



CATTLE COUNCIL OF AUSTRALIA

5 August 2020

Mr Mark Banasiak, MLC
Chair, Portfolio Committee No. 4 – Industry
Legislative Council, Parliament of New South Wales
Macquarie Street
SYDNEY NSW 2000

Dear Mr Banasiak

RE: Prevention of Cruelty to Animals Amendment (Restrictions on Stock Animal Procedures) Bill 2019

Cattle Council of Australia is the peak national body representing the grass-fed cattle sector. The Council was established in July 1979, uniting beef producers from around Australia through their membership of state/territory farmer organisations. The combined membership of these organisations equates to Cattle Council representing the interests of more than 15,000 cattle producers and more than 50 per cent of Australia's beef cattle herd.

Cattle Council acknowledges the *Prevention of Cruelty to Animals Amendment (Restrictions on Stock Animal Procedures) Bill 2019* ("the Bill") as being a matter for the NSW Parliament and industry. Cattle Council also recognises its own responsibility in pressing for national consistency in legislation where desirable and achievable.

Cattle Council holds a strong position of supporting initiatives that lead to improvements in the welfare of cattle throughout Australia. A copy of the Council's Animal Welfare Policy Statement is at **Attachment A**.

The Bill

The primary aim of the Bill is to ban mulesing as a management practice by January 2022. Cattle Council will not be commenting on this aspect.

The additional component of the Bill, "to require the administration of pain relief in certain procedures involving stock animals", is of direct relevance to the cattle industry and obliges Cattle Council to comment from a national perspective.

AAWS and the Animal Welfare Standards and Guidelines

The original Australian Animal Welfare Strategy (AAWS) was endorsed by the then Primary Industries Ministerial Council (PIMC) in 2006. Development of the most recent Strategy—AAWS 2010-14—was managed by the Australian Animal Welfare Advisory Committee with important input from a meeting of approximately 120 stakeholders in July 2010. These stakeholders were drawn from industry, research organisations, community animal welfare organisations, professional associations, and the Australian, state and territory governments. The Committee itself was chaired by Australia's ex Chief Veterinary Officer, Dr Gardner Murray, and comprised members with special expertise in a range of animal-welfare fields, including community-generated policy.

It is important to acknowledge the extent of stakeholder input into the AAWS, particularly as this was the platform from which the Animal Welfare Standards and Guidelines (S&Gs) were developed as a means of replacing the then voluntary codes of conduct for animal welfare.



While recent development of the poultry S&Gs has proved problematic, industry, governments, welfare organisations and academics have worked collaboratively and successfully over the past decade to finalise animal welfare S&Gs for land transport, saleyards and depots, cattle, sheep, goats, and exhibited animals.

The *Animal Welfare Standards and Guidelines—Cattle* (and the equivalent for *Sheep*) were endorsed by AGMIN in 2016 for jurisdictional uptake. Standards 6.2 and 6.4 and Guideline 6.2 refer to the use of pain relief:

- S6.2 & S6.4 A person in charge must ensure the use of appropriate pain relief when [castrating/dehorning] cattle, unless cattle are:*
- 1) less than six months old; or*
 - 2) less than 12 months old if at their first yarding and where the later age is approved in the jurisdiction.*
- G6.2 Surgical procedures should be done with pain relief. Operators should seek advice on current pain minimisation strategies.*

These Standards and the Guideline were initially drafted in 2012, predominantly based on research over the preceding six to 10 years. A considerable amount of scientific research into pain measurement and management has been done since, with a variety of pain-relief compounds becoming available to producers in the past 18 months or so.

Cattle Council policy

For clarity, Cattle Council supports the Standards in which use of pain relief is already mandated, albeit for animals above certain ages. The Council's additional policy as discussed below therefore relates to the use of pain relief for cattle below the ages prescribed in the S&Gs.

Cattle Council policy formulation is often guided by the principle that, where possible, *voluntary* uptake of initiatives leads to far more robust outcomes than those from legal enforcement.

