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**Official Report
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(Hansard)**

Wednesday 25 November 2009

**Journal
des débats
(Hansard)**

Mercredi 25 novembre 2009

**Standing Committee on
the Legislative Assembly**

Animal Health Act, 2009

**Comité permanent de
l'Assemblée législative**

Loi de 2009 sur la santé animale

Chair: Bas Balkissoon
Clerk: Tonia Grannum

Président : Bas Balkissoon
Greffière : Tonia Grannum

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LEGISLATIVE ASSEMBLY OF ONTARIO

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

**STANDING COMMITTEE ON
THE LEGISLATIVE ASSEMBLY**

**COMITÉ PERMANENT DE
L'ASSEMBLÉE LÉGISLATIVE**

Wednesday 25 November 2009

Mercredi 25 novembre 2009

The committee met at 1304 in room 228.

SUBCOMMITTEE REPORT

The Chair (Mr. Bas Balkissoon): I would ask members to take their seats. We'll call to order the meeting of the Standing Committee on the Legislative Assembly for Wednesday, November 25, 2009. We're here to deal with Bill 204.

Mr. Levac, will you read the report of the subcommittee on committee business?

Mr. Dave Levac: Your subcommittee met on Wednesday, November 18, 2009, to consider the method of proceeding on Bill 204, An Act to protect animal health and to amend and repeal other Acts, and recommends the following:

(1) That the clerk of the committee, with the authorization of the Chair, post information regarding public hearings on Bill 204 on the Ontario parliamentary channel and the committee's website.

(2) That the clerk of the committee also send information regarding the public hearings on Bill 204 to Canada NewsWire.

(3) That the Ministry of Agriculture, Food and Rural Affairs provide the committee with Bill 204 briefing binders prior to the public hearings.

(4) That interested parties who wish to be considered to make an oral presentation on the bill contact the clerk of the committee by 12 p.m. on Monday, November 23, 2009.

(5) That if all witnesses cannot be accommodated, the clerk provide the subcommittee members with the list of witnesses who have requested to appear by 12:15 p.m. on Monday, November 23, 2009, and that the caucuses provide the clerk with a prioritized list of witnesses to be scheduled by 2 p.m. on Monday, November 23, 2009.

(6) That the length of time for all witness presentations be 15 minutes.

(7) That the committee be authorized to meet for public hearings on Wednesday, November 25, 2009, from 1 p.m. to 3 p.m. and from 4 p.m. to 6 p.m. as per the time allocation motion.

(8) That the deadline for written submissions on the bill be 5 p.m. on Wednesday, November 25, 2009.

(9) That the deadline for filing amendments be 12 p.m. on Monday, November 30, 2009, as per the time allocation motion.

(10) That the committee be authorized to meet following routine proceedings on Tuesday, December 1, 2009, for clause-by-clause consideration of the bill as per the time allocation motion.

(11) That the research officer provide the committee with a comparison of similar legislation from other jurisdictions prior to public hearings on the bill.

(12) That the clerk of the committee, in consultation with the Chair, be authorized, prior to the adoption of the report of the subcommittee, to commence making any preliminary arrangements necessary to facilitate the committee's proceedings.

So offered to you, Mr. Chairman.

The Chair (Mr. Bas Balkissoon): Shall the subcommittee report carry? Mr. Hardeman.

Mr. Ernie Hardeman: I was at the subcommittee meeting, and I didn't realize we'd made that many recommendations, but I didn't see any that weren't accurate.

The Chair (Mr. Bas Balkissoon): Okay. All in favour? Carried.

ANIMAL HEALTH ACT, 2009

LOI DE 2009 SUR LA SANTÉ ANIMALE

Consideration of Bill 204, An Act to protect animal health and to amend and repeal other Acts / Projet de loi 204, Loi protégeant la santé animale et modifiant et abrogeant d'autres lois.

