

## **APPENDIX 3 - BOBBY CALF TIME OFF FEED - PUBLIC CONSULTATION REPORT**

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This consultation comes after the development of other standards for the welfare of bobby calves in transport (the *Australian Animal Welfare Standards and Guidelines – Land Transport of Livestock, Version One, 2008* (LTS)). This consultation was focused on the issue of the enforceable maximum period of Time off Feed for bobby calves during transport and the options presented in the Regulation Impact Statement (RIS). This report summarises the submissions made and will be the initial response to the points raised.

The public consultation was held for 30 days from 4 January to 3 February with information hosted on [animalwelfarestandards.net.au](http://animalwelfarestandards.net.au) and advice provided to government animal welfare officers and major animal welfare organisations with a direct link to the relevant pages. Animal Health Australia (AHA) provided the service to manage the consultation.

AHA sought views from interested parties about how well:

1. The proposed standard amendment to SB4.5 in Chapter B4 specific requirements for the land transport of cattle, for a maximum of 30 hours without a liquid feed from the time of last feeding to the next feed or slaughter of the calf, contributes to the necessary specifications for protecting the welfare of calves while being transported.
2. The associated RIS demonstrates the need for the time off feed bobby calf standard (to be brought into regulations) and identifies its costs and benefits.

Assessment of submissions from the consultation process considered:

- The extent to which suggestions strengthen the intent and objectives of the Standards and are based on science;
- The volume and variety of responses making similar suggestions;
- Anticipated adverse impacts or unintended consequences from submitted suggestions; and
- The importance for, and viability of, implementing any suggested change within the regulatory system.

Approximately 6,000 email submissions from individuals were received and 33 more detailed submissions from elected public officials or organisations representing industry or community welfare interests including some government departments. The vast majority of submissions have been a variation to a recognisable form letter. The majority of these have been in opposition to the 30 hours time off feed proposal and were from Australian residents. A list of submissions from organisations and elected public officials and their policy positions are given in Table A3.2. Individual responses to

submissions will not be undertaken. Major submissions will be hosted on the project website: <http://www.animalwelfarestandards.net.au/>

Examples of the 'form letter' submissions are reproduced in annex A, B and C.

Some suggestions have been deemed to be not entirely relevant to the matter of calf time off feed and will be referred to the Animal Welfare Committee for consideration in the implementation of the LTS, or for future reviews of the LTS (table 2).

The major arguments for and against the proposed maximum TOF standard are based on three broad areas of: the animal welfare system, the time off feed options for calf transport and the RIS. These ideas are contained within organisation submissions and are discussed under the headings below with a short response:

1. Consultation process aspects
2. Roles of Standards, Guidelines and Best Practice
3. Risk management
4. Enforcement
5. Bobby calf handling
6. Animal welfare science
7. Support for 30 hours time off feed
8. Opposition to 30 hours time off feed
9. 24 hours time off feed
10. 18 hours time off feed
11. Killing of bobby calves on farm and/or a short time off feed
12. The case for market intervention
13. Alternative options in the RIS
14. Cost Benefit Analysis
15. Community expectations
16. International standards/laws

**IN SUMMARY:** The welfare of bobby calves is an emotive issue. The larger number of submissions from animal welfare organisations and individuals support a shorter time off feed and in some cases question the need for transport at all (slaughter on farm and other alternatives were proposed). There is no unanimous support for a single, shorter, time-off-feed option instead of the 30 hours. There is good support for a 30 hours time off feed limit from some government and all industry respondents in the context of the other related standards for calf transport. Revision of the RIS has occurred in response to the submissions received and these changes are listed below in table A3.1. Following the public consultation, the 30 hours TOF option is recommended for government endorsement.

**TABLE A3.1: LIST OF CHANGES MADE TO RIS IN RESPONSE TO PUBLIC SUBMISSIONS**

<b>Part of RIS</b>	<b>Nature of change</b>
Summary and Part 1.2.3.1	Include a brief explanation of the base case in the RIS summary. In particular, explain that there is no TOF standard for bobby calves at present. Also that the MCOPs were not implemented by law and that those for the land transport of livestock have been superseded by the Land Transport Standards and Guidelines
Summary	Emphasise that the proposed standard amendment needs to be read in the context of other relevant existing standards
Summary	Explain that the 30 TOF feed standard is a 'whole of chain' standard, an outer enforceable limit
Summary	Point out in the RIS summary that the 30hour TOF 'outer limit' does not reflect the actual time that the majority of bobby calves are without feed or water
Summary and Part 1.2.1.3	Include a little more background information about the meat processing industry
Part 1.2.2.1	Acknowledge that bobby calves are likely to be hungry during transport but that as yet there is no known objective method of measuring this accurately enough to set a standard based on hunger.
Part 1.2.3.1	Explain the difference between industry best practice vs standards and guidelines
Part 1.2.3.2 and 5.2	Update the information on relevant international standards
Part 1.3.2 and Appendix 3	Summarise public consultation process, submissions received and AHA responses
Part 3.0	Provide more information on why feeding bobby calves on trucks would be impractical
Part 3.0	Discuss the infeasibility of other alternatives that have been suggested in the submissions, such as developing a market for dairy steer beef, mobile slaughter vans selling carcasses for pet food and government support to establish more small abattoirs around the country
Parts 4.3.3, 4.3.4 and Appendix 1	Deduct the cost savings from not feeding calves from costing of Options C and D
Part 4.3.3	Explain that the benefits of Options C and D are likely to be offset to some extent by the increased risks to animal welfare, biosecurity and OH&S as a result of increased slaughter on farm compared to expert slaughter in abattoirs
Part 5.4	Explain how Vic DPI intends to enforce the proposed standard amendment under the new Livestock Management Act 2010

## 1. CONSULTATION PROCESS ASPECTS

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Many submitters criticised the lack of formal advertising, the brevity (30 days) and the timing (post New Year). In spite of all this community, government and industry networks have functioned well to deliver an impressive volume of submissions. The project has had a long lead time (since mid 2009) and all organisations were able to be well prepared. The strategy to not invest in media advertisements and to rely upon communicating the consultation process through networking was advised to project stakeholders in 2010. This process of notification was supplemented by Animals Australia advertisements in each capital city newspaper on 27 January, noting that this could have occurred earlier in January. AHA, Dairy Australia, RSPCA Australia and Animals Australia websites contained accurate information that directed attention to the project website. A Google search on the term 'bobby calves' yields these sites in the first page list and the consultation site which is an indication of the popularity and accessibility of these pages.

Given the approach to the public consultation it was decided not to proceed with a set of structured questions for respondents. The project discussion paper used in development was also not used in consultation as the essential components were in the RIS or on the consultation web site.

AHA accepts that the AHA front page of the website did not have a 'hot button' to the consultation site. However in the January 2011 'AHA Update' the following information was made available.

### **"Livestock welfare**

Consultation for the proposed 30 hours time off feed standard for bobby calf transport is under way and will conclude on 3 February. Largely in response to a media campaign initiated by welfare organisations, we have been inundated by submissions from the public – mostly expressing opposition to the proposed standard. See [www.animalwelfarestandards.net.au](http://www.animalwelfarestandards.net.au) for details of the consultation and for further information."

