ANIMAL JUSTICE
Leading the legal fight for animal protection

April 17, 2024

Standing Committee on Agriculture and Agri-Food
Sixth Floor, 131 Queen Street
House of Commons
Ottawa ON K1A 0A6

Via email

Dear Chair and Committee Members:

Re: Supplementary Brief to Standing Committee on Agriculture and Agri-Food on Bill C-355, the *Prohibition of the Export of Horses by Air for Slaughter Act*

I write on behalf of Animal Justice to supplement our February 23, 2024 brief regarding Bill C-355, in order to address several erroneous statements made to this Committee by witnesses opposed to the Bill.

IATA standards are not being met

In reference to both the Health of Animals Regulations and the International Air Transport Association ("**IATA**") requirements, opponents of Bill C-355 have consistently claimed that Canadian horse exporters not only meet but also "exceed" these standards. This is patently false for several reasons.

First, while the IATA establishes requirements on container size and construction for individual horse shipments, there is a "Canada exception" which allows horses to be shipped in bulk out of Canada in wooden crates such as those used in export for slaughter. It is misleading for opponents of the Bill to suggest that Canada's export industry meets container standards when the only reason they may[1] meet those standards is because they have been granted an exception.

Second, the IATA standards state that "[i]n all cases, the horses…must have been socialized and be compatible in temperament to allow for safe direct physical contact with each other (i.e. unlikely to suffer, sustain an injury or die when transported together)." However, all evidence suggests horses exported for slaughter are not socialized and steps are not taken to ensure they are compatible in temperament. CFIA witnesses suggested the horses are selected for confinement together solely on their

[1] Due to the lack of publicly available information about the size of crates used and the weights of horses contained therein we cannot confirm whether even the "Canada exception" requirements are or are not adhered to. As noted by the Canadian Horse Defense Coalition witness Ms. Crosland, evidence suggests that even these weight requirements may be violated in some cases.

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similarity in size. Industry witnesses have suggested that because the horses originate from the same feedlot, they can be presumed to be compatible. The fact of being similar in size or coming from the same feedlot is not an indicator of compatible temperament as required by the IATA.

A final example of inconsistency with the IATA requirements is that horses' heads and ears are not to "be in constant contact with the roof or netting covering the primary enclosure.**"** Photos of horses shipped for slaughter show that their heads and ears are often touching the netting on the wooden crates. Indeed, Canada's Health of Animals Regulations previously prohibited this practice, but because exporters were so frequently in non-compliance with the Regulations the requirement was removed, thereby allowing horses' ears to touch the netting during shipping.

In our earlier brief we explained that the horse export for slaughter industry is not meeting World Organization for Animal Health ("**OIE**") standards related to sparation of horses, providing food and water, and emergency access. Committee member Mr. Barlow read into the record a statement from the Japanese Embassy suggesting that these shipments adhere to OIE standards but this is false.

28 hour legal limit is regularly exceeded

As noted in our brief and during our presentation to the Committee, the 28 hour legal limit for transporting horses without food, water, and rest is frequently exceeded when horses are shipped from Canada to Japan for slaughter. Some witnesses, including CVMA representative Dr. Lawson, suggested shipments are "well under" the 28 hour legal limit (with Dr. Lawson in particular focusing only on the approximately 13 hour duration of the flight overseas itself rather than the entirety of the journey) but the evidence is clear that this is not the case.

First, the time estimates of the CFIA end when the plane touches down in Japan. One of the industry witnesses, Ms. Woods, stated that it takes approximately two more hours from when the plane touches down to the horses' arrival at the quarantine feedlot, where they are given food and water and an opportunity to rest.

Furthermore, even calculations that end at the moment of landing show that shipments often exceed the 28 hour legal limit. Documents recently obtained via ATIP request show that yet another shipment from Winnipeg, this one on January 22, 2024, went over the legal limit by approximately two hours. When taking into account the additional two hour timespan in Japan before food, water and rest are actually provided, it appears that the 99 horses were in transport for 32 hours. As with prior shipments, it appears that no enforcement action was taken by the CFIA.