ANIMAL ALLIANCE OF CANADA

The Chair (Mr. Bas Balkissoon): Okay, our 1 p.m. delegation is the Animal Alliance of Canada, Karen Levenson. Have a seat and state your name for Hansard. You have 15 minutes for your presentation. If there's any time left at the end of your presentation, I would allow questions from all parties. I will give you about one minute before your time is up.

Ms. Karen Levenson: Good afternoon. Thank you, everybody, for allowing me to present here today. My name is Karen Levenson, and I'm with Animal Alliance of Canada.

Is Bill 204 comprehensive enough to protect the health of farm animals and humans in Ontario?

Mr. Dave Levac: Sorry, because of the way the system works, you just need to speak towards the microphone so it's not a disruption for Hansard.

Ms. Karen Levenson: Sorry. We are concerned that Bill 204 fails to recognize the connections between animal welfare and animal and human health. Scientific evidence identifies animal welfare as inextricably linked to animal health, public health and food safety.

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Though the idea of preventing animal disease is discussed, no regulation of farm practices is in place to avert the onset or outbreak of disease. Ontario has the highest density of intensive livestock operations in Canada. Animal welfare should be considered as an assurance to greater public health, product safety and industry productivity, yet no federal or provincial laws protect animals from established farm practices that systemically undermine animal welfare and health.

The OSPCA act deals with specific incidences of animal abuse but excludes established industry practices. Voluntary codes of practice do not improve animal welfare. Raising the standard of farm animal welfare in Ontario through the regulation of minimum standards ought to be an integral part of Bill 204.

The cattlemen's association has requested that "The scope of any new on-farm animal care and housing standards or regulations should be restricted to animal health emergency situations that require a rapid response to control and contain disease outbreaks." Why wait for a health emergency to take the lives of thousands of animals and unknown numbers of humans? We need regulations that prevent disease, not just control or contain it.

Can industry or government guarantee that climate change or currently unknown factors will not impede or thwart efforts to contain and control disease? Prevention provides greater protection for farm animals, humans and the economy.

What farm animal welfare regulations are needed to ensure the health of animals, humans and the economy? Let's look at some of the welfare problems on Ontario farms. They include intensive confinement, inability to express natural behaviours, barren environments and lack of genetic diversity.

The majority of our farm animals spend their entire lives in overcrowded, barren sheds or cages, living in their own manure. Most farm animals cannot engage in natural behaviours: foraging, perching, nesting, rooting, mating. Many are not able to turn around or fully stretch their limbs.

Long-term stress arising from environmental effects can affect the immune system and lower an animal's ability to fight off infection. Chronic multiple stress, which is more likely in factory farms, creates a breeding ground for disease.

Finally, intensive farming facilities rely on selective breeding to enhance specific traits such as growth rate, meat texture and taste. This practice results in a high degree of inbreeding, reducing biological and genetic diversity and the ability to fight off disease, and represents a global threat to food security.

We need minimum animal welfare standards to regulate the above contributors to disease outbreak.

What are the risks to animal and human health in intensive farming practices? They are infectious disease outbreak and pathogen transfer, antibiotic resistance, hormone contamination of food products and fire.

Pathogen transfer: The potential for pathogen transfer from animals to humans is increased with intensive farming because so many animals are raised together in confined areas. Direct exposure is not the only health risk, however. Health impacts often reach far beyond the farm. Infectious agents, such as a novel or new avian influenza virus, that arise on factory farms may be transmissible to farm workers, who transmit it from person to person in the community and well beyond. An infectious agent originating at a factory farm may persist through meat processing and can contaminate consumer foods, resulting in a serious outbreak of disease far from the factory farm.