In the case of pain relief, it is becoming increasingly evident that, since over-the-counter Tri-solfen® was approved for topical use with procedures on calves and cattle, and a number of compounds for systemic analgesia have become accessible on prescription from veterinarians, uptake has grown exponentially. Cattle Council expects this to continue.

With this in mind, and following extensive debate within the Council's membership and beyond since mid 2019, Cattle Council has adopted the following policy:

That Cattle Council:

- 1. continue supporting the wording in the Cattle Welfare Standards and Guidelines 2016 and continue advocating for the Standards to be adopted by all jurisdictions in Australia as a matter of priority;*
- 2. once the Standards have been adopted by all jurisdictions, support the review of the Cattle Welfare Standards and Guidelines 2016 to ensure their currency; this review to include the potential mandating of pain relief for all surgical procedures; and*
- 3. seek investment in the development and implementation of a co-ordinated awareness and adoption campaign to encourage wider adoption of pain relief by producers who perform surgical procedures on their cattle for management purposes.*

"Potential mandating of pain relief" cited in point 2 would be necessary only if voluntary uptake falls short of expectations by then.



Regarding point 3, Cattle Council has commenced its awareness campaign by releasing a producer guide for the use of pain relief; it is being widely well received. A copy of this guide is at **Attachment B**.

National consistency

While at times it may seem of little consequence to jurisdictional governments, national consistency of laws across jurisdictions is of utmost importance to the cattle sector. Many grass-fed cattle producers have operations in multiple jurisdictions and find differing cross-border standards difficult to navigate and risking inadvertent non-compliance.

One of the primary conditions behind industry's willingness to participate in the S&G development process was the commitment by governments that the resulting animal-welfare standards would be applied consistently across Australia. Disappointingly the Animal Welfare Standards for cattle have been 'adopted' by only two jurisdictional governments since AGMIN's 2016 endorsement: South Australia (where the Standards have been regulated as written) and New South Wales (where reference is made to the Standards in its PoCTA Act). The delay in other jurisdictions is contrary to the spirit in which the S&Gs were originally formulated.

NSW overlaying the S&Gs with a legal requirement additional to what has been agreed nationally would put it at odds with the important principle of national consistency and add an administrative burden to producers already adopting, or considering adopting, pain relief voluntarily.

Summary

In summary, Cattle Council accepts the jurisdictional nature of this Bill and thanks the Committee for accepting its submission, which has been written from a national perspective.

Cattle Council urges the NSW Parliament to reject the pain-relief element of this Bill on the basis that it:

- contravenes the principle of national consistency that was agreed by PIMC regarding the S&Gs;
- ignores the exponential uptake of pain relief by cattle producers, who have had access to pain-relief compounds for a relatively short period;
- reflects an unjustifiable belief that legal force will have a significant benefit over market-driven pressure and producer awareness that are already delivering a rapid increase in voluntary uptake; and
- fails to consider the additional costs associated with enforcement and compliance.

Yours sincerely

Travis Tobin
Chief Executive Officer

Att (2): CCA's Animal Welfare Policy Statement and Pain Use Guide

ANIMAL WELFARE STATEMENT 2020

Cattle producers care for and nurture their animals with compassion.

Australian cattle producers depend for their livelihood on the good health and welfare of their animals, including their working dogs and horses. Producers recognise that 'animal health' and 'animal welfare' go hand in hand and, because of their regular interaction with their animals, are best equipped to monitor the wellbeing of the animals within their care and to summon veterinary input when needed.

Cattle Council of Australia develops policies and guides expenditure on research, development and adoption to ensure producers have access to the latest animal-welfare information that can be applied practically on farm.

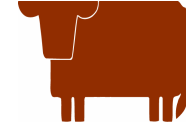
Governments and industry approved the *Australian Animal Welfare Standards and Guidelines for Cattle* in 2016 to replace previous voluntary welfare codes; the 'Standards' component (comprising *Musts*) forms the legislated minimum requirement for livestock handlers to comply with acceptable practice, while the 'Guidelines' component (comprising *Shoulds*) offers a higher level of reach for voluntary use by individual producers and in quality assurance schemes and the like.

