



# Ontario's Future Animal Protection Act

Agriculture Organizations Offer Joint Recommendations.

Ontario's livestock commodity groups, accredited farm organizations, and Farm & Food Care Ontario are working together to help develop the next generation of animal protection legislation to ensure a sustainable, credible and effective animal protection system going forward. Together, 15 farm organizations, including the CFFO, have committed to working with all members of the livestock industry, agencies and the Ontario government to ensure cooperation and transparency between all parties as a solution takes shape in Ontario. The livestock commodity groups and agriculture organizations presented our vision for a new Animal Protection Act at a consultation meeting with the Solicitor General's office on April 29.

The following guiding principles and recommendations summarized our collective approach and submission to government on this important issue.

## Guiding Principles

1. Farmers and farm organizations are committed to the humane treatment of all animals (livestock, poultry, equine, domestic pets and wildlife) and uphold high standards of care in alignment with accepted codes of practice and normal farming activities.
2. Animal protection enforcement should be the responsibility of the public sector. New animal protection legislation in Ontario must be effective and practical, and ensure the future enforcement Agent is transparent and accountable, with government oversight.

**The future enforcement Agent must be informed about normal farming practices and general farming activities.**

3. The Agent should be independent of any private agency or charity, accountable to the Legislature through mandatory annual reporting of animal protection activities and the training and qualifications of enforcement staff, and should be subject to the Ombudsman and to Freedom of Information requests and/or police oversight.
4. Rules for gathering evidence and case reporting must be clear in the new Animal Protection Act, and clear, concise orders must be left with animal owners in the instance of an investigation.
5. Officers working for the enforcement Agent must be informed about normal farming practices and general farming activities. Training must include animal care procedures, animal husbandry and humane euthanasia methods.
6. The current Animal Care Review Board should be expanded to include a pool of qualified individuals with expertise in all types of farm animals, including veterinarians, farmers and farm organization representatives.
7. The Agent must have access to the full range of community agencies, services and social resources to assist in animal protection investigations and enforcement.

## Recommendations

Based on a thorough review of Ontario's OSPCA Act, Manitoba's Animal Care Act and Alberta's Animal Protection Act, we recommend that the future Animal Protection Act include eight sections:

1. Definitions
2. Duty of Care
3. Accepted Activities
4. Definition of Distress and Conditions Under Which an Agent Can Enter
5. Power of the Agent
6. Orders
7. Seizure/Housing/Abandonment/Disposal
8. Offences

We further recommend including the following topics, not covered previously in Ontario's OSPCA Act:

### Biosecurity Measures:

The future provincial Animal Protection Act must include provisions requiring mandatory biosecurity training and adherence for Agents in order to minimize the introduction or spread of a bio-hazard or disease.

### Memorandums of Understanding:

Memorandums of Understanding (MOUs) for cooperation between the Agent and commodity groups need to be established and formally recognized. Utilizing the specialized training of commodity group staff/inspectors contributes to better informed inspections and fosters relationships with farmers when inspections are required.

### Mandatory Reporting:

In the new Animal Protection Act, it must be required that the Agent report on animal protection investigations annually. Basic information and statistics on cases filed, orders issued, outcomes, etc., should be made available to the public and the relevant commodity group(s).

### Definition of Farm Animals:

It is important to differentiate between farm animals used in agriculture from other types of animals, such as domestic pets and wildlife, in the new provincial Animal Protection Act. Separating farm animals from other types of animals allows for standards of care for farm animals to be referred to in regulation.

### Ownership of Animals:

Under the Criminal Code of Canada and the current OSPCA Act, animals are considered the property of their owners or caregivers, who have a legal obligation to provide duties of care. Considering animals as property allows for prosecution of the owner/caregiver when the duties of care are not provided.

### Review of the Act:

To ensure the new provincial Animal Protection Act is effective, we recommend a comprehensive review of the Act within two (2) years of when the Act comes into force. Periodic reviews of the Act every five (5) years after the initial review should be conducted to ensure the Act remains up to date.

**Supported by:** Ontario Federation of Agriculture, Christian Farmers Federation of Ontario, Farm & Food Care Ontario, Beef Farmers of Ontario, Chicken Farmers of Ontario, Dairy Farmers of Ontario, Egg Farmers of Ontario, Ontario Broiler Hatching Egg & Chick Commission, Ontario Equestrian, Ontario Goat, Ontario Fur Breeders Association, Ontario Pork, Ontario Sheep Farmers, Turkey Farmers of Ontario, Veal Farmers of Ontario