Antibiotic resistance: The increased potential for disease on factory farms leads farmers to feed animals large quantities of antibiotics. This practice can lead to more drug-resistant strains of bacteria. Superbugs take their toll on human health, strain the medical system, reduce productivity and affect the economy in all industry sectors. Intensive farming routinely uses specially formulated feeds that incorporate antibiotics or other antimicrobials and hormones to prevent disease and induce rapid growth. The use of low doses of antibiotics as food additives facilitates the rapid evolution and proliferation of antibiotic resistant strains of bacteria. The resulting potential for resistance reservoirs and inter-species transfer of resistance should be a high-priority health concern. Antibiotic residues in animal products also pose a health risk to humans. Improve the welfare of farm animals and you reduce the need for antibiotics and thus reduce the spread of antibiotic resistance and food contamination.

Hormones: Growth promoters like ractopamine are at sub-therapeutic levels. They're in antibiotics in commercial feed, and hormone implants are inserted into the ears of cattle. There have been no long-term large studies, though short-term small studies have shown dose-dependent cardiovascular effects in humans. Can growth hormones contribute to heart disease? Is OMAFRA willing to take this chance?

Fire: Barn fires pose the ultimate risk to animal and human health. They decrease the economic potential of the livestock industry and cost tax payers dearly. Fire prevention and animal evacuation are paramount in ensuring the health and well-being of animals, Ontarians and our economy.

You will see from the photos that pigs do not die immediately from smoke inhalation. They pile up and try to escape from their cages and crates. Firefighters describe pigs screaming as they are being burnt alive, their stomachs imploding.

Bill 204 should include regulations that mandate retroactively equipping existing barns and outfitting new barns with sprinkler systems, smoke alarms and devices to detect ventilation failure and power outages. We ask

OMAFRA to change the building codes to require retrofitting for old barns and installation in new barns of fire prevention and detection equipment.

Who should pay for these changes? Changes in welfare standards will create additional production and processing costs, although some of these may be modest, and there might even be some cost reductions. Consumers may be willing to pay a premium for welfare-friendly products, thus helping to offset additional costs. It is incumbent on the government of Ontario to use financial and other support to assist farms with improving animal welfare conditions so they don't jeopardize animal and humane health.

How can the government help? Some suggestions: Protect farmers from market pressures that force them to cut back on space, bedding, ventilation, enriched environments, fire equipment and everything else that plays a key role in animal welfare; create product-differentiation programs that provide premium price for products produced according to specific standards; offer monetary incentives to encourage conversion to higher welfare standards; and provide mandatory welfare training, inspection, enforcement and research to protect the health of animals and humans.

I just want to say that we believe that most farmers do not want to shirk on the welfare of their farm animals. Yet when it comes to the conditions that they see themselves in where they're just making ends meet, it is very hard to implement farm practices that go beyond what they're currently doing. We believe that, given the opportunity through financial and other support from the Ontario government, they will be able to enact these changes. That will actually be a cost savings because prevention is far less expensive than a cure, and that is shown in many of the documents provided at the EU.

I want to thank you for listening to me today, and I hope you take my report into consideration.

The Chair (Mr. Bas Balkissoon): Okay, you've left about a minute each for questions. To the official opposition. Mr. Hardeman.

Mr. Ernie Hardeman: Thank you very much for the presentation. It caught my attention, the issue that people would be willing to pay more if we farmers went to that extra length, yet our biggest problem in agriculture today is that there are products that are produced elsewhere with no controls. Because they are here, they're driving the price down because consumers tend to buy at the lowest possible price. Could you give me a quick suggestion of what you would do to make people aware and to get people to actually pay more for the environmental ones produced?

Ms. Karen Levenson: Well, certain people will pay more, and that's proven in the European Union, with cage-free eggs just skyrocketing in market share. I take your concern, and it is a great concern, especially in the market today, with the economy.

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What our farmers need is market protection. In the European Union, there are considerable noises about

trade, mandating that any importation of products must meet minimum welfare standards for animals, and we could do the same here, to prevent animal products coming in from places that don't have the same standards.

The Chair (Mr. Bas Balkissoon): We'll move on to the NDP. Mr. Hampton.