(Jurisdictional governments also use their respective animal-welfare legislation, such as Prevention of Cruelty to Animals Acts, to support penalties for serious cases of animal cruelty.)

With this background, Cattle Council of Australia:

1. recognises cattle as being able to feel and perceive the world around them;
2. supports the *Australian Animal Welfare Standards and Guidelines for Cattle* and the incorporation of the *Standards* component into jurisdictional Regulations;
3. supports and promotes the industry's *Is it fit to load?* Guide and its periodic revision;
4. recognises the need for punitive action against any individual or organisation knowingly contravening a jurisdiction's animal-welfare legislation and/or the national *Animal Welfare Standards*;
5. is committed to the pursuit of non-invasive replacements for surgical procedures used on farm as part of responsible management practice and promotes the use of effective pain relief in the interim;
6. encourages greater transparency with the community regarding through-chain animal-welfare practices; and
7. supports all stock handlers being able to demonstrate their competence if and when required to do so.

The above points are consistent with the shared vision and direction for the Australian red meat and livestock industry over the next 10 years (refer [Red Meat 2030](#)).



ATTACHMENT B

GUIDE TO THE CORRECT USE OF PAIN RELIEF IN THE GRASS-FED BEEF CATTLE SECTOR

5 June 2020

This document has been prepared by Cattle Council of Australia Ltd as a reference for grass-fed beef cattle producers to guide the responsible use of pain-relief compounds.

The information contained in this document does not constitute advice and in no way replaces advice from a veterinary practitioner. In preparing to use pain-relief compounds on cattle, producers are urged to consult with a veterinarian.

Having a bona fide, professional relationship with a cattle veterinarian is a legal requirement for a producer to be granted access to Schedule 4 (S4) pain-relief compounds.

Other points to note:

1. Use of pain relief is advised for routine, aversive cattle-husbandry procedures including disbudding/dehorning, castration, spaying, branding, tattooing and ear notching.
2. Pain-relief compounds are now relatively available for lay operators, noting many require veterinary prescription.
3. Producers are encouraged to replace surgical procedures with non-surgical replacements if available. Examples include breeding for polled cattle to replace dehorning; using electronic forms of identification to replace branding (where allowed); and using immuno-contraception if available and practical to replace castration and spaying.
4. Use of pain relief must not replace good animal welfare practice as described in the Animal Welfare Standards and Guidelines for Cattle.
5. Ideally, systemic pain relief should be administered prior to a procedure; however, when this is impractical, administering it *at the time of the procedure* is recommended.



Table 1 – Procedures and pain types

PROCEDURE	LIKELY PAIN TYPE	PAIN-RELIEF OPTIONS (see Table 2 for details)
Disbudding/dehorning	<ul style="list-style-type: none"> • Immediate (Phasic), due to nerve damage at the site of injury AND • Inflammatory (Tonic), slightly slower onset, longer duration AND • Long-lasting (Chronic) (< 6 weeks), inflammatory or neuropathic 	<ul style="list-style-type: none"> • Multi-modal using local anaesthetic PLUS longer-acting Non-Steroidal Anti-inflammatory Drugs (NSAIDs)¹ • if using Tri-solfen® as the local anaesthetic, ensure proper adhesion of the spray to the wound
Castration/spaying	<ul style="list-style-type: none"> • Immediate (Phasic), due to nerve damage at the site of injury AND • Inflammatory (Tonic), slightly slower onset, longer duration AND • Long-lasting (Chronic) (< 6 weeks), inflammatory or neuropathic 	<ul style="list-style-type: none"> • Multi-modal using local anaesthetic PLUS longer-acting NSAID • Tri-solfen® is only registered for disbudding and castration of calves and dehorning of cattle and must not be used internally (e.g., when spaying using the dropped ovary technique)
Fire branding	<ul style="list-style-type: none"> • Immediate (Phasic), due to nerve damage at the site of injury AND • Inflammatory (Tonic), slightly slower onset, longer duration 	<ul style="list-style-type: none"> • NSAID • If done at marking, would be covered by the NSAID administered for other procedures
Freeze branding	<ul style="list-style-type: none"> • Inflammatory (Tonic), slightly slower onset, longer duration 	<ul style="list-style-type: none"> • NSAID • If done at marking, would be covered by the NSAID administered for other procedures
Ear notching and tattooing	<ul style="list-style-type: none"> • Immediate (Phasic), due to nerve damage at the site of injury • Inflammatory (Tonic), slightly slower onset, longer duration 	<ul style="list-style-type: none"> • NSAID • If done at marking, would be covered by the NSAID administered for other procedures
Ear tagging	<ul style="list-style-type: none"> • Immediate (Phasic), due to nerve damage at the site of injury 	<ul style="list-style-type: none"> • NSAID • If done at marking, would be covered by the NSAID administered for other procedures