All information made available to the public has directed interested parties to [animalwelfarestandards.net](http://animalwelfarestandards.net), and not AHA. Criticism of the architecture of [animalwelfarestandards.net](http://animalwelfarestandards.net), where the bobby calf pages are listed under 'Land transport standards', is accepted. The bobby calf time off feed issue is part of the land transport arrangements. Due to the archival (and expanding) nature of the website, consideration will be given to redesigning the home page to make navigation by the public easier.

Animals Australia has expressed dissatisfaction with the standards development process and has the belief that it did not develop 'reasonable' animal welfare standards.

## 2. ROLES OF STANDARDS, GUIDELINES AND BEST PRACTICE

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Many submitters do not distinguish between what is or will become law and the recommendations for better practice and 'best practice'. The RIS has to take a rigorous approach to this distinction. Many submitters feel that the model codes are legal requirements but the reality is that their application in the law has been at best as guidance or a defence to a prosecution. This issue extends to a false appreciation by many submitters of the legal 'base case' (what exists in law) in relation to statements in the model codes of practice that have been, or are being replaced by the standards and guidelines. As a consequence, many statements from the model codes are omitted from the RIS as they are not part of the regulations or the 'base case' for the RIS (refer to Part 4.2 of the RIS). Animals Australia recognises that the model codes are not enforceable and have not been implemented by law in the past. The model codes dealing with the transport of livestock have been superseded and replaced by the Land Transport Standards and Guidelines.

The legal standard is intended to be the acceptable welfare standard and all other guidelines or statements of 'best practice' are intended to achieve a better welfare outcome by voluntary action. Therefore the statement in the Fisher study that *"Best practice management of transported calves would involve time off feed not longer than around 24 hours"* is not inconsistent with the recommendation for a 30 hours time off feed standard. Other standards in the LTS set requirements for calves in transport and the guidelines make recommendations for better welfare management of calves in transport. Further description of the relationships between such statements is contained in the introduction to the LTS on the website and in Part 1.2.3 of the RIS. (Standards use the word 'must' and guidelines use the word 'should').

As guidelines are recommendations and are not to be regulated, they have not been included in the RIS. The following existing LTS guideline GB4.8 in effect recommends a time off feed interval of 18 to 24 hours, taking into account the fact that calves must be fed within 6 hours of transport and this time needs would be added to the calculation (24 hours TOF) unless a specific TOF has been documented and the calves have then spent less than 6 hours on the property before pick up.

*"GB4.8 Calves between 5 and 30 days old travelling without mothers should be given a liquid feed as soon as possible after unloading, unless they are slaughtered within 18 hours of commencing transport."*

## 3. RISK MANAGEMENT

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RSPCA Australia claim:

*"Firstly, the appropriateness of the outer legal limit is qualified by the requirement for "good practice in other aspects of calf management and transport". Accordingly it can be surmised that if good practice in other aspects of calf management and*

*transport is not present, the 30 hour limit may be inappropriate for bobby calf welfare. As conditions will not always be ideal a 30 hour limit may predispose calves to greater welfare risks. This in turn may predispose producers, transporters and processors to a greater chance of enforcement action including possible prosecution.'*

The Queensland Department of Employment, Economic Development and Innovation (DEEDI) and others feel that there is *"no margin of safety to allow for biological variation within groups, variation in management prior to transport, and unforeseen circumstances"*. It is up to the persons responsible within the calf transport chain to manage the calves according to environmental and calf health parameters.

The whole point about the animal welfare standards and guidelines for livestock transport, including the proposed amendment, is that they be taken as a 'set'. There are other standards (including LTS SA4.1, 4.2, 4.3 and 4.4 relating to fitness to travel) and guidelines which deal with the 'good practice in other aspects of calf management and transport'. All persons handling calves have a duty of care towards the calves.

The relevant, existing, specific standards for calf welfare during transport in the LTS are:

***"SB4.1*** *Time off water must not exceed the time periods given below:*

*Class: Calves 5–30 days old travelling without mothers*

*Maximum time off water (hours): 18*

***SB4.5*** *Bobby calves between 5 and 30 days old travelling without mothers must:*

- i) be protected from cold and heat*
- ii) be in good health, alert and able to rise from a lying position*
- iii) have been adequately fed milk or milk replacer on the farm within 6 hours of transport*
- iv) have an auditable and accessible record system that identifies the calves were last fed within 6 hours of transport unless the journey is between rearing properties and is less than 6 hours' duration*
- v) be prepared and transported to ensure delivery in less than 18 hours from last feed with no more than 12 hours spent on transports.*

***SB4.6*** *Bobby calves less than 30 days old travelling without mothers must not be consigned across Bass Strait.*

***SB4.7*** *Bobby calves born earlier than a normal pregnancy term (including induced calves) must be at an equivalent stage of fitness when transported, compared with normal, full-term calves.*

**SB4.8** *Bobby calves under 30 days old must all have sufficient space in the livestock crate to lie down on their sternums.*

**SB4.9** *Dogs must not be used to move bobby calves less than 30 days old."*

The fact that there will be enforcement action including possible prosecution is the purpose of moving from a voluntary guideline to a regulated standard in the case of time off feed. If producers, transporters and processors adhere to the standards including the 30hr time off feed limit then there is less chance of prosecution due to a lower likelihood of poor calf welfare outcomes. The standard amendment is designed to provide reasonable animal welfare outcomes with an upper limit, noting that conditions may not always be perfect and that persons who are responsible have a duty of care to manage the calves according to the circumstances and reasonable welfare expectations.

The claim by Animals Australia that many calves are less than five days old (as stated in an Animal Welfare Science Centre report from 2001) is a matter to be addressed by enforcement of the existing minimum age requirement in the LTS. This situation further demonstrates the need for enforceable standards and that the creation of these regulations will facilitate considerable improvements for the welfare of calves.

#### 4. ENFORCEMENT

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RSPCA Australia says:

*"Secondly, the justification for the "outer legal limit" tends to imply a lack of confidence in the ability of regulators to exercise appropriate discretion in determining whether enforcement action is required in a given situation. The 30 hour limit is in part justified on the basis that it "allows for seasonal peaks in calving and access for dairy farmers who do not have a processing capacity in their region." (RIS, page 13). These are matters which regulators take into account when determining whether enforcement action is required for a breach of a time off feed limit. If bona fide extenuating circumstances are present it is very unlikely that any enforcement action will be pursued."*

This comment is based on a misconception. Regulators do not have such a wide discretion in law enforcement. They have a legal duty to uphold the law. Establishing an enforceable limit will assist the regulators and provides clear direction for industry. Where poor calf welfare outcomes become apparent (compromised calves), it is likely that other standards will be enforced in addition to and before the need to enforce the time off feed requirement.

Animals Australia, Animals Angels and others have concerns about the level of resources for enforcement not being available. Monitoring and compliance will be an important part of a regulatory strategy to protect calf welfare but it is beyond the scope of this standards development project to further develop requirements for this implementation aspect. Compliance and enforcement policy is the domain of the jurisdictional governments. Extension (awareness),



education and training is a shared role between government and industry that is likely to be more important for achieving compliance than a regulatory approach per se.

