

TORONTO PIG SAVE PIG TRANSPORTATION OBSERVATION SHEET

Fill in the table below at the start and end of the vigil.

Today's date:	Start time: End time:	Name of observer(s):
Temp start: Temp end:	Humidity:	Wind speed:

Complete the table below for each truck that stops at Strachan and Lake Shore.

Time:		Location: Strachan Ave and Lake Shore Blvd	
Ambient Temp:	Temp at pig's skin:	Temp near truck floor:	
Trucking Company:			
Licence # Front:		Licence # Back:	Check
Crowding causing injury or suffering (HoA s.140).			
Animals unable to stand in their natural position (HoA s.142(a)).			
Inadequate drainage provisions or absorption material for urine (HoA s.142(b)).			
Inadequate provision of bedding material, straw or wood shavings (HoA s.143(2)(b)).			
Inadequate provision of sand or secure footholds . (HoA s.143(2)(a)).			
Injury or suffering caused by undue exposure to weather (HoA s.143(1)(d-e)).			
Injury or suffering caused by inadequate ventilation (HoA s.143(1)(d-e)).			
Heat stress: Pigs making loud, deep, gasping sounds on hot days (CoP, p. 31-32).			
Heart failure: collapsed pig, rapid breathing, ears and snout turn blue .			
Porcine stress syndrome - Pigs with red blotches on skin, collapsed , or rigid limbs . (CoP, p.32)			
Animals that appear to be ill, diseased, injured, infirm or pregnant (HoA s.138, MI s.63(2)).			
Injury or suffering caused by the transportation vehicle. Look for angles, bolts, lack of padding, insecure fittings. (HoA s.143(1)(a-c))			
Notes:			

HoA: Health of Animal Regulations

MI: Meat Inspection Regulations

COP: Code of Practice for pigs

Observers' Initials: _____

Page: _____

TORONTO PIG SAVE PIG TRANSPORTATION OBSERVATION SHEET			
Time:		Location: Strachan Ave and Lake Shore Blvd	
Ambient Temp:	Temp at pig's skin:	Temp near truck floor:	
Trucking Company:			
Licence # Front:		Licence # Back:	
			Check
Crowding causing injury or suffering (HoA s.140).			
Animals unable to stand in their natural position (HoA s.142(a)).			
Inadequate drainage provisions or absorption material for urine (HoA s.142(b)).			
Inadequate provision of bedding material, straw or wood shavings (HoA s.143(2)(b)).			
Inadequate provision of sand or secure footholds . (HoA s.143(2)(a)).			
Injury or suffering caused by undue exposure to weather (HoA s.143(1)(d-e)).			
Injury or suffering caused by inadequate ventilation (HoA s.143(1)(d-e)).			
Heat stress: Pigs making loud, deep, gasping sounds on hot days (CoP, p. 31-32).			
Heart failure: collapsed pig, rapid breathing, ears and snout turn blue .			
Porcine stress syndrome - Pigs with red blotches on skin, collapsed , or rigid limbs . (CoP, p.32)			
Animals that appear to be ill, diseased, injured, infirm or pregnant (HoA s.138, MI s.63(2)).			
Injury or suffering caused by the transportation vehicle. Look for angles, bolts, lack of padding, insecure fittings. (HoA s.143(1)(a-c))			
Notes:			

HoA: Health of Animal Regulations

MI: Meat Inspection Regulations

COP: Code of Practice for pigs

Observers' Initials: _____

Page: _____

TORONTO PIG SAVE PIG UNLOADING & HANDLING OBSERVATION SHEET

Today's date:	Start time: End time:	Name of observer(s):
Start temp: End temp:	Humidity:	Wind speed:

Time:		Location: 677 Wellington St. West	
Ambient Temp:	Temp at pig's skin:	Temp near truck floor:	
Trucking Company:			
Licence # Front:		Licence # Back:	
			Check
Handling animals in a manner that causes avoidable distress or pain (MI s.62(1)).			
Goat or electrical prod applied to the anal, genital or facial region (MI s.62(2)).			
High-voltage electric prods used and lying down pigs prodded (CoP, p.33)			
Beating while unloading (HoA s.139(1), COP, p.33)			
Injury or suffering caused by unloading (HoA s.139(2)).			
Kicking or walking on top of jammed pigs (CoP, p. 30).			
Whipping of pigs, or use of an sharp device which causes injury or bruising (CoP, p. 33).			
In the case of pigs lying down appearing distressed, or suffering from heat stress, heart failure, or PSS, handlers do not cool down and mist pigs, do not attend to pig, do not separate pig and leave it to rest, and/or prod it (CoP, p. 32).			
Unloading ramp greater than 45 degrees slope (HoA s.139(3)).			
Unloading ramp causing injury or suffering (HoA s.139(3)).			
Animals falling off the ramp (HoA s.139(4)).			
Gap between ramp and transport vehicle (HoA s.139(5)).			
Unloading ramp inadequate for safely unloading (HoA s.139(6)).			
Notes:			

HoA: Health of Animal Regulations

MI: Meat Inspection Regulations

COP: Code of Practice for piggs

Observers' Initials: _____

Page: _____

TORONTO PIG SAVE PIG HOLDING & SLAUGHTER OBSERVATION SHEET

Today's date:	Start time: End time:	Name of observer(s):
Start temp: End temp:	Humidity:	Wind speed:

Holding pens and slaughter		
Time:	Location: 677 Wellington St. West	Temp:
Holding pens while awaiting slaughter		Check
Overcrowding in holding pens (MI s.64).		
Inadequate ventilation in holding pens (MI s.64)		
No access to potable water in holding pen (MI s.65)		
No access to food in holding pen when waiting > 24 hours (MI s.65)		
Slaughtering		
Animal is conscious while being bled. (MI s.79)		Check
Slaughterer is incompetent or unable to use restraining and slaughtering equipment without causing avoidable distress or pain to animal. (MI s.80(a)).		
Equipment or instrument condition or manner of use thereof causes avoidable distress or pain. (MI s.80(b))		
Notes:		

HoA: Health of Animal Regulations

MI: Meat Inspection Regulations

COP: Code of Practice for pigs

Observers' Initials: _____

Page: _____

Notes on legislation

This report was kindly prepared by Kaitlyn Mitchell and her assistant Natalie.

This document contains legal information. It does not contain legal advice. It aims to set out some laws dealing with the transport and slaughter of farm animals in Ontario, but is by no means meant to be an exhaustive summary of such laws or their application.

Federal Statute: Extracts from Part XII of the *Health of Animals Regulations (HoA)*

Source: <http://www.canlii.ca/en/ca/laws/regu/crc-c-296/latest/crc-c-296.html>

Sick, Pregnant and Unfit animals
138. (2) Subject to subsection (3), no person shall load or cause to be loaded on any railway car, motor vehicle, aircraft or vessel and no one shall transport or cause to be transported an animal
(a) that by reason of infirmity, illness, injury, fatigue or any other cause cannot be transported without undue suffering during the expected journey;
(b) that has not been fed and watered within five hours before being loaded, if the expected duration of the animal's confinement is longer than 24 hours from the time of loading; or
(c) if it is probable that the animal will give birth during the journey.
Loading and Unloading Equipment (Unloading)
139(1) No person shall <u>beat</u> an animal being loaded or unloaded in a way likely to cause injury or undue suffering to it.
139(2) No person shall load or unload, or cause to be loaded or unloaded, an animal in a way likely to cause <u>injury</u> or <u>undue suffering</u> to it.
139(3) Every ramp, gangway, chute, box or other apparatus used by a carrier in loading or unloading animals shall be so maintained and used as <u>not to cause injury or undue suffering</u> to animals and where livestock is loaded or unloaded by a ramp, gangway, chute or other apparatus, the slope shall not be greater than <u>45 degrees</u> .
139(4) Every ramp and gangway used by a carrier in loading or unloading animals shall have sides of sufficient strength and height to prevent animals from falling off the ramp or gangway.
139(5) Every ramp used by a carrier in loading or unloading animals shall be so placed that <u>no unprotected gap</u> exists between the ramp or either side thereof and the railway car, motor vehicle, vessel or aircraft.
139(6) Subject to subsection (7), every motor vehicle and aircraft in which livestock is transported shall be provided by the carrier with a loading gate or chute that is
a) fitted with safe and secure <u>footholds</u> ; and
b) suitable for the loading and unloading of live stock.
Prohibition of Overcrowding (loading and transport)
140.(1) No person shall load or cause to be loaded any animal in any railway car, motor vehicle, aircraft, vessel, crate or container if, by so loading, that railway car, moto vehicle, aircraft, vessel, crate or container <u>is crowded to such an extent as to be likely to cause injury or undue suffering</u> to any animal therein.
140(2) No personal shall transport or cause to be transported any animal in any railway car, motor vehicle, aircraft, vessel, crate or container that <u>is crowded to such an extent as to be likely to cause injury or undue suffering</u> to any animal there in.