Mr. Howard Hampton: I want to further explore the question that Mr. Hardeman just asked you. I have all kinds of farmers in my constituency, many of them beef farmers, and because land is not expensive in the part of the province where I live, most of their cattle range freely over the landscape and are fed grains and hay that are produced locally. Yet, when I talk to farmers in my constituency, they say that they are constantly under pressure in terms of beef imports from elsewhere, where the same kinds of conditions simply don't exist.

I think the majority of farmers in Ontario would like to produce food that meets animal welfare and environmental standards, and other standards, but we seem to have a system that drives everyone to the lowest common denominator. How do you fix that?

Ms. Karen Levenson: It's not a simple fix. I think it takes everybody working together. How do you fix people going for the least possible dollar value in their products? Through trade regulations—that's one way of doing it. Public education, I think, is another way: showing that products that are raised with good welfare standards are better and do not have the health risks that are involved with products that come from non-animal-welfare- and non-environmental-welfare-oriented facilities. So I think—

The Chair (Mr. Bas Balkissoon): I have to move on. The government side: Mr. Johnson.

Mr. Rick Johnson: Thank you, on behalf of the government, for making your presentation today. You've raised some interesting points and I'm sure we'll have a chance to consider them more fully.

Ms. Karen Levenson: Thank you very much. I appreciate it.

ONTRACE AGRI-FOOD TRACEABILITY

The Chair (Mr. Bas Balkissoon): The next presenter is OnTrace Agri-Food Traceability. Mr. Curtiss Littlejohn and Mr. Brian Sterling, please come forward and state your names for Hansard. You have 15 minutes for your presentation. If you leave any time at the end of your presentation, I will allow equal time for questions.

Mr. Curtiss Littlejohn: Good afternoon. First, I would like to start by thanking the members of the standing committee for providing an opportunity to speak on Bill 204 this afternoon. I'm Curtiss Littlejohn. I am a pork producer from Brant county and the current chair of OnTrace Agri-Food Traceability. My comments today will go specifically to the sections of the proposed Animal Health Act that deal with traceability.

OnTrace is an industry-led, not-for-profit organization created to lead food traceability initiatives and programs throughout Ontario. Established with an initial invest-

ment of \$10 million by the Ontario government, OnTrace's goals are to deliver traceability solutions that will enable agriculture and the agri-food industry in Ontario to become more innovative and competitive—and this is of specific relevance to today's presentation—and to strengthen the capacity of industry and government to respond to emergencies related to agriculture and agri-food welfare and public safety.

As you may be aware, traceability is a tool that allows for the sharing of information. Traceability plays a key role in emergency management, animal health, food safety incidents, public health and market access opportunities for the agriculture and food sectors. There is direct applicability of traceability to protecting animal health because in most cases, it will be the ability of authorities to readily access reliable and relevant information which will determine the implications and possible negative consequences of an animal health event.

In terms of the specifics of Bill 204, I would like to offer the following comments: First, OnTrace is heartened to see the rapid progress of this bill through the Legislature. Agricultural groups have been asking for animal health legislation for many years. The genesis of the Ontario Livestock and Poultry Council, from which you will hear later today, was founded on our industry's interest in addressing this very issue. Ontario is the only remaining province in Canada without legal provisions that specifically pertain to animal health and a chief veterinary office. OnTrace would like to firmly state that we believe this animal health legislation can help protect animal health and the implications of serious animal health events on both public health and the economic viability of the Ontario livestock and poultry sector. Our reading of the proposed act has affirmed that it will play a central role in mitigating the impacts of animal diseases on Ontarians.

Second, and for the balance of my presentation, I will focus especially on traceability and its inclusion in the bill under consideration. Ontario's agriculture and food sectors need relevant, reliable and readily accessible information that can be shared in the event of a situation involving animal welfare as well as other emergency management events. A traceability system supported by government can significantly help to reduce business risks and negative consequences of these hazards.