Animals Australia, Animals Angels and the Australian Livestock Transporters Association (ALTA) recommend that there is a mandatory paper record of time off feed and pick up time. This is an implementation matter that will be dealt with at the appropriate time including any potential revision of the National Vendor Declaration (NVD) by industry. The NVD matter has been referred. The current standard (SB 4.5) requires an 'auditable and accessible' record. Where an exact feeding time is not declared, it is reasonable to assume that six hours will be accounted to the time off feed calculation, unless it can be proven otherwise. This will provide impetus for farmers to accurately declare the feed time and the current record system with individual calf identification (NLIS) does make that possible.

ALTA is also concerned that the LTS standards should be amended to require a written declaration of calf age. ALTA wishes to participate in a process with government to develop a harmonised compliance and enforcement policy. No further action for revision of the standards will be taken at the present time.

Where submitters have observed what they believe to be unreasonable practice or outcomes for calves including non-compliance with the LTS, these instances should be reported in a timely manner to the local authority. Cases of suspected ill-treatment reported to AHA in submissions will not be referred, and in some instances are from a long time ago.

## 5. BOBBY CALF HANDLING

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RSPCA Australia has stated:

*"A 18-hour time off feed limit will see efficiencies in transportation of bobby calves by encouraging industry to transport bobby calves directly to the nearest abattoir rather than through calf scales, saleyards or markets. Repeated handling as well as loading, transport and unloading into unfamiliar environments is widely acknowledged to be stressful to livestock and should be avoided or minimised."*

*'Journeys can be planned and coordinated to ensure that on-farm pick-up(s), delivery to the abattoir and slaughter occur well within the time off feed limit. Journeys should be coordinated to ensure that bobby calves are slaughtered soon after arrival at the abattoir – overnight lairage should be avoided as it causes unnecessary distress.'*

A large number of respondents felt there was a need to reduce handling of calves. In general, the proportion of bobby calves going via saleyards is declining. The low value nature of these calves encourages efficiency in transport and handling. It is not clear where these suggested efficiencies may arise from particularly when small consignments are being delivered in a suggested 'drip feed' system to



meat processors. This may generate delays further down the supply chain if meat processors are waiting for stock to arrive in patchy small deliveries.

Many submitters stated that calf handling was poor. This is not directly related to the time off feed question but where submitters have observed what they believe to be unreasonable practice or outcomes for calves, these instances should be reported in a timely manner to the local authority.

## 6. ANIMAL WELFARE SCIENCE

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The relevant scientific evidence is derived from the research data in Australia and New Zealand that is currently available (two similar studies). Claims were made that neither study tested real life conditions in relation to expected weather conditions. The Australian study was conducted in late August to mid September during the traditional peak calving period in Victoria with typical spring conditions for Gippsland (temperature range was -0.1 °C through to 23.9 °C). It is acknowledged that these studies were of healthy and clinically normal calves. The studies do provide important data for calf management. It is not the role of a RIS to either conduct new scientific research or to audit previous scientific research. Few additional references of relevance have been provided. There are even difficulties with the establishment of 'normal ranges' for calf biochemical parameters, including blood glucose.

Much criticism has been made of the draft report of the Australian (Fisher) Study, particularly how the lack of measurement of potential indicators (cortisol, hunger, vocalisation, preference tests), or under appreciation of established welfare indicators (glucose, lactate) has biased the welfare ratings of the options in the RIS. This claim is rejected whilst it is acknowledged that there is an increase in the risk to calf welfare with lengthening time off feed. It is unavoidable that a full reviewed paper has not been able to be published at this time but the study has been subjected to an independent review by an international expert and members of the inter-jurisdictional Animal Welfare Committee. Further delays to the standard development process prior to publication are considered unacceptable to calf welfare as the scientific journal publication process can be lengthy.

A stricter interpretation has been applied by some submission authors to the results obtained and much said in submissions about the failure to assess behavioural effects, particularly hunger and vocalisation, which is not possible to do with precision or predictive value. There is no reliable method of measuring the animal welfare implications of hunger in animals. The significance of vocalisation is open to debate. Not-with-standing that this consultation process has been conducted prior to full publication of the study, it is not intended to further counter the claims of particular inadequacies made by various authors. The scientific publication process will achieve this in the fullness of time.

Feed deprivation up to 30 hours was tested as industry experience suggested that this is a possible limit. The establishment of this final point for the study does not imply any form of endorsement of this position and a decision on

national endorsement and implementation remains to be made by Ministers. Similarly criticism of the word change in the study summary from 'defensible' to 'reasonable' or 'suitable' is not meant to imply any change in the intention of the recommendation. The original study recommendation is quoted verbatim in the RIS (see Part 1.2.2.2). The word 'reasonable' is used in Part 1.1 of the RIS, but this is in reference to both the Australian and New Zealand studies, and is an interpretation rather than a direct quote.

Claims were made by many that the study involved specially selected calves. This suggestion is partly countered by the fact that 22 percent of calves had some evidence of insufficient colostrum absorption but this may be less than average. Evidence from New Zealand indicates that insufficient colostrum absorption may be a common occurrence in dairy calves.

Claims were made that the study did not test the real life situations and that for example many calves transported are less than five days old as quoted by Animals Australia from a 2001 Animal Welfare Science Centre workshop report (unsubstantiated). Clearly any approved study must be within established regulatory requirements and subject to Animal Ethics Committee approval and cannot study under age calves. The LTS requires calves going to abattoirs to be five days old (SB4.5). The Standard SB4.4 requires a higher level of care for calves less than five days old going a short distance to a rearing facility and this standard takes into account the risks stated below.

Compassion In World Farming (CIWF), and others, raise the issue of the difficulty in assessing sub-clinical and latent effects of transport on calf welfare in a short study focussing on delivery to slaughter. RSPCA Australia also notes that these effects may impact at a later stage after transport. This is not relevant for bobby calves going to abattoirs under the transport standards due to their limited time in lairage.

Criticism has been applied that the Dairy Industry funded the research and therefore the findings are not 'independent' or trustworthy. The research was commissioned in response to the request from PIMC to develop a 'science-based' standard, acknowledging the lack of relevant Australian studies. Detailed research is expensive and it is fortunate that the Dairy Industry is able to devote substantial resources to this scientific study of calves. The numbers of animals and circumstances tested in this study was based on a statistically significant sample and also generally consistent with similar studies conducted on this topic. CIWF and others, support the need for further research.

International research has been assessed and found to be not relevant because of differences to Australia including; industry practices, research methodology, climate, production systems and cattle breeds.

It has been submitted many times: *'Dairy Australia commissioned research requires further scrutiny.'* Once again, this is not the role of a RIS and additional scientific peer review will happen in due course with full publication of the results in the future.

## 7. SUPPORT FOR 30 HOURS TIME OFF FEED

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Industry submissions from the Australian Dairy Farmers (ADF) and its related state bodies, Dairy Australia (DA), the Australian Meat Industry Council (AMIC) and individual abattoirs, the Australian Livestock Transporters Association (ALTA) and individual transporters and calf buyers have all been supportive of the proposed 30 hours TOF as an enforceable limit. In the main, the few submissions from individual dairy farmers have also been supportive.

