



Ia Ara Aotearoa Transporting New Zealand

submission to

Ministry of Primary Industries

on the

**Proposed code of welfare for dairy cattle and
associated regulations**

**National Animal Welfare Advisory Committee
Discussion Paper
MPI Discussion Paper 2022/04**

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Ia Ara Aotearoa Transporting New Zealand / National Livestock Transport and Safety Group (NLTSG) submission to the Ministry of Primary Industries (MPI) on the Proposed Code of welfare for dairy cattle and associated regulations as detailed in the National Animal Welfare Advisory Committee Discussion Paper, MPI Discussion Paper 2022/04

1. Representation

- 1.1 Ia Ara Aotearoa Transporting New Zealand (Transporting New Zealand) is made up of several regional trucking associations for which Transporting New Zealand provides unified national representation. It is the peak body and authoritative voice of New Zealand's road freight transport industry which employs 32,868 people (1.2% of the workforce), and has a gross annual turnover in the order of \$6 billion. This is part of a wider transport sector that employs 108,000 people, or 4 percent of the country's workforce and contributes 4.8 percent of New Zealand's GDP¹.
- 1.2 Transporting New Zealand provide policy and secretariat support to the National Livestock Transport and Safety Group (NLTSG) and it has therefore prepared this submission on behalf of the NLTSG.

2. Introduction

- 2.1 The core membership of NLTSG comprises livestock transport operators with geographical representation across the North and South Islands. The purpose of NLTSG is to promote the safety and wellbeing of people, animal wellbeing and the economic sustainability of livestock transport.
- 2.2 NLTSG notes the National Animal Welfare Advisory Committee Discussion Paper (Discussion Paper) is supported by two substantial reports, namely the NAWAC dairy cattle code review evaluation report and the NAWAC proposed Code of Welfare for Dairy Cattle. Unless stated otherwise the specific document and question references referred in this submission relate to the Discussion Paper
- 2.3 NLTSG is mindful there are a myriad of complex issues and multiple parties that impact and influence animal welfare. Transport is a small but critical part of the farm to processor supply chain. The focus of this submission is generally related to transport issues as this is where NLTSG's predominant expertise lies.
- 2.4 NLTSG is grateful and appreciative of the work and effort NAWAC have invested in this proposal and it is pleased to provide this submission on the Discussion Paper.

¹ [Transport factsheet \(mbie.govt.nz\)](https://mbie.govt.nz)

3. Context and general comments

- 3.1 Managing animal welfare is complex issue. As MPI's supporting documents refer: *"Even cows that appear fit and healthy or show only mild symptoms before the journey may experience welfare compromise due to their vulnerable physiological status. In extreme cases, animals may give birth, become recumbent or die during or after transport" and "Transportation can represent a significant challenge for end-of-life animals. As highlighted by Cockram (2021), some animals may have underlying pathology that may not be apparent before loading as the animals do not show any obvious clinical signs of disease or injury and as a result will be more susceptible to injury during transport because they are weak or diseased (Dahl-Pedersen et al., 2018)".*
- 3.2 In May 2021 a livestock transport workshop was held and included participation by industry regulators, Waka Kotahi NZ Transport Agency, WorkSafe and MPI. One of the concluding insights was that many of the issues, which included risk to animal welfare, are significantly impacted by the business practices of farmers, livestock agents and meat processing plants.
- 3.3 Following that workshop Waka Kotahi established the Livestock Supply Chain Rōpū Charter and its inaugural meeting will take place in August 2022. This is important context because in NLTSG's view it clearly demonstrates the complexity of managing animal welfare and the importance of chain of responsibility. Our expectation is a sector wide approach, with continued education and targeted enforcement may be more effective than simply converting codes to regulation or making adjustments to prescriptive limits.
- 3.4 In the areas of its focus, it appears to NLTSG that NAWAC's proposed approach is predominantly based around changing some requirements from a code to regulation and using prescriptive limits, such as standing hours off feed or maximum hours of transport, to make some improvement. NLTSG believe this approach is far too simplistic and does not reflect the level of complexity necessary to make a real difference.
- 3.5 From the perspective of good quality fundamental policy development we have four major concerns with NAWAC's approach:
- We do not believe the problem has been well identified, quantified and contextualized. It appears from the MPI support documents that recumbency occurs with 700 – 1000² cows a year which we understand is a recumbency rate equivalent to approximately 0.1 percent. We do not know how the current rate compares globally and there does not appear to be any analysis or indication on the expected impact of NAWAC's proposed changes on the recumbency rate.
 - It appears NAWAC have a desire to simply follow the regulatory approach taken by the European Union (EU). Given the significant differences in farming and processing practices between New Zealand and the EU, and as mentioned above, given the complex nature and wide range of contributing factors in managing animal welfare, we do not condone NAWAC's simplistic approach of following overseas practice.