At OnTrace, we have been saying this since our inception. Traceability is a tool for sharing critical information so that decisions can be made more quickly and with greater assurance. The provincial government recognized this with their initial investment in OnTrace, and recently the Ontario Minister of Agriculture and agri-food expressed solidarity with her fellow colleagues at the July FPT ministers' meeting, where commitment was made to mandatory livestock and poultry traceability by 2011.

Achieving this important national outcome is one we must collectively work to achieve. OnTrace sees the traceability content in the proposed legislation as a

positive step and as essential to enabling industry and government to jointly address the challenge of meeting the national traceability milestone.

Our third comment relates to how information should be used for helping farmers and food producers withstand the negative impacts of animal health emergencies on the industry. As I have said, traceability systems facilitate rapid sharing of critical information during an animal welfare or food-related emergency. Such a system also exhibits to our consumers and to our trading partners that we take animal and public welfare seriously. Ontario agriculture and food sectors need a legislative framework to enable us to create and maintain a tool that proves we have the best and safest food in the world.

Current data collection systems are useful for other purposes, but they are voluntary and lack sufficient support to demonstrate the types of discipline and responsiveness that are now absolutely critical to maintaining our domestic and export market shares.

Fourth, section 33 of the bill before you has adequate enabling language to develop regulations that would provide for the operation of a provincial traceability system. It is noted in the proposed text that the minister or their designate will collect the prescribed information, such as the identification of premises, the identification of animal products and their movement from one premise to another premise. Currently, OnTrace works with the industry to voluntarily access information for the Ontario agri-food premises registry. With this activity, OnTrace is making small, yet vital progress towards a full traceability system.

We are encouraged by the participation of industry—both producers and processors—but we need the tools to do the job more effectively and completely. Designation of OnTrace as the recognized authority for the collection of traceability information is, in our view, a natural evolution of our role.

Our final comment is meant to impress upon you the urgency of establishing a framework and the accompanying regulations for a provincial traceability system. Animal and food emergencies will not wait, nor do they respect political boundaries. We have already seen the negative consequences of not having the disciplined systems to prove how well our farmers and processors deliver safe and healthy food to our customers. Many times, the negative trade impacts of animal health and food-related incidents far outweigh the actual costs of repairing the direct damages of those incidents. Events around the globe have made the point that protective and preventive measures taken before a problem occurs more than offset the likely cost and damages imposed by the emergency itself. As a proactive provincial industry, agriculture and food needs to be prepared and given the support for the tools needed to combat these realities. Mandating collection of information for farm premises identification is a first step to building a traceability system for the province of Ontario. Collection of additional information for this purpose must follow quickly if we are to remain competitive in the global market.

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In closing, OnTrace believes that with the passage of this proposed legislation, Ontario will be taking an important step in directly addressing the importance of animal health and traceability to the vitality and the viability of the Ontario agriculture and agri-food sectors—sectors, we would note, that are of growing economic importance to this province. OnTrace offers you our comments in the belief that they can help effect the kind of positive change and support we as producers and processors need to manage emergencies related to agriculture and to animal health.

Thank you for your time and your attention. If there are any questions or comments, I'd be pleased to respond to them.

The Chair (Mr. Bas Balkissoon): Okay. We've got about a minute and a half each, so we'll start with the NDP.

Mr. Howard Hampton: I would take it from your brief that you feel this legislation is a step forward in terms of promoting food traceability, but I also take it from your brief that we're not there yet. I wonder if you could elaborate a bit. You said, "But we need the tools to do the job more effectively and completely."

Mr. Curtiss Littlejohn: Absolutely. One of the issues we have around traceability is lacking the tools to make it enforceable, to make it defensible and to make it mandatory. By putting this legislation into place and the regulations that come with it, we will hopefully see in the regs the tools that we need as an industry and as a province to mandate traceability from the primary sector up through the food processor. Traceability is built on solid foundations. Solid foundations, as the government and ourselves would concur, are the premise I.D. That is the starting point.

The Chair (Mr. Bas Balkissoon): Mr. Levac.