¹ NSAIDs are analgesics that reduce pain by suppressing inflammation. They do not totally block (anaesthetise) pain.



Table 2 – Summary table of pain-relief products

PAIN RELIEF OPTIONS ²	SOURCE	WHP/ESI ³	INDICATIVE COST ⁴	COMMENTS
Local anaesthetic <ul style="list-style-type: none"> • <u>Tri-Solfen</u>®⁵ for open-wound spray-on (after the injury) 	S5 Over the counter	WHP 90 days ESI 90 days	\$2.30 plus GST Depends on number of sites treated	<ul style="list-style-type: none"> • Depletion trials have not been done so default WHP and ESI of 90 days apply • Topical spray contains anaesthetic to reduce pain and adrenaline to reduce blood loss • Almost-immediate effect • 24-hour relief
Local anaesthetic <ul style="list-style-type: none"> • <u>Lignocaine</u> for nerve block injection(s) (before the procedure) 	S4 Vet only	WHP nil ESI not established	Highly variable, depends on vet's costs, type of procedure, retail mark-up, etc.	<ul style="list-style-type: none"> • Almost-immediate effect • Residue depletion work yet to be done • Must be administered by a veterinarian
Non-Steroidal Anti-inflammatory Drugs (NSAIDs) ⁶ – 33 in total, as follows: <ul style="list-style-type: none"> • <u>Meloxicam</u> <u>Buccalgesic</u>® (cheek pouch gel) and <u>Metacam</u>® (injection), +10 other registered products • <u>Flunixin</u> (13 registered products) • <u>Ketoprofen</u> (5 registered products) • <u>Tolfenamic acid</u> (3 registered products) 	S4 Vet prescription	WHP 11-14 days ESI 17-21 days Products vary – read the label and seek veterinary advice	<u>Buccalgesic</u> ®, \$4.30 plus GST <u>Metacam</u> ®, \$5.50-6.50 plus GST Others?	<ul style="list-style-type: none"> • 10-15 minutes to take effect • Effective 1-8 hours (pain relief benefits up to 3 days) • Prescription remedies – available from/through veterinarians⁷ • Some label claims are procedure-specific • <u>Buccalgesic</u>® is administered as a gel into the cheek cavity – more suitable for young cattle • <u>Metacam</u>® is applied as a subcutaneous injection • Can be given before or during the procedure • NSAIDs do not lead to anaesthesia (loss of feeling)

² Registered for dehorning of cattle and disbudding and castration of calves.

³ For the beef industry, most pain relief would be administered to calves at marking, meaning WHPs and ESIs may have little relevance if the calves are retained for grow-out. However, risks of non-compliance rise significantly when treating weaners, vealers and adult cattle, particularly when the animals are being grown for the local or overseas slaughter market.

⁴ Calculated on a 160-200kg weaner using recommended doses. Subject to change.

⁵ Tri-Solfen® contains lignocaine (40.6 g/L), bupivacaine (4.2 g/L), cetrimide (5 g/L) and adrenaline (24.8 mg/L) in a gel base and is applied to wound surfaces during or immediately following painful procedures, using a spray applicator, where it is absorbed at the site of injury for provision of local anaesthesia and enhanced wound healing

⁶ NSAIDs are analgesics that reduce pain by suppressing inflammation. They do not totally block (anaesthetise) pain.

⁷ It is important for lay operators to develop a business relationship with local vets, providing the vet with a high level of confidence regarding responsible use of the product.