages.

A number of stakeholders cited relevant research publications within their submissions, for which the committee was grateful. In particular, the submission from LiveCorp contained an extensive list of relevant industry-funded research projects that have either been completed, are currently in progress or are proposed. In analysing the research lists provided, the committee did not find any strong reasons to delay the consideration of a particular issue to align with research either in progress or to be completed.

However, the research projects and publications referenced in stage 1 submissions will be provided for consideration as part of the independent literature review.

The committee noted that there is little research on the economics and financial performance of the live export trade. Given its terms of reference include the need to assess the costs and benefits of all proposed options for affected stakeholders in a balanced and objective manner, the committee decided that it would need to undertake work on the economic and financial performance of the trade during stage 2 of the review.

## **1.6 Proposed review work plan**

The committee considered the issues raised by stakeholders in submissions, the 13 unresolved issues from the 2012-13 ASEL review, and the requirements of its Terms of Reference to develop the work plan as described below. The committee is also proposing an amended review timeline (Appendix C) to deliver the completed review in three stages rather than the four initially envisaged.

The committee will seek also to provide advice on other welfare indicators (e.g. animal measures such as panting score) that may be appropriate for the standards to consider, noting that mortality is only one measure of health and welfare and an inadequate means to solely assess the achievement of ASEL's intended outcomes.

The balance of the relationship between the Marine Orders 43 administered by the Australian Maritime Safety Authority (AMSA) and ASEL is also of concern to the committee and the



committee intends to undertake further consultation with the Department to scope and clarify parts of the standards that may be best alternatively regulated under the remit of the AMSA. The committee notes that Marine Orders 43 is currently under review and there may be potential for interaction and alignment with this ASEL review.

There will be multiple opportunities to participate in each stage through public submission processes. Each stage is expected to take five to seven months and will involve:

- release of an issues paper on the identified work plan topic and call for public submissions
- analysis of submissions by the technical advisory committee, in consultation , with the ASEL reference group as required
- release of draft recommendations for public comment
- delivery of a consultation report outlining the relevant issues raised by stakeholders and the committee's considerations in reaching their final recommendations.

### **1.6.1 Minor amendments and 'quick wins'**

The committee will consult upon and endeavour to complete within stage 2 many of the minor amendments and 'quick wins' suggested in submissions. However, there may be cases where they would be more appropriately considered at the same time as the issue to which they relate and will be deferred to stage 3. Minor amendments to be considered have been identified as:

- Removal of requirements for deer and camelids, requiring provision of consignment specific management plans to address specialised animal health and welfare requirements
- Update, refine and review definitions, including for example, the competency of stock handlers
- Update body condition scores to be consistent with producer values
- On board veterinary medicines and equipment
- Pregnancy tests requirements and limits
- Minimum liveweights for export
- Secondary inspection of goats prior to export
- Compliance with Australian food safety standards
- Horn requirements for cattle, goats and buffalo
- Sourcing of southern *Bos taurus* cattle
- Sourcing of sheep through Darwin, Weipa or Wyndham
- Water engorgement requirements
- Proposed duplication areas with the Land Transport Standards
- Additional chaff requirements
- Extension of long-haul voyage requirements
- Addition of Broome to the list of ports in the reformatted ASEL paragraph 1A.3.4 (d)(v)

### **1.6.2 Stage 2 issues for review**

The committee asks that the Department co-ordinate the provision of an independent literature review and work on the economic and financial performance of the live export trade as inputs into stage 2 of the review to allow for the committee to adequately deliver on the terms of reference.

In undertaking stage 2 of the review the committee will make use of:

- All previous documents and submissions made to the 2012 ASEL review
- The Fremantle Port Review report (2013)
- Both published and unpublished industry funded research and development reports
- Departmental reportable mortality investigation reports
- Relevant peer-reviewed published literature

Considering the recent events surrounding a high mortality voyage to the Middle East during last year's Northern Hemisphere summer, the focus of stage 2 will necessarily be on issues relating to animals exported through the northern hemisphere summer and the extrapolation of those issues to cover other exports by sea. The outcomes of the recently announced review of standards for the Middle Eastern summer live sheep trade will feed into the committee's deliberations. The committee intends to specifically consider:

- Northern summer at risk voyages by sea for both sheep and cattle, particularly
  - on board stocking density
  - ventilation and ammonia
  - provision and management of bedding and fodder
  - on board monitoring and management of animals, including management of heat stress and timely euthanasia
  - addressing the feeding of inappetent 'heat stressed' sheep
  - livestock class and weight
  - pre-voyage risk assessments and contingency plans, including the use of the heat stress risk assessment (HRSA) model.

In addition, the committee will also consider the following more broadly:

- Stocking density for cattle, buffalo, sheep and goats.
- Ventilation and ammonia levels.
- The provision and management of bedding.
- Issues relating to on board personnel and animal management and care including
  - the required presence of veterinarians on different kinds of voyages
  - the sufficient number of veterinarians and stockpersons required during export
  - the roles and responsibilities of veterinarians and stockpersons
  - the framework by which shipboard veterinarians are engaged
  - the competencies of livestock crew on board vessels
  - on board monitoring and management of animals
  - handling of on board mortalities and carcasses
  - the recording and reporting of welfare parameters during voyages.