Mr. Dave Levac: I appreciate the opportunity. Curtiss, thank you for being here and for the many hats that you wear. I know that as a constituent you are a great champion of not only this cause but agri-food and agribusiness. I want to thank you and encourage you to continue your good work.

I was curious as to the volunteer base: if you could maybe outline quickly how that has been going in terms of the volunteer registration and the groups that are now coming with OnTrace that you've been able to convince this is the right way to go. By the way, if I'm not mistaken, most farmers were already on base for being traceable; they just needed the focus.

Mr. Curtiss Littlejohn: Yes, perhaps I'll let Brian Sterling, our chief executive officer, talk to the numbers. He knows what—

Mr. Dave Levac: And the second one, very quickly: Inside of that, you're continuing to work with ministry staff because first of all they're here, and they're listening. The minister will be briefed about this. You're continuing to work with her and them to continue your task of what was asked by Mr. Hampton: to move

forward and to get that regulatory stream looked at and to work with OnTrace and the government.

Mr. Curtiss Littlejohn: Absolutely, Mr. Levac. We are working with the ministry staff on a weekly basis to move this forward and to move forward the position of OnTrace being the traceability provider here in Ontario.

As far as the numbers as to who is on side, I'll let Brian speak to that.

Mr. Brian Sterling: Thank you, Mr. Levac, for your question. I'm Brian Sterling; I'm CEO of OnTrace Agri-food Traceability.

Our current system is based upon voluntary permission-based data gathering. We have informed consent agreements with a number—in fact about 11—of producer organizations plus the independent meat processors in Ontario to provide OnTrace with the information we need to be able to validate the location of their premises. We have a good level of participation from livestock and from horticultural sides of the industry.

The Chair (Mr. Bas Balkissoon): We will have to move on to the official opposition. Mr. Hardeman.

Mr. Ernie Hardeman: Thank you very much for the presentation. First of all I just want to touch on the organization itself. OnTrace, is it a structured—you said it's \$10 million from the provincial government. Is it a provincial government organization that's been put at arm's length?

Mr. Curtiss Littlejohn: Thanks for the question, Mr. Hardeman. No, it is not a provincial government organization. It was created approximately three and a half years ago with a one-time provincial grant at the bequest of all of the livestock industries, and we are there as an industry.

Mr. Ernie Hardeman: Curtiss, if I could go on: You comment that this will make things mandatory, and this will make things better. First of all I support the traceability. I think every agriculture commodity group would approve of that part. My concern is that this bill doesn't do that when it's permissive for the minister to do anything at all. There's only one part that says the minister may by regulation set in a framework for traceability, and that's going to be done when the federal government comes through with a joint program. Why do you see it necessary for it to be in here to sell the rest of the bill when we are all waiting for the federal government to do traceability country-wide, which will include all of Ontario? Could you tell me the connection or the disconnect, why Ontario needs it separately if the federal government is going to do it in its entirety?

Mr. Curtiss Littlejohn: In this great country of ours, we have national areas of responsibility and we have provincial areas. Land parcel registry is a provincial jurisdiction, and unless we have a strong provincial system where it is mandatory for agricultural premises to be registered and a system that can move that data on quickly, the system of traceability will never function, because you have two different levels of government with two clear and distinct levels of responsibility. If we

do not have premise registry mandated, it will not happen.

Mr. Ernie Hardeman: But, in your opinion, Curtiss, does this do that? What is there that mandates in this bill?

Mr. Curtiss Littlejohn: It is enabling legislation, and our goal is that the minister hopefully will do this in the coming months.

Mr. Ernie Hardeman: Thank you.

The Chair (Mr. Bas Balkissoon): Thank you very much for joining us today.

WORLD SOCIETY FOR THE PROTECTION OF ANIMALS, CANADA

The Chair (Mr. Bas Balkissoon): The next presenter is the World Society for the Protection of Animals, Canada, Melissa Matlow. Please state your name for Hansard. You have 15 minutes, and if you leave any time at the end of your presentation, we will allow questions equally across all parties.