These submissions have noted that the 30 hours proposal does not reflect the amount of time for the majority of calves between last feed and slaughter and the enforceable limit will not cause a reduction in industry costs or welfare practice.

These submissions were of the view that Option B (30 hours time off feed):

- Is supported by Australian and International science
- Is practically achievable by industry and is consistent with the common once-daily feeding practices
- Is consistent with existing processing industry animal welfare standards
- Sets a maximum enforceable limit to manage risks to the calves' welfare which will be regulated
- Is most likely to deliver national consistency across jurisdictions
- Continues to contribute to the economic sustainability of processing establishments and rural Australian communities.

AMIC further point out that abattoir processing means less environmental, biosecurity and OH&S issues than on-farm killing. They also predicted that 30 hours may mean less calf handling as consignments can be more efficiently processed as a batch without redrafting of animals for slaughter or feeding.

The Victorian Department of Primary Industries also wrote in support noting that the proposal is a 'whole of chain' standard, there will be a six month implementation phase under the Livestock Management Act 2010 with negotiation of compliance monitoring and reporting through QA arrangements to be determined.

The Australian Veterinary Association and its special interest group, the Australian Cattle Veterinarians support 30 hours time off feed as an outer limit for extenuating circumstances, conditional to other standards being in compliance. Their preferred target TOF for the bulk of the calves is for 24 hours time off feed as described in the guidelines.

## 8. OPPOSITION TO 30 HOURS TOF

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### *'30 hours is cruel'*

This statement based on respondent's ethical beliefs was the most common objection made. It must be noted, that as stated in the RIS (section 4.3.1) only a

very small percentage of calves might experience up to a 30 hour time off feed. Furthermore, assessing and quantifying hunger is extremely difficult. It is even more difficult to objectively determine the welfare impact on the animal so that a standard can be set for which people can be prosecuted if they breach. There is no doubt that calves not fed for 24 or 30 hours will seek feed and may be considered to be hungry. However calves also show behavioural indications of strongly wanting to be fed 12 hours or sooner after feeding. It is also apparent that some members of the dairy farming community observed that calves may not suckle every 12 hours and events longer than 30 hours time off feed have been observed to occur naturally on farms on occasion without lasting detriment to the calf.

Whilst mortality rates have not been quoted in the RIS, Animals Australia feel that the 30 hours option will result in a mortality rate of calves delivered of about 0.64% as quoted by Cave, Callinan and Woonton in 2005 for the 1998 to 2000 period to Albury abattoir. The circumstances that led to 'gluts' of calves in the spring with long distance transport at that time have somewhat abated. There is no other evidence to suggest that this calf mortality rate currently prevails across the industry.

*'30 Hours TOF has no impact.'*

As reported: *"The proposed standard amendment will result in zero cost to industry (RIS, page v)".*

The objective of the regulations is not to impose a cost to industry but rather *"To ensure that the conditions under which bobby calves are transported on land are consistent with reasonable animal welfare standards."*

Strictly speaking, there would be no compliance costs to industry compared to the base case. Penalties may be incurred for non-compliance, but these are outside the scope of the RIS.

RSPCA Australia, QLD DEEDI and others believe that it *'and does nothing to improve the welfare of bobby calves before, during and after transport.'*

This statement is incorrect. As stated on page vii of the summary of the RIS (and in the body of the RIS):

*"Benefits by way of reduced risks to animal welfare and national consistency would accrue, as listed in Part 4.3.2. These benefits reflect the reduction of risks associated with shifting from the uncertainty of a voluntary guideline to the relative certainty of a regulated standard (refer to Part 1.2.3 of this RIS) (our emphasis). Importantly, the benefits of reduced risk are considered not just in terms of the frequency of occurrence (i.e. probability of risk), keeping in mind that the change in the rate of compliance is only 1% - but also the extent of harm to the animals themselves (i.e. magnitude of risk) for feed deprivations beyond 30 hours. In this sense the benefits under Option B are considered to be significant."*

In other words, the proposed standard amendment is aimed at reducing risk to bobby calf welfare, but not in terms of likelihood (as it is noted in the RIS that

99% of the time feed occurs within 30 hours). Instead the proposed standard amendment focuses on the magnitude of welfare harm to the bobby calf itself when the maximum time of feed exceeds 30 hours. Also, it is important to note that this proposed standard amendment operates with other existing standards (including LTS SA4.1, 4.2, 4.3 and 4.4) relating to animal transport (not in isolation).

*“RSPCA Australia sees the development of animal welfare standards and guidelines as unique opportunity to improve the welfare of livestock production animals on a large scale rather than maintaining the status quo (the proposed bobby calf standard being a case in point). The fact that these standards are intended to be incorporated into legislation is a chance to encourage best practice in the livestock industries and should not be seen as a means of justifying the continuation of poor practices that are detrimental to animal welfare. The very use of the term “outer legal limit” (RIS, page iii) implies that the standard will cover those in this latter category. This is a most deplorable situation.”*

The assessment of what is reasonable in this RIS is based on objective scientific evidence and cost/benefit analysis - not subjective perceptions about possible community preferences. It is incorrect to assume that science-based animal welfare standards will always result in stricter standards than the status quo, regardless of the costs and benefits.

The market already provides substantial animal welfare benefits, in that it is commonplace in the industry for calves to be fed within 24 hours as discussed in the RIS. The 30 hours maximum time off feed will set a compulsory upper limit which is scientifically based and which allows for emergencies. Again the proposed standard is not so much about the likelihood of risks to animal welfare but rather the magnitude of harm.

RSPCA Australia has also suggested that:

*“To set a high “outer legal limit” to accommodate atypical operational difficulties experienced by some producers to the potential expense of those bobby calves transported without otherwise good calf management and transport practices is unnecessary and inappropriate.”*

There is no scientific evidence to suggest that accommodating a typical operational difficulties experienced by some producers by setting an upper limit of 30 hours would be at the expense of ‘actual’ welfare outcomes.

## 9. 24 HOURS TOF

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QLD DEEDI, Biosecurity Queensland, Voiceless and three other organisations support a 24 hours time off feed. QLD DEEDI feel that the evidence of hypoglycaemia or declining energy balance in 12% of calves at 30 hours time off feed in the Fisher study constitutes too great a risk for the majority of calves. This belief embodies the view of many that the circumstances of normal calf transport are not undertaken following best practice or under ideal

circumstances and that a greater safety margin is required to be enforced by regulation for a shorter time off feed limit. Implementation of the 24 hours time off feed option will have an impact on the supply chain and is opposed by those that support the 30 hours proposal on the basis that the RIS under-estimates the likely impacts.