² [NAWAC Dairy Code Evaluation Report 2022 \(mpi.govt.nz\)](#) page 54, Wild 2012 and Clatworthy 2021

- We would prefer MPI takes a more outcomes-based approach with the welfare of animals. For example, the prescriptive approach taken with the proposal to ban livestock being transported over Cook Strait does not take into consideration that fact that if managed properly, as is being done in many cases now, and animals are rested before the crossing, then the quality of the animals' welfare is no different to that of animals on many road trips.
- NAWAC appear somewhat disconnected from reality. For example, the proposal that journey length be limited to eight hours does not appear to recognise that it is not unusual industry practice for multiple pick-up runs to include four or five hours filling the transporter before it heads to the processing plant which may be seven or eight hours away. The multiple pick-up approach has macro-fleet utilisation and logistics benefits therefore new travel restrictions would have significant impacts on transport cost and likely adversely impact supply chain resilience given more fleet and driver resource would be required. Bearing in mind the move of processing plants to more centralised logistics planning and scheduling, with the likes of Market2X, we see this trend of multiple pick-ups increasing.

- 3.6 As NAWAC acknowledges in its supporting documentation, in terms of a rule management hierarchy, the benefit of using regulation compared to codes is that penalties and offences become easier to apply with the former. NLTSG is very concerned that, as we have seen with backrub, the issue of transport operators being penalised for matters that are often largely outside their control will be exacerbated.
- 3.7 NLTSG does not believe there has been sufficient consideration or analysis completed to support NAWAC's view that despite a concerted education programme by MPI and the Farm to Processor Animal Welfare Forum, recumbency has not reduced over the years². NLTSG contend that before dismissing a non-punitive approach NAWAC should give those closest to managing the risk the opportunity to lead those change programmes rather than Government leading them. NLTSG welcome further discussion with NAWAC in this regard.
- 3.8 NLTSG's view is that before any more regulatory change is made there needs to be a much better understanding of the size of the problem and the underlying issues. To proceed with NAWAC's current proposal presents significant risk of the perverse outcome that the actual underlying issues are not remedied and the welfare of animals deteriorates.

4. Feedback on section 3.2.10 of the Discussion Paper, Pre-transport Selection and Preparation

- 4.1 We agree animals need to be adequately prepared and fit when being selected for transport in order to withstand the journey without suffering unreasonable or unnecessary pain or distress. It is an important factor in animal welfare and one we have little control over yet we are exposed to suffering the consequence if it is not well managed by those respective parties.

- 4.2 Question 31: Do you support the proposed standard relating to time limits for holding dairy cattle off green feed prior to transport? Why / why not?

NLTSG do not support the standard because the way it is drafted, "*Dairy cattle must not be held off green feed for more than 6 hours prior to transport*" means cattle could potentially feed up until loading, and in our experience cattle do not travel well when their stomachs are full.

- 4.3 Question 32: Do you support the proposed standard on provision of water and roughage until the point of loading? Why / why not?

For similar reasons to above, we do not support the proposed standard. In our opinion only water should be available if the animals are going to be waiting in yards for a significant period. We do not have the subject matter expertise to determine what limits may need to apply and recommend MPI refer to animal science experts to make determinations in that regard.

- 4.4 Question 33: Do you support the proposed standard on mineral supplementation? Why / why not?

Yes, we support this. Our experience is that mineral supplementation is beneficial and does not have significant adverse effects.

- 4.5 Question 34: Do you support the proposed standard on milking and the recommended best practice on dry-off prior to transport? Why / why not?

We agree in principle with the intent of the proposal, that lactating cows transported to saleyards or slaughter must be milked as close to transport as possible. However, from a compliance perspective we see this being problematic. Truck drivers do not have the expertise to determine compliance and nor do we want them to need that capability. If non-compliance has occurred, how is the liable party determined? There are also operational issues to consider, for example, a cow could be milked out before transport to a sale but which party is responsible for milking it after it has been at a saleyard all day?

- 4.6 Question 35: Is there a different approach to pre-transport selection and preparation that could be considered? Please provide your reasoning and any information or evidence that this different approach would meet the minimum requirements of the Act.

As referred above, there are a range of issues and there is no silver bullet however, NLTSG believe that if there was a requirement that transporters be given at least 48 hours notice prior to animals needing transport, this would be beneficial to changing behaviours and allow for better planning and preparation by all parties, farmers, transporters, saleyards and processing plants.

5. Feedback on section 3.4.7 of the Discussion Paper, End-of-life cow transport

- 5.1 Question 62: Do you agree with the regulation recommendation that end-of-life cattle to be transported to slaughter or saleyards must be adequately prepared for the intended journey as outlined above? Why / why not?

We do not agree and the more explicit reasons relating to the proposed respective requirements are covered in the questions below. NLTSG is mindful that there is a range of reasons that an animal may be reaching end-of-life, for example, a farmer might cull a young animal because it is not in calf, or an animal could be culled because it has reached old age. Regardless of the requirements, we believe that the condition and welfare of the animal are the important factors. We do not believe there is strong justification for differentiating and applying a different standard to end-of-life animals.