Ms. Melissa Matlow: My name is Melissa Matlow, and I'm a programs officer for the World Society for the Protection of Animals.

Thank you, Chair and committee members, for allowing me this opportunity to speak on behalf of the World Society for the Protection of Animals. For those of you who are not familiar with our organization, we are the largest international alliance of animal welfare groups, and that's because we work in conjunction with more than 1,000 different member societies in 150 countries. Our mission is to raise animal welfare standards around the world through fieldwork and advocacy.

WSPA Canada is a registered charity. We have 37,000 supporters across the country, and 55% of those supporters reside in Ontario. Our organization is also a member of this government's provincial animal welfare advisory group because of our work with the government and stakeholders to significantly strengthen the Ontario SPCA act.

I am pleased to speak today about this very important bill, Bill 204, which I believe will greatly assist the industry and government in detecting, monitoring, reporting and responding to animal health hazards, but of course I'd like to take the majority of my time to discuss where we'd like to see the bill strengthened, and that is in the area of animal health promotion and disease prevention.

When OMAFRA proposed their intentions for this legislation last June, the discussion paper that was posted for stakeholder comment contained a very important section in it, section 3, entitled "Animal health promotion." It would have allowed for the establishment of regulations governing animal care and handling on the farm.

Unfortunately, this section is missing from the current draft of the bill, and I would greatly appreciate knowing why. Perhaps a member of this committee would be so kind as to share their understanding of this. But it was clearly the ministry's earlier intention to create a bill that

promoted better animal health and prevented disease rather than a bill that simply responds to the consequences of ignoring these very important objectives.

My colleague at the Animal Alliance of Canada already talked a lot about the connection between animal welfare and animal health, so I'll go into this only a bit. Poor animal welfare can result in animals becoming more susceptible to infections and more infectious. There's plenty of scientific evidence to prove this relationship, but despite the fact that animal welfare is so integral to animal health, the term isn't even mentioned once in this bill. We believe the ministry is, therefore, ignoring a very important tool at preventing animal health hazards and reducing food safety risks in a comprehensive manner.

The way we raise, transport and slaughter farm animals in Ontario has dramatically changed over the years, as it has elsewhere across North America. We are seeing larger numbers of animals confined on fewer farms, and this does create a bigger health concern. Confining large numbers of animals in small areas and in impoverished environments obviously creates a breeding ground for the emergence and spread of disease. But instead of reversing this trend and looking at how we can get to the root of the problem and changing farming practices, animals are routinely given doses of antibiotics to ensure that they don't get sick. This is a reason I know Ms. Levenson from Animal Alliance of Canada commented on the creation of superbugs. Everyone's aware of antibiotic resistance becoming an increasing problem. This is a major reason why the Canadian Committee on Antibiotic Resistance is calling for changes to farming practices to reduce the reliance on antibiotics. I just raise this issue even if it's outside the scope of the specifics in this bill, because it's a serious animal health issue that connects to human health, and I think it needs to be at least dealt with in the regulations.

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The link between animal health and animal welfare is well established scientifically and publicly accepted by national governments and international associations. I'll just name a few: the World Organization for Animal Health, the OIE, which was first established in the 1920s to control the spread of animal diseases and now has set animal welfare as its top priority in its strategic plan and sets animal welfare standards. It already has done so for the humane handling of animals for transport and slaughter, and it's currently looking at on-farm animal care standards. These are international guidelines that they're hoping national governments will adhere to.

Scotland established their Animal Health and Welfare Act back in 2006, and the European Food Safety Authority has a panel on animal health and animal welfare, which guides its policy decisions to effectively and comprehensively deal with animal health hazards by looking at animal welfare. By not recognizing this important link, we do feel that we are not going to be able to effectively respond to the root of the problem.