## 10. 18 HOURS TIME OFF FEED

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RSPCA Australia submitted:

*“The RIS (page vii) points out that the vast majority of journeys (from last feed to slaughter) are carried out within a 24-hour period. We suggest that there is an opportunity for improvement here and that where circumstances may result in an 18-hour period being exceeded, that some flexibility is exercised on farm in terms of the time bobby calves are fed to ensure that maximum time off feed is not exceeded. In other words, bobby calves destined for transport on a particular day could be fed nearer to the time of loading in order to remain within an 18-hour time off feed limit.”*

Animals Australia, Compassion in World Farming (CIWF) and three other organisations also support the 18 hours time off feed option. The majority of email submissions from individuals supported RSPCA Australia or Animals Australia submissions on calf transport and in addition to opposition to 30 hours time off feed, support for 18 hours time off feed was mostly indicated if a position was stated. An 18 hours time off feed requirement in effect would cause either same day slaughter or feeding in transit or at abattoirs due to the single processing shifts in operation.

The ‘improvement’ suggested moving to an 18-hour time off feed limit is not scientifically based (no actual substantiated change in the welfare of bobby calves themselves). In any case, the high costs of this option are not justified by the benefits, as explained in the RIS. In the context of rearing, the scientific studies have not been able to demonstrate a benefit from twice daily feeding (12 hour’s time off feed).

Importantly it was established in the RIS that only 12.5% of bobby calves could be slaughtered within 18 hours time off feed and that the remainder would have to be killed on the farm (see page 25 of the RIS).

Furthermore, any delay in on-farm feeding where once daily feeding occurs (as is common), to bring this meal closer to the time of transport, will not achieve a time off feed of less than 24 hours in the day prior to transport.

Suggested regulations to deny overnight lairage would lead to even greater numbers of calves being killed on farm.

It is accepted that shorter time off feed can be achieved by various strategies, but the critical issue is to arrive at an abattoir in time to make the daily kill shift (usually completed before 3 pm). All abattoirs that kill calves are now operating

only a single shift due to economic conditions. Late arrival means that these calves will be processed early the next day. Recommendations to feed closer to pick up, avoid aggregation delays, travel direct routes, etcetera are made in the guidelines.

## 11. KILLING OF BOBBY CALVES ON FARM AND/OR A SHORT TIME OFF FEED

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*“RSPCA Australia advocates the euthanasia of bobby calves on farm or, where transport is considered necessary, direct consignment to the abattoir and slaughter as soon as possible upon arrival with a maximum time off feed of 18 hours as the “outer legal limit””.*

The cost of killing bobby calves on farm with the 18 hours maximum time off feed option is estimated to be approximately \$9.2m per annum with a total annual economic cost of this option at around \$28.2m per annum (see Table A1.10 of Appendix 1). Importantly, there is no measureable, scientific evidence to suggest that 18 hours maximum time off feed provides substantiated better animal welfare outcomes than 30 hours maximum time off feed. The 18 hours maximum time off feed preference is largely based on perceived animal welfare outcomes and non-scientifically based animal welfare outcomes. The relevant PIMC resolution requires any proposed standard amendment to be ‘science-based’.

Given that penalties will be incurred for non-compliance, it is appropriate that regulated standards (‘must’ statements) be set on the basis of an “outer legal limit”, where compliance is able to be achieved. The RIS predicts problems with industry compliance at 18 hours. Stricter non-science limits are more appropriate as voluntary guidelines (‘should’ statements).

There was some support in submissions for a 6-9-10-12 hour’s time off feed limit which was not examined in the RIS as these limits are too restrictive in the context of Australian infra-structure and will most likely result in most calves being killed on farm. Whilst there is support for killing on farm from RSPCA Australia, Animals Australia, Animals Angels, Voiceless and others, the ethical view of government and industry has not supported these options. It is noted that the three elected officials that made a submission come from Western Australia where the relatively confined geographical spread of the industry and limited processing for veal mitigates against long time off feed for calves going to slaughter in that jurisdiction.

AMIC, ALTA and others have pointed out that ‘on farm’ killing may not be as effective as that done in abattoirs and that it may be a better welfare outcome to slaughter calves by experienced operators under controlled conditions within abattoirs.

Animals Australia has identified a revision that needs to occur to remove the savings from less feeding associated with options C and D, this will make these options less expensive but will not alter the relativity between the options.



## 12. THE CASE FOR MARKET INTERVENTION

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RSPCA Australia, Voiceless and other submitters made the following criticism:

*“This submission outlines our concerns regarding the justifications for the proposed amendment and identifies what we believe are serious deficiencies in the RIS including the failure of the proposed amendment to address the case for market intervention, “*

The aim of government intervention in markets is to ensure that market failure is corrected; but not replaced by government failure (i.e. over-regulation beyond that which is necessary). In this case the time off feed limit needs to be consistent with reasonable animal welfare standards and no more. The assessment of what is reasonable in this RIS is based on objective scientific evidence and cost/benefit analysis - not subjective perceptions about possible community preferences.

RSCPA further criticise the RIS:

*“The RIS was developed on the basis “that 99 per cent of bobby calves are currently processed with no more than 30 hours time off feed” (RIS, page vi). As such, the proposed standard amendment of 30 hours time off feed does not in fact intervene in the market; rather, it simply reflects what is already occurring in the market.*

*Consequently, all of the legitimate justifications for intervening in the market identified in the RIS (at pages 16 and 17) are not addressed. Those justifications relate to the following:*

*a) The presence of negative externalities such as the failure of farmers, transporters and meat processors to adequately take account of risks to bobby calf welfare (i.e. social costs) in their private business decisions.”*

This statement is incorrect, there is a market intervention. Please see the response to the '30 hours time off feed' section above.

RSPCA Australia believes that the proposed standard amendment must intervene in the market to a greater extent if the above matters are to be addressed. RSPCA Australia believe that a standard amendment of 18 hours time off feed would present a stronger case for giving effect to the above objectives as it would be a more definitive indication to consumers that time off feed limits will not create calf welfare risks. Animals Angels have similar concerns over a lack of impact on market failure.

In the context of market intervention strategies, some comment was also made that there is a lack of a labeling scheme to allow differentiation between products on production system and welfare status. CIWF feel that an absence of welfare related labeling constitutes ongoing market failure and further reinforces the need for a shorter time off feed standard. CIWF and many others feel that the increased cost from a higher welfare standard should be passed on in the retail milk price and that the current milk price competition between retailers is not conducive to appropriate calf welfare standards being met.

Several submitters said that they would pay a premium for milk produced under a more humanely system. The period of time to slaughter of calves is not within the control of dairy farmers and is unrelated to the cost of milk production.

Furthermore it was suggested that a fair (to farmers) retail dairy price should be guaranteed by legislation to remove the price pressure from farmers and allow them to invest in welfare friendly practices. However, these issues are outside of the scope of the RIS.

### 13. ALTERNATIVE OPTIONS IN THE RIS

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RSPCA Australia submitted that:

*“The RIS has further failed to comply with regulatory guidelines in that it has failed to give any consideration to feasible alternatives concerning the time off feed limits before transport (6 hours), during transport (12 hours), or after delivery before slaughter (12 hours).”*

The purpose of this RIS is to assess the proposed standard amendment, not other standards. However, by assessing the options for 18 and 24 hours we have taken into account the opportunities for reducing time off feed in different phases of movement to abattoirs and prior to slaughter.