Segregation (transport vehicle)
142. No person shall transport or cause to be transported animals in a railway car, motor vehicle, aircraft or vessel unless a) each animal is able to stand in its natural position without coming into contact with a deck or roof; and 142(b) provision is made for the <u>drainage or absorption of urine</u> from all decks or levels.
Protection of Animals from Injury or Sickness (provisions for the transport vehicle)
143.(1) No person shall transport or cause to be transported any animal in a rail car, motor vehicle, aircraft, vessel, crate or container if <u>injury or undue suffering</u> is likely to be caused to the animal by reason of
a) <u>inadequate construction</u> of the railway car, motor vehicle, aircraft, vessel, container or any part thereof;
b) <u>insecure fittings, the presence of bolt-heads, angles or other projections</u> ;
c) the fittings or other parts of the railway car, motor vehicle, aircraft, vessel or container being <u>inadequately padded, fenced off or otherwise obstructed</u> ;
d)
e) <u>undue exposure to the weather</u> ; or
f) <u>inadequate ventilation</u> .
143.(2) Subject to subsection (3), every railway car, motor vehicle, aircraft or vessel used to transport live stock shall be
a) <u>strewn with sand</u> or fitted with <u>safe and secure footholds</u> for the livestock;
b) <u>littered with straw, wood shavings or other bedding material</u> .
143.(3) Where livestock is expected to be confined in a railway car, motor vehicle or aircraft for <u>not more than 12 hours</u> , the railway car, motor vehicle or aircraft need only meet the requirements of paragraph (2)(a) or (b).

Health of Animals Act at <http://www.canlii.org/en/ca/laws/stat/sc-1990-c-21/latest/sc-1990-c-21.html>

What to do if the Health of Animals regulations are violated?

The Canadian Food Investigation Agency (CFIA) is responsible for enforcement of the *Health of Animals Regulations* and should be contacted if there has been any violation of the provisions. Section 65 of the *Health of Animals Act* sets out the general offence:

(1) Every person who contravenes any provision of this Act, other than section 15, or the regulations or who refuses or neglects to perform any duty imposed by or under the Act or the regulations is guilty of

(a) an offence punishable on summary conviction and liable to a fine not exceeding fifty thousand dollars or to imprisonment for a term not exceeding six months, or to both;

(b) an indictable offence and liable to a fine not exceeding two hundred and fifty thousand dollars or to imprisonment not exceeding two years, or to both.

In this regard, the CFIA's website states as follows:

“Incidents pertaining to loading, unloading and transportation of animals, such as rough handling, inadequate weather protection, or overcrowding, should be reported to the nearest Canadian Food Inspection Agency office as soon as possible to enable an inspector to follow up on the complaint and gather facts regarding the incident. “

The phone number for the CFIA's Toronto office is 416-665-5055. The CFIA can also be reached at 1-800-442-2342.