No contingency plans for the duration of the horses' journey

Industry witness Ms. Woods indicated that contingency plans are in place for all shipments of horses overseas for slaughter. Though the Health of Animals Regulations require that a contingency plan be in place, Animal Justice's ongoing private prosecution

of a Manitoba horse export company has uncovered that the CFIA is not necessarily given a contingency plan for the entirety of the journey. For example, Carolyle Farms has provided the CFIA with a generic contingency plan for road transport to the airport, but has not provided a plan that covers the entirety of the journey and the company's owner has now publicly admitted that he did not have any written contingency plan for the journey overseas.[2]

Before the Committee, Mr. Serrien, the managing director of Overseas Horse Services, underscored the animal welfare risks associated with any delay in transporting horses by air. Mr. Serrien advised that Calgary and Toronto are the only Canadian airports that have facilities to shelter horses and provide them with food and water in the event of transport delays. Winnipeg and Edmonton, the airports most commonly used for export for slaughter, do not have such facilities.

Live horse export is a significantly smaller industry than domestic slaughter

Some witnesses opposed to the Bill suggested that "nowhere near as much" horse meat is exported from Canada relative to live horses exported for slaughter, and that horses exported for slaughter make up the majority of horses raised for meat in Canada. This is not accurate.

Since 2016, when more than 54,000 horses were slaughtered in Canada, the Government of Canada has refused to release statistics on the number of horses slaughtered domestically in order to protect the confidentiality of the companies involved in our domestic horse slaughter industry. Government of Canada statistics on horse meat exports suggest that the equivalent of approximately 11, 277 horses was exported as meat in 2023.[3] Given that approximately 15% of horses slaughtered in Canada are consumed domestically this suggests that approximately 13,000 horses were slaughtered in Canada in 2023 - more than six times the number who were exported for slaughter.

Impacts on all draft horse breeders in Canada

It has been suggested that Bill C-355 will adversely impact, and even close down, most draft horse breeders in Canada. This is not the case. There are four companies that operate feedlots in Manitoba and Alberta for horses destined for live export to Japan. Though these feedlots breed their own horses for the export industry, they also purchase some horses as weanlings and yearlings from other horse breeders and producers. Data regarding the percentage bred by the feedlots versus purchased from breeders is not publicly available.

Because only a small percentage of draft horses born and raised in Canada are destined for slaughter overseas, the current share of the air export market is small for most of the hundreds of breeders across the country. Since the four feedlot companies noted above

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[2] See: https://www.manitobacooperator.ca/news-opinion/news/animal-rights-group-pursues-charge-against-swan-river-horse-farmer/

[3] In 2016, 54,147 horses were slaughtered representing 10,347 metric tonnes of horse meat. In 2023, 2,155 metric tonnes of horse meat was exported, representing 11,277 horses.

also breed many of their own horses, they purchase fewer than 2,000 horses annually from breeders. If all 347 breeders across the country supplied this industry (they do not), on average, each breeder would sell 4-6 horses per year to these feedlots.

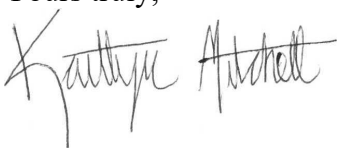
According to an August 30, 2022 article in the Ontario Farmer newspaper entitled "Horses still head to Japan", the main draft horse breeder supplying the export feedlots is Wilson Farms based in Vankleek Hill, Ontario. The owner of Wilson Farms, Kevin Wilson, appeared before the Committee on March 21, 2024 as a representative of the Canadian Equine Exporters Association. This association was formed in August 2023 for the apparent purpose of lobbying against Bills C-355 and S-270.

Another main supplier of horses to the export feedlots is WillJill Farms Inc. located near St. Thomas, Ontario. The owner of WillJill Farms, William Shore, also appeared on March 21, 2024 as a representative of the Canadian Equine Exporters Association. With the feedlots breeding many horses on their own, and these two Ontario companies supplying the bulk of weanlings and yearlings purchased by the exporters, it is clear that Bill C-355 will not adversely affect, much less shutter, the vast majority of draft horse breeders across the country.

Conclusion

In closing, we note that the Canadian public continues to strongly support Bill C-355. New polling by the BC SPCA shows that 68% of Canadians oppose the export of horses for slaughter overseas, with the level of opposition to this practice being highest in Alberta, where 78% oppose the practice. We appreciate that the Committee heard from an anonymous Metis individual who opposes Bill C-355, but note that the BC SPCA polling shows that 71% of Indigenous Canadians support the Bill.

Yours truly,



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About Animal Justice

Animal Justice Canada is Canada's leading national animal law organization. We work to advance legal protections for animals by strengthening animal protection laws at all levels of government, going to court to ensure animals have a voice in legal proceedings, and supporting transparency and increased public awareness about animal protection issues.