And RSPCA Australia further stated:

*“The option of feeding bobby calves during transportation was simply dismissed as impractical without any real consideration of the issue or referral to evidence supporting such conclusion (page vi). Similarly, the option of reducing the 12 hour time off feed limit after delivery before slaughter was dismissed on the basis of “food safety” without referral to any evidence.*

*These justifications may be legitimate but without evidence the RIS is lacking as these options may on face value be considered “feasible alternatives”. This is especially so in light of the purported high costs of options C and D.”*

Industry was consulted on these issues and both were confirmed as legitimate problems (i.e. the lack of feasibility of feeding during transport, at saleyards, at abattoirs (risk to food safety), and changing of abattoir shift times). Whilst there is a contention that these strategies should be tried, industry have indicated that there are practical considerations operating against them and that they should not be included in the options as they are not feasible (a RIS is required to consider only feasible options). Voiceless has questioned the validity of these assertions and with others has suggested that industry is unwilling to change. Animals Angels and others raise further ameliorative possibilities such as: a mobile on-farm slaughter plant or increasing the dairy beef sector. Scenarios C and D incorporate increases in dairy beef to the extent though possible in Australia. For the mobile on-farm slaughter plant, government and industry sources have indicated that there are practical considerations operating against this strategy. The infeasibility of these alternatives is now discussed in Part 3.0 of the revised RIS.

## 14. COST BENEFIT ANALYSIS

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Whilst the assumptions used in the scenarios have been criticised by Animals Australia and others, no new data or figures for the scenarios have been provided. Animals Australia has put forward figures that demonstrate the cost of an additional calf feed is less than one percent of the value of the calf trade or less than \$0.00031 per litre of milk. However, the ability of industry and/or consumers to pay more is not a valid argument for increasing costs, especially when costs increases are not justified by the benefits.

DA/ADF and AMIC point out that the study does not include impacts beyond the farm gate and that the economic consequences for options C and D is likely to cause the collapse of the calf processing industry and severe flow-on business impacts. This will result in a more severe outcome than predicted in the RIS including a loss of viability of small stock (sheep) abattoirs. There are also biosecurity and environmental implications in these options that have not been costed. Project budgetary constraints prevent a more in-depth analysis being carried out.

QLD DEEDI and others feel that the allocation of equal welfare scores to all options has made the whole RIS invalid. However sensitivity testing in the RIS has demonstrated that this would have very little effect if there was a justification for altering the welfare scores. The decision analysis matrix demonstrated in this study has not been used as the decision tool in the RIS but is used to illustrate an approach to decision making used previously in the LTS and that leads to the same conclusions in this case. In any case, the decision analysis matrix has been removed from this final version of the RIS submitted for decision.

Animals Australia has identified a revision that needs to occur to remove the savings from less feeding required in options C and D, this has made these options less expensive but has not altered the relativity between the options. Updated feeding costs based on the LTS RIS 2008 have been used in the revised RIS. Feeding costs are based on once per day feeding as this is said to be the commonest practice.

Animals Angels strongly suggests that the social cost and the cost of harm to calves must be more fully recognised. This ethical consideration would be a very subjective exercise open to challenge. A nominal figure of \$1 per head has been used as the emotional cost of on-farm slaughter by owners as a superficial recognition of the stress to farmers directly involved in the scenario. Animals Angels suggest that this should also apply elsewhere along the transport chain to all those who handle calves.

## 15. COMMUNITY EXPECTATIONS

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RSPCA Australia submitted that:

*“The RIS states that it is important that community expectations are to be taken into account (see RIS, page 15 for example), and acknowledges that “the successful pursuit of many industries involving animals is dependent on community confidence in the regulation of animal welfare.” (RIS, page 17). Yet the RIS fails to make any reference to studies on community expectations in relation to animal welfare, and has not provided details on any research into such conducted by the authors. Despite its acknowledgement of the importance of community expectations, the RIS appears to disregard issues that may be of significant importance to community expectations regarding the welfare of bobby calves during transport and processing.”*

In response, the relevant statement on Page 15 of the RIS is:

*“The word ‘reasonable’ embraces the need for standards to be informed by science, industry knowledge and community expectations, with their overall benefits outweighing their costs”.*

Once again, it is not the role of a RIS to conduct new research into community attitudes or values. This is more properly the role of government and industry. No new studies relevant to calf time off feed have been submitted.

Another relevant statement on Page 17 of the RIS is:

*“Animal welfare legislation provides a balance between the competing views in the community about the use of animals. The successful pursuit of many industries involving animals is dependent on community confidence in the regulation of animal welfare”.<sup>1</sup>*

Community values in the regulation of animal welfare is interpreted as ensuring that welfare standards are science-based, that costs are justified by benefits and that market failure is not replaced by government failure (over regulation). Ultimately the balance is a matter for politicians to decide.

*“The authors of the RIS may disregard issues of calf ‘hunger’ and ‘discomfort’ as being ‘hypothetical’ in nature, but it should be acknowledged by the authors that to the general community, these issues are perceived to be very real.”*

The RIS is not concerned with “hypothetical animal hunger and discomfort” – as may be perceived by some members of the community but rather “real animal hunger and discomfort” as able to be reliably measured and compared. Existing and previous codes may be taken to represent community expectations, but the reality is that these recommendations were never implemented by law, and in many cases have now been superseded. The ethical concerns of many submitters in relation to aspects of calf transport is acknowledged but this must be balanced against the costs of implementing new regulation for calf welfare as demonstrated by this RIS. The decision on the level of regulation for calf welfare rests with the political process as indicated in the RIS section 4.3.3.

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<sup>1</sup> Bureau of Animal Welfare, 1997

## 16. INTERNATIONAL STANDARDS/LAWS

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International regulatory arrangements have been assessed and found to be not entirely relevant because of differences to Australia including; shorter time permitted on transport, production systems, geography and climate. None-the-less many submitters have decried the apparent inconsistency with the EU and UK requirements, stating that Australia should be seen to be an international leader in animal welfare law.

The relevant section in the RIS is 1.2.3.2 and 5.22 and revisions have been made. These policies and position statements are included to provide a brief international context, while acknowledging that Australia's cattle production systems may vary significantly from production systems, cattle breeds and climatic conditions in other countries. The *2008 OIE - Terrestrial Animal Health Code* section on transport does not contain any specific reference to feeding calves in transit. In fact most of the material below relates to feeding calves reared on farm and as such only forms a reference point for the discussion of feeding associated with transport.

The New Zealand time off feed standards for bobby calves permitting 30 hours time off feed is contained in two documents:

*Animal Welfare (Dairy Cattle) Code of Welfare 2010*

*Minimum standard 18: Pre Transport selection*

*"Every unweaned calf to be transported off the farm must have been fed at least half of that day's ration of colostrum or milk, not more than 2 hours before transportation."*

*Animal Welfare (Commercial Slaughter) Code of Welfare 2010*

*Minimum standard 4: Handling of Large animals:*

*"(j) Bobby calves and milk lambs must be slaughtered as soon as possible but within 28 hours of being loaded for transport unless fed (see (l))."*

The New Zealand Codes of Welfare are comparable to the Australian Standards and Guidelines which will operate under enabling Animal Welfare Acts or similar legislation. The minimum standards in codes of welfare can be used to support a prosecution under the Animal Welfare Act, or conversely, can be used as a defence to prosecution. From the preface of the New Zealand code:

*"The Animal Welfare Act 1999 (NZ) came into force on 1 January 2000. It establishes the fundamental obligations relating to the care of animals. These obligations are written in general terms. The detail is found in codes of welfare. Codes set out minimum standards and recommendations relating to all aspects of the care of animals."*

There is no other relevant international material that specifies feeding of calves in transport. No international requirements could be found.