Alternatively, a private prosecution may be commenced. If there are reasonable grounds to believe that a slaughterhouse facility or a separate trucking company has committed an offence under the regulations, a citizen may lay an information in writing and under oath before a Justice of the Peace. For further information on bringing a private prosecution under the *Health of Animals Act*, see the Lawyers for Animal Welfare’s “Guide to Private Prosecution of Animal Welfare Offences under the Federal Health of Animals Act”

(<http://www.lawyersforanimalwelfare.com/app/webroot/files/LAW%20Guide%2002%20Private%20Prosecution%20of%20Animal%20Welfare%20Offences%20under%20the%20Health%20of%20Animals%20Act%20100820.pdf>).

Federal Statute: Extracts from Criminal Code

Source: <http://www.canlii.org/en/ca/laws/stat/rsc-1985-c-c-46/latest/rsc-1985-c-c-46.htm>

Causing unnecessary suffering
445.1 (1) Every one commits an offence who
(a) wilfully causes or, being the owner, wilfully permits to be caused unnecessary pain, suffering or injury to an animal or a bird;
Under section 446(1) of the <i>Canadian Criminal Code</i> a person commits an offence if he/she: (a) by wilful neglect causes damage or injury to animals or birds while they are being driven or conveyed.

Canadian courts have generally interpreted 445.1 (1) in a somewhat restrictive manner such that the key to the offence is the court's determination as to the "necessity" of the pain caused to the animal. Here, general industry practice may be a factor taken into consideration in a court's determination as to whether suffering caused was "unnecessary" and thus illegal.

Federal Statute: Extracts from Meat Inspection Regulations (MI)

Source: <http://www.canlii.ca/en/ca/laws/regu/sor-90-288/latest/sor-90-288.html>

Handling
62. (1) No food animal shall be handled in a manner that subjects the animal to avoidable distress or avoidable pain.
62. (2) No goad or electrical prod shall be applied to the anal, genital or facial region of a food animal.
Penning
63. (1) Different species of food animals shall be kept separate from each other.
63. (2) Every food animal that is obviously diseased or injured shall immediately be segregated from apparently healthy food animals.
63. (3) Every food animal that is a potential danger to other food animals shall immediately be segregated from those other food animals.
64. Every holding pen that is used for food animals awaiting slaughter shall be provided with adequate ventilation and shall not be used in a manner that results in their overcrowding.
65. Every food animal in a holding pen awaiting slaughter shall be provided with access to potable water and shall, if held for more than 24 hours, be provided with feed.
79. Every food animal that is slaughtered shall, before being bled,
79. (a) be rendered unconscious in a manner that ensures that it does not regain consciousness before death, by one of the following methods:
79. (a) (i) by delivering a blow to the head by means of a penetrating or non-penetrating mechanical device in a manner that causes immediate loss of consciousness,
(ii) by exposure to a gas or a gas mixture in a manner that causes a rapid loss of consciousness, or
(iii) by the application of an electrical current in a manner that causes immediate loss of consciousness; or
79. (b) be killed by one of the methods set out in paragraph (a) or, in the case of a bird or a domesticated rabbit, by rapid decapitation.
80. No equipment or instrument for restraining, slaughtering or rendering unconscious any food animal shall be used by any person for those purposes
80. (a) unless the person is, by reason of the person's competence and physical condition, able to do so without subjecting the animal to avoidable distress or avoidable pain; or
80. (b) where the condition of the equipment or instrument or the manner in which or the circumstances under which the equipment or instrument is used might subject the animal to avoidable distress or avoidable pain

Meat Inspection Act: <http://www.canlii.ca/en/ca/laws/stat/rsc-1985-c-25-1st-suppl/latest/rsc-1985-c-25-1st-suppl.html>)

Provincial Statute: Ontario Society for the Prevention of Cruelty Animals Act

Source: <http://www.canlii.ca/en/on/laws/regu/o-reg-62-09/latest/o-reg-62-09.html>

11.(2)(1) The *Ontario Society for the Prevention of Cruelty to Animals Act* makes it an offence for any person to cause an animal to be in distress

11.(2)(2) and for an owner or custodian of an animal to permit an animal to be in distress.