### **1.6.3 Stage 3 issues for review**

Stage 3 will focus on issues relating to on board nutrition and water, sourcing and preparation, and the export of animals by air. The committee will specifically consider:

- Water, fodder and chaff requirements on vessels
- Reportable mortality levels (all species, all journeys)
- Requirements around exports of vulnerable classes of animals such as
  - ‘fat’ or heavy cattle and buffalo
  - entire males, especially goats and dairy bulls
  - pregnant animals.
- Reporting requirements for voyages and journeys
- Issues relating to animals exported by air, including a desktop review of IATA requirements against those included within ASEL and roles/responsibilities of exporters and carriers
- Sourcing and preparation issues including
  - sourcing of lambs, goat kids and feral goats
  - time off shears and discretion for the shearing of hair sheep
  - sourcing of ‘fat’ or heavy cattle and buffalo
  - management of ‘shy feeders’ and inanition.
- Issues relating to registered premises including
  - minimum rest/preparation times
  - stocking densities.
- Other issues not covered in stage 2 that have been listed in current submissions.
- Any subsequent issues that arise during the review process.

## 2 Reformatted ASEL

The committee released a new draft version of ASEL that was reformatted in order to make the standards clearer, less duplicative and more concise.

The proposed new format was designed to bring all the requirements of ASEL together into a single document ready for review. It includes requirements for export that were published in export advisory notices and in conditions applied to export consignments. The new format excluded those requirements now covered under the *Australian Animal Welfare Standards and Guidelines for the Land Transport of Livestock*, previously found in Standard 2 of ASEL v2.3.

The proposed new format of the standards was not intended to alter the regulatory impact upon regulated parties. Any changes to regulatory requirements are to be the subject of future stages of the review.

### 2.1 Comments received

Submission comments indicated stakeholders generally support the proposed reformatting of the standards. Specific comments included:

‘The proposed version is mostly clear and concise’ (Stop Live Exports)

‘SPA supports the proposed new format and agrees with the intent to have all requirements of ASEL in a single document, recognising that the new format does not alter the regulatory requirements of exporters’ (Sheep Producers Australia)

‘The new outcomes focused format targets the regulation on the key risk areas while providing an element of flexibility for exporters to meet the standards in the best way for their business. The level of duplication has been significantly reduced both throughout the document, as well as other regulatory animal welfare standards and guidelines. This appears to have substantially improved the useability, efficiency and effectiveness of the document. (LiveCorp)

#### 2.1.1 Specifics

The committee has considered all of the suggestions in the submissions and has decided, in relation to stage 1 of the review, that the following items be incorporated into the revised draft:

- ‘Premise’ amended to ‘premises’ throughout the document
- Addition to the definition of welfare
- Adding the definition of livestock
- Definition of voyage reverted back to ASEL v2.3
- Pregnancy status of breeder cattle exported by air made consistent to 250 days
- Paragraph 1A.1.1 and 1A.1.2 amended to re-insert ‘individually’
- Strengthening the overarching statement to caveat the exemptions to ASEL requirements
- Paragraph 1A.3.4(d)(ii) reverted to ‘wool’ from ‘fibre’
- Paragraph 1A.3.7 Rejection criteria for deer antlers reverted to ASEL v2.3 wording
- The amendment in paragraph 2B.6(c) to specify that dogs used at port must be muzzled was reverted back to the wording in ASEL v2.3 (which also requires dogs at port to be muzzled)
- Paragraph 3A.3.2(b) was reverted to the wording in ASEL v2.3

- ‘in’ inserted into paragraph 3A.2(b)
- Contingency requirement of the malfunction of automatic feeding and watering systems added to 3A.5
- Scabby mouth requirements at paragraph 3B.7(a)(v) removed
- Paragraph 3B.7(b) formatting corrected
- Paragraph 4C.1 prohibition of preparing sheep to the Middle East moved to Outcome 1
- Change of heading to part 4D to ‘Animals meet traceability requirements’
- Paragraph 4D.2 animal treatment history separated into own part
- Appendix C, Table #7- Stocking density requirements in registered premises amended to clarify the timing division of 29 days or less.

Responses to items incorrectly identified as new additions to the standards, or not accepted included:

- References to MARPOL 73/78 (referenced in S 5.7c of ASEL v2.3)
- Removing the definition of ‘adverse effect’
- Removing paragraph 3B.5(h) (implied within ASEL v2.3)
- Insertion of ‘species’ into paragraph 1A.1.2
- Moving the definitions to the back of the document
- Moving the overarching requirements prior to Outcome 1.

Items for the Department to consider as policy decisions:

- The level of delegation of authority to vary requirements .

## **2.2 Renaming the standards**

The committee notes that one of the agreed items from the previous ASEL review was to change the name of the standards, following infringement advice from Standards Australia. The committee recommends the next version of the standards be renamed to the Export Standards of Australian Livestock (ESAL).

# Appendix A: Submissions received

Submissions received in stage 1 of the review were published on the [Department's website](#) in early April 2018. Submissions were received from the following people and organisations:

- 1) Australian Livestock Exporters' Council (ALEC)
- 2) Australian Livestock Export Corporation Ltd (LiveCorp)
- 3) Australian Veterinary Association (AVA)
- 4) Cattle Council of Australia (CCA)
- 5) Deer Industry Association of Australia (DIAA)
- 6) Department of Agriculture and Water Resources
- 7) Department of Primary Industries and Regional Development (DPIRD WA)
- 8) LiveShip
- 9) Pastoralists & Graziers Association of WA (Inc.)
- 10) Paul Michael Ryan
- 11) RSPCA Australia
- 12) Sentient, The Veterinary Institute for Animal Ethics
- 13) Sheep Producers Australia (SPA)
- 14) Song Fountains
- 15) Stop Live Exports (SLE)
- 16) Townsville Against Live Export Inc. (TALE)
- 17) Vets Against Live Export (VALE)
- 18) Victorian Department of Economic Development, Jobs, Transport and Resources (Agriculture Victoria)
- 19) Wellard Rural Exports Pty Ltd

# Appendix B: Proposed Draft Reformatted Australian Standards for the Export of Livestock

# Appendix C: Revised review timeline