European Union welfare in transport regulation (EC) No 1/2005 governs the transport of calves of less than 10 days of age, and they may only travel for a maximum of 100km (approximately 62 miles) and a maximum of eight hours. The regulation regards them as unfit for longer journeys. Hence time off feed is not likely to be an issue and is not mandated. EU Directive 91/629/EEC (as amended) lays down minimum standards for the welfare of reared calves across the EU and requires once daily feeding. There is a variance in time off feed within the UK.

The welfare of cattle in the United Kingdom is implemented through the *Animal Welfare Act 2006* under which it is an offence to cause unnecessary suffering to any animal. The *Welfare of Farmed Animals (England) Regulations, 2007, (SI 2007 No 2078)*. Schedule six states in part:

“12.—(1) *All calves must be fed at least twice a day.*”

The Canadian Agri-Food Research Council *Recommended code of practice for the care and handling of farm animals – Veal Calves 1998* clause 2.1.3 recommends that “*if not fed ad libitum, calves should be fed two or more times per day following a regular routine.*”

In summary, whilst it can be accepted that the on-farm maximum time off feed standard is 24 hours in the EU and 12 hours in the UK and this precautionary approach is extrapolated to transport, the only direct international requirement for time off feed during transport exists in New Zealand and their regulatory system permits a maximum of 30 hours time off feed.

**IN SUMMARY:** The welfare of bobby calves is an emotive issue and many criticisms have been raised. There is clear demarcation of views with the larger number of submissions from animal welfare organisations and individuals supporting a shorter time off feed and in some cases question the need for transport at all (killing on farm and other alternatives were proposed). There is no unanimous support for a single, shorter, time-off-feed option instead of the 30 hours. There is some support for a variety of shorter options. There is good support for a 30 hours time off feed limit in the context of the other related standards for calf transport from some government departments (not Queensland) and all industry respondents. Revision of the RIS has occurred and the current proposal for a 30 hours time off feed standard will be recommended for government endorsement.

**TABLE A3.2: SUMMARY OF MAIN POSITIONS IN SUBMISSIONS FROM ORGANISATIONS AND ELECTED REPRESENTATIVES**

Organisation	Time off feed	Other positions
Against Animal Cruelty Tasmania	nil	Killing on farm
Animal Liberation Inc (SA)	24 hours	
Animal Welfare League of	regularly,	Increase regional abattoirs, feed at

<b>Organisation</b>	<b>Time off feed</b>	<b>Other positions</b>
Qld Inc.	12 hours?	abattoirs
Animals Angels	9 hours	Killing on farm, mobile abattoirs, dairy beef, minimise time at congregation points, 10 day old minimum for transport, bedding, mandatory paper record of time off feed
Animals Australia (AA)	18 hours	Twice daily feeding, killing on farm, direct consignment, same day slaughter, mandatory paper record of time off feed
Australian Dairy Farmers (ADF) Dairy Australia (DA)	30 hours	Also supported by: WA Farmers, Queensland Dairy Farmers Organisation, Victorian Farmers Federation (UDV), SA Dairyfarmers Association and Tasmanian Farmers and Graziers Association
Australian Livestock Transporters Association (ALTA)	30 hours	Mandatory paper record of time off feed and pick up, clarifications of LTS
Australian Meat Industry Council (AMIC)	30 hours	
Australian Veterinary Association (AVA) Australian Cattle Veterinarians (ACV)	30 hours	Conditional to compliance with other standards, prefer 24 hours time off feed target
Baker (Lisa) MLA Maylands WA	10 hours	Mandatory paper record of time off feed, fitness and pick up, Killing on farm, mobile abattoirs, minimum 14 days old for transport, 8 hour transport limit
Compassion in World Farming (CIWF)	18 hours	Travel <100km, bedding, same day slaughter
Department of Primary Industries Victoria	30 hours	
Humane Choice	18 hours	
Humane Society	18 hours	



<b>Organisation</b>	<b>Time off feed</b>	<b>Other positions</b>
International (HSI)		
Hunter Animal Watch	6 hours	Killing on farm
Law Society of SA	18 hours	Killing on farm, same day slaughter
Law Society of NSW Young Lawyers	10 hours?	
MacLaren (Lyn) MLC South Metropolitan Region WA	10 hours?	
Northern Rivers Community Legal Centre	24 hours	
Parke (Melissa) MP WA Fremantle	10 hours	10 day old minimum for transport
People for the Ethical Treatment of Animals (PETA)	12 hours?	Food in transit
Queensland Dairyfarmers Organisation	30 Hours	
The Queensland Department of Employment, Economic Development and Innovation QLD (DEEDI)	24 hours	feed immediately before pick up, minimise time at congregation points, same day slaughter
RSPCA Australia	18 hours	Killing on farm, direct consignment and immediate slaughter, colostrum management, bedding
SA Dairyfarmers Association	30 Hours	
Southern Cross University Animal Law Club (SCUALC)	24 hours	
Stop Live Exports	12 hours	Emergency liquid feed capacity on trucks and at abattoirs, immediate slaughter and same day slaughter
Tasmanian Farmers and Graziers Association	30 Hours	
Victorian Farmers Federation (UDV)	30 Hours	

<b>Organisation</b>	<b>Time off feed</b>	<b>Other positions</b>
Voiceless	24 hours	Killing on farm, mandatory paper record of time off feed
WA Farmers Federation	30 Hours	

**TABLE A3.3: ADDITIONAL SUGGESTIONS RELATED TO THE TIME OFF FEED ISSUE**

<b>Issue</b>	<b>Comment</b>
Slaughter on farm	Does not have to be mandated as will occur if no market
Direct consignment	If mandated will cause disruption to market
Immediate slaughter	If mandated will cause disruption to market
Twice daily feeding	Suitable as a guideline
Feed immediately before pick up	Suitable as a guideline
Feed in transit or at abattoirs	If mandated will cause disruption to market.
Minimise time at congregation points	If mandated will cause disruption to market.
Same day slaughter	If mandated will cause disruption to market.
Poor calf handling	Will be covered by enforcement of LTS and industry programs
Mobile abattoirs, Increase regional abattoirs	Require government subsidy
Dairy beef	Production system constrained by economics?
Negative ethical implications of poor calf treatment	Difficult to cost and address
Mandatory paper record of time off feed and pick up	Discussed in LTS. Revise NVD
Remove term 'delivery' from LTS	May achieve clarification
Travel <100km	Impractical
Bedding	Impractical
Improve colostrum management	Dairy guidelines in place

Animal Health Australia  
4 February 2011

## ANNEX A: EXAMPLE OF A SUPPORTIVE SUBMISSION (INDUSTRY AND PRIVATE)

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I write to provide comment on the proposed bobby calf time off feed standard.