1.(1) "Distress" means being in "need of proper care, water, food or shelter or being injured, sick or in pain or suffering or being abused or subject to undue or unnecessary hardship, privation or neglect."

The following exceptions, however, apply and thus act as defences:

11.(8)(c) an activity carried on in accordance with reasonable and generally accepted practices of agricultural animal care, management or husbandry; or

11.(8)(d) a prescribed class of animals or animals living in prescribed circumstances or conditions, or prescribed activities.

In Ontario, violations of laws against animal abuse can be reported to the Ontario SPCA at 1-888-668-7722, Crime Stoppers at 1-800-222-TIPS (8477), a local Ontario SPCA Branch, affiliated Humane Society or police.

Recommended Codes of Practice: Recommended code of practice for the care and handling of farm animals (COP)

Source: <http://www.nfacc.ca/pdfs/codes/Pigs%20Code%20of%20Practice.pdf>

The code provides recommendations including the following:

Handling and transportation
p.30) Handlers must not walk on top of, or kick, pigs.
p.31-32) Stress and excitement can lead to 3 common and important health concerns: <ul style="list-style-type: none">• heat stress: body temperature rises to an uncontrollable level. A pig that is in distress <u>makes loud, deep, gasping sounds</u>. Act quickly to cool over-heated pigs or it will die. Move the pig to a cooler environment and wet it down with a fine spray of cold water. Do not pour cold water on pigs because they will die from shock.• heart failure: can occur in pigs moving up ramps, or following strenuous exercise associated with mixing and handling. Signs include: <u>pig collapses; its breathing is rapid; the ears and snout turn blue</u>. Animals require immediate attention. Separate it from the other pigs and allow it to rest. Any prodding or additional stress is likely to put further strain on the pig's heart and lead to its death.• porcine stress syndrome (PSS): inherited disorder where pigs are extremely sensitive to stress and must be handled with exceptional care. When PSS pigs are stressed their body temperature suddenly rises, their skin develops red blotches, they collapse, and their limbs become rigid. Treatment must begin immediately by cooling the heat-stressed pig as described earlier. If a pig lies down while being handled and appears distressed, let it rest and recover without prodding. Repeated prodding may result in heart failure and death.
p.32 - 33) A handler must "Never use a whip on the pigs". "Never use high-voltage prods on pigs. If a pig lies down when prodded, do not continue prodding, let the animal calm down." "Prods must not be used in the genital, anal or facial areas." "Use of any device, such as a cane, pipe, tattoo machine, or sharp instrument, that may cause injury or bruising is not acceptable."
Continue page 34.
The crowding of pigs in a way that causes injury or suffering should be avoided (they should be able to stand in their natural position without touching each other).
As pigs have a low tolerance for hot temperature and high humidity, ensure maximum air flow through the vehicle. Cool pigs by use of water on the floor of pens or use of fine mist spray.
Reduce loading density by about 10% if the temperature is above 16 degrees Celsius and by up to 25% if the day is extremely hot and humid.
If an unavoidable delay occurs, run water on the floor, look for a shaded area or drive the truck around slowly until you can unload the pigs.

Section III deals with Processors, and slaughtering is specifically dealt with at page 43. Among other things, the Code of Practice states that prior to slaughter pigs must be rendered unconscious by "an approved humane method."

Nationally developed codes of practice for the care and handling of livestock act as guides to farmers and those responsible for transporting farm animals. Though not binding, there are Recommended Codes of Practice for the Care and Handling of Livestock. These nationally developed codes contain guidelines to farmers and those in the food sector to assist with sound animal care. In the *R v Outlook Pork Ltd* case mentioned above, the Manitoba

Provincial Court referred to the code of practice for the care and handling of pigs numerous times, weighing what is recommended in the code against the testimonies of the witnesses.

The recommended code of practice specifically for pigs (<http://www.nfacc.ca/pdfs/codes/Pigs%20Code%20of%20Practice.pdf>) is currently being revised. Section II deals with the handling of pigs during transportation.