- 5.2 Question 63: Do you agree that such a regulation should come into force without a transition period? Why / why not?

We do not support a change therefore no transition would be required.

- 5.3 Question 64: Do you agree with the regulation recommendation for an 8-hour transport limit for end-of-life dairy cattle? Why / why not?

NLTSG do not agree with the 8-hour transport limit. We do not support NAWAC's approach of applying a limit based on its precedence in Europe. Our roading network and the density of our industry largely determine the travel times. Furthermore, it is not unusual practice with multiple pick-up runs that four or five hours can be spent filling the transporter before it heads to the processing plant which may be seven or eight hours away. The multiple pick-up approach has macro-fleet utilisation and logistics benefits therefore such a change would have significant impacts on transport cost and likely adversely impact supply chain resilience as more fleet and driver resource would be required. Bearing in mind the move of processing plants to more centralised logistics planning and scheduling, with the likes of Market2X, we see this trend increasing.

- 5.4 Question 65: What do you consider an appropriate transition period for such a regulation, if any?

We do not support a change therefore no transition would be required.

- 5.5 Question 66: Do you agree with the regulation recommendation for a limit to lairage time (i.e. slaughter within 24 hours of last milking on farm)? Why / why not.?

We agree with the intent however, the varied nature of our operating environment makes this problematic. For example, at times when plants are full or livestock has to travel relatively large distances this maximum time becomes challenging. Similarly, meeting the scheduled processing plant delivery times is much more difficult when loads are collected from multiple sites. Notwithstanding, the suggestion regarding a 48-hour lead time, as we raised in 4.6, could alleviate some of these problems.

- 5.6 Question 67: Do you agree that such a regulation should come into force without a transition period? Why / why not?

We do not support a change therefore no transition would be required.

- 5.7 Question 68: Do you agree with the regulation recommendation to restrict the transport of lactating end-of-life cattle across the Cook Strait? Why / why not?

No, NLTSG does not agree transport across the Strait should be restricted. Under normal conditions, and bearing in mind that the ferries will not cross Cook Strait if weather and sea conditions are unsuitable, the journey across the water should not cause the animals any more distress than travelling on the road. In fact, there will be many road journeys where the road geometry and terrain is relatively more demanding than crossing Cook Strait and consequently the level of discomfort to the animals is likely higher on the road than travelling between the islands.

NLTSG is concerned that the proposed ban is another demonstration of NAWAC's desire to impose simplistic rules rather than properly consider the animals welfare. We urge NAWAC to take a more outcomes-based approach and not lose sight of the welfare of the animals. If managed properly, as is being done in many cases now, with animals being rested before the crossing, then the quality of the animals' welfare is no different to that of many animals travelling on the road.

The current practice of transporting animals across the Strait is a basic origin destination logistics response. The origin location of the animals and the availability and capacity of the processing plants currently drives the need for animals to cross the Strait. If a Government policy intervention, such as a ban on Strait crossings, is introduced then it is likely that will lead to perverse outcomes with animals travelling much further on road routes more demanding and stressful on the animals than a sea crossing.

The processing plant at Ngauranga Wellington is located five and seven kilometres from the Interislander and Bluebridge ferry terminals respectively. That plant processes approximately 15,000 South Island animals each year. Given the demand seasonality, there would have to be a quantum increase in demand to justify another processing plant being built in the upper South Island. If Strait crossings are stopped then there will undoubtedly be adverse economic consequences to the existing plant, and even if another plant is built, there will unavoidably be a period of time when multiple plants are operating under-utilised with consequential adverse economic impacts.

Alternatively, if animals have to remain in the South Island until there is available capacity at the current processing plant, which will be in Winter, it is likely their body condition and welfare will suffer and in addition this will create a Winter grazing issue.

- 5.8 Question 69: What do you consider an appropriate transition period for such a regulation, if any?

We do not support a change therefore no transition would be required.

- 5.9 Question 70: Are there any exemptions or defences that should apply to prevent worse welfare outcomes?

NLTSG believe a well-designed set of rules or requirements that puts animal welfare as its main priority would not require exemptions.

- 5.10 Question 71: Do you agree with the regulation recommendation to restrict transport of lactating end-of-life cattle to slaughter via saleyards? Why / why not?

We do not agree with this regulation recommendation because we see compliance being problematic. For example, how would it be determined that a buyer at a saleyards is intending to slaughter the animal or farm it?

6. Summary

- 6.1 Given a significant part of NLTSG's purpose is to promote animal wellbeing, we agree and support NAWAC's underlying intention to manage animal welfare.
- 6.2 However, in the two areas impacting transport operators, as sections 4 and 5 above refer, NLTSG do not believe there has been sufficiently rigorous policy development to date to justify the proposed changes and as a consequence, with the exception of the proposal regarding mineral supplementation, we do not support the proposed changes.

END