I am aware of the joint submission prepared by Australian Dairy Farmers and Dairy Australia on behalf of the Australian dairy industry and strongly support the position presented within this submission.

In particular we would like to emphasise our support for the recommended standard, Option B, outlined in the Regulation Impact Statement that bobby calves between 5 and 30 days old travelling without mothers must:

*“be slaughtered or fed within 30 hours from last feed.”*

We note that this proposed standard (Option B) addresses the issues that gave rise to its development, in that it:

- is science-based and addresses the physiological stresses calves are subjected to during transport;
- sets an enforceable limit that will adequately manage risks to the calves' welfare;
- is achievable and is consistent with the common once-daily feeding practices of bobby calves in the industry; and
- is likely to promote national consistency and certainty to industry participant's right along the supply chain.

As a key participant in the bobby calf supply chain we recognise that the welfare of bobby calves is of paramount importance and we work within the supply chain to promote proper handling and efficient transport that maximises the welfare outcomes for bobby calves.

I would also like to take this opportunity to further emphasise a bobby calf supply chain concern that the cost/benefit analysis excludes impacts beyond the farm gate and to strongly support the dairy industry position that the economic implications of the alternative standards to the bobby calf supply chain need to be given greater prominence in the Regulation Impact Assessment.

The recommended standard of 30 hours time off feed is consistent with normal industry practice of once a day feeding for both sale and replacement calves and it has been shown by research there are no adverse outcomes on calf health and performance when comparing once and twice a day feeding. It is important that a realistic and feasible standard is endorsed so that calves that are not required for herd replacement purposes can be handled with care through viable meat processing enterprises and avoid the necessity for large scale slaughter and disposal of calves on farm.

A key priority for the bobby calf supply chain is to ensure that all calves are managed across the supply chain according to agreed industry practices and

standards. As a key player we recognise that the welfare of bobby calves is important and work with other members of the bobby calf supply chain to improve the handling of calves and efficiency of transport from farm to slaughter in order to consistently meet current and proposed transport recommendations. It is important that the proposed Standard is achievable and realistic to enable industry to fulfil its legal and ethical obligations while still remaining economically viable.

I strongly urge the Primary Industries Ministerial Council (PIMC) to adopt and incorporate a 30 hour maximum time off feed standard for bobby calves into the Australian Animal Welfare Standards and Guidelines for Land Transport.

## ANNEX B: EXAMPLE OF AN UNSUPPORTIVE SUBMISSION (PRIVATE)

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I am writing to express my strong objection to the proposed Standard for Time Off Feed for bobby calves. I am appalled at the lack of consultation with the public and the lack of transparency in the development of the Standard.

The Primary Industry Ministerial Council (PIMC) is making decisions based on advice from self interested industry groups who are more concerned with their profits than the welfare of animals. Decisions should be based on well researched, independent expert opinion.

The research used to justify the 30 hour 'time off feed' standard was commissioned by Dairy Australia. This is obviously not an independent study! The outcomes of the study have not been reviewed by independent experts and the study was not representative of bobby calves in commercial practice. Many calves are currently not well prepared for transport and therefore could not cope with 30 hours off feed. The study indicators demonstrate that the calves experienced hunger from around 9 hours after their last feed; the transportation prevented adequate lying; and muscle strain was evident through transportation.

I strongly object to the standard for the following reasons:

- It is unacceptable to withhold food from young vulnerable animals for up to 30 hours, when young calves would normally suckle 5 times a day. Compounded with the handling, transport and holding of these calves in abattoirs without bedding or temperature controls, the withholding of food is an especially cruel practice.
- The existing Code of Practice states:
  - (5.11.1) Young calves are very susceptible to stress and disease and should not be exposed to management procedures which aggravate this situation.
  - (5.11.2) ...Bobby calves being transported or awaiting sale or slaughter should not be deprived of appropriate liquid feed or water for more than 10 hours.

This Code of Practice is currently not enforceable.

- The proposal, which would be enforceable, seriously undermines the existing code and in so doing, animal welfare is reduced. The proposed Standard is designed to allow the continuation of unethical and cruel industry practices. It is not a Standard designed to protect the welfare of these baby animals and any suggestion that this Standard is about 'animal welfare' is a lie to the Australian public. To deny baby animals, only a few days old of food cannot be justified by any economic gain.

The proposed Standard must be rejected, as it has not been designed to improve the welfare of bobby calves and marks a decay in our treatment of animals within Australia. The Standard does not have the support of any peer reviewed or respected scientific study. The Australian community, if given adequate opportunity to comment, would not support the legalisation of cruel dairy industry practices at the insistence of the dairy industry solely for the economic benefit to dairy industry producers. I object vehemently to the proposal.



## ANNEX C: OBJECTION TO THE PROPOSED STANDARD FOR TIME OFF FEED FOR BOBBY CALVES

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As an Australian citizen, I strongly object to the proposed Standard for Time Off feed for bobby calves that is currently under consideration by the Government. To deny calves of only a few days old of food for up to 30 hours is abhorrent and unethical and cannot be justified by any economic gain. It is shameful that these animals are treated by the dairy industry as by products in the first place, but the Government, at the very least is morally obliged to enact Standards that will minimize their discomfort and suffering for their short lives. I urge you not to pass this Standard and instead implement Standards to ensure that the bobby calves obvious needs are addressed and that they are treated as humanely as possible.

Followed by a final sentence for example:

- I am writing this Submission as a response to the outrage and heartache that I felt, and believe that many Australians would feel, if they were aware of the very unethical practice of bringing bobby calves into this world in the first place.
- We are not asking for the Australian Dairy Industry to stop milk production. Clearly, that would be a ridiculous request. All we are asking is that these calves are treated as humanely as possible for the short time that they are alive.

## APPENDIX 4 - BOBBY CALF TIME OFF FEED –FINAL POST-CONSULTATION REVISIONS SUGGESTED BY OFFICE OF BEST PRACTICE REGULATION

**TABLE A4.1:** LIST OF CHANGES MADE TO CONSULTATION RIS IN RESPONSE TO OBPR REQUEST.

<b>Current Part of RIS</b>	<b>Nature of change</b>
Tables	Renumbering as appropriate following deletions
Summary	Simplify, remove repetition but include public consultation summary.
Part 1.1,	Deletions of low value text to simplify report
Part 1.3.2	List of changes to the RIS made in response to public submissions changed to Table A3.1
Part 2.3	Deletions of low value text in relation to ‘public good’
Part 3	Deletions of low value text to simplify report. Reference to public consultation submissions as appropriate
Part 4.3.	Delete duplication on lack of feasibility of feeding during transport
Part 4.3.1	Explanation of TOF calculation clarified
Part 4.4.2	Multi-criteria analysis section deleted as no longer used in this RIS
Part 5.2	Deleted original 5.2 as covered by Part 1.2.3.2. Deletions of low value text in remainder of text to simplify report
Conclusion (Part 7)	Include public consultation summary. Deletions of low value text to simplify report