I'd like to also make a point just about legislation for farm animal welfare. There is no legislation for farm

animal welfare on the farm in Ontario. Yes, there are codes of practice that were established by the national farm animal care committee, but these are voluntary; no one assesses whether these codes are being met. While the Ontario SPCA act has been significantly amended and we applaud the government for amending this act, it establishes basic standards of care. By “basic,” I mean provision of water, food, shelter, veterinary care; very basic that you would hope all animals would be granted, but excludes generally accepted practices of agriculture. I’m sure the definition of what’s generally acceptable differs among industry in an organization like ours and among the public as well.

Ontario should be following the growing global trend to improve farm animal welfare. It’s not just happening in European countries; it’s happening with our closest trading partner in the United States. Several US states are considering laws to protect the welfare of animals on the farm. Michigan and Ohio are currently considering such changes. Arizona, California, Florida, Maine, Colorado and Oregon have all passed legislation or ballot initiatives that allow farm animals enough room to stand, lie down, turn around and extend their limbs—that’s all we’re talking about, very basic welfare measures.

Public opinion polls will tell you why those states have moved that way. The public is increasingly concerned not only about where their food comes from but how those animals are treated. They want to be ensured that a basic standard of care is being adhered to. According to a 2008 poll that our organization commissioned, 96% of people surveyed said it is important that farm animals be treated humanely. Establishing basic animal welfare standards would keep Ontario’s agricultural industries competitive, and it would boost consumers’ confidence, knowing that local food is produced humanely and safely.

While demand is growing for local, sustainable and humane food, the infrastructure and ability to supply it faces some challenges. Between 1991 and 2001, the number of provincially inspected slaughterhouses declined by approximately 40%. According to data supplied by the National Farmers’ Union, the number of animals slaughtered in Ontario increased by more than three million, and the number of inspection hours decreased by 45,000 hours during this same time period.

I’d like to quote Ann Slater from the NFU, who called on the province to fix this problem in a 2004 press release: “The shortest and most direct chain reduces risk with fewer handlers, less transportation and less mixing of meat from several animals.” I raise this issue because long-distance transport is a major issue for spreading diseases and creating an animal health hazard, and I think it’s something that should be discussed when the regulations are developed for this legislation. So my concern is that I hope the bill keeps that window open for allowing that to happen.

Long-distance transport has long been recognized as a major threat to spreading disease. The European Commission’s Scientific Committee on Animal Health and

Animal Welfare and the UN Food and Agriculture Organization have made a lot of statements about this threat. Even the US Government Accountability Office recognizes live animal transport as a bioterrorism threat.

In closing, I just want to say that in the bill we’re concerned about the authority of OMAFRA inspectors. We’d like to see this authority broadened. Our current take on the bill: We believe that if an inspector is responding to an animal health hazard and they find an animal that’s in distress and that distress does not constitute an animal health hazard, we’re concerned that they wouldn’t be able to relieve that animal of distress; that they would have to call the Ontario SPCA, which may not have someone available quickly. It is not adequately resourced across the province and doesn’t have after-hours services. So we believe it would be a more effective use of government resources and also more humane to ensure that OMAFRA inspectors who are going to have the same qualifications to ensure that that animal is treated humanely—and euthanized if necessary—respond to that situation then and there. We want to make sure that authority is recognized.

As well, we hope that the bill will strengthen the fact that animal health inspectors will be the best suited to respond to animal emergencies that are not disease-related. For instance, when hundreds of thousands of animals are rejected at the border or a business goes bankrupt—like Pigeon King did a few years ago, where thousands of pigeons were just left—we think OMAFRA should be the overarching authority for making sure that issue is dealt with, not only effectively for preventing disease but also humanely. I think they would be in the best position to do this.

In closing, I’d just like to reiterate my question as to why the ability to regulate on-farm animal care was not included in the bill, as it was clearly OMAFRA’s intention in the discussion paper. We encourage this committee to amend the bill to include this very important provision to ensure the health and welfare of animals from the farm right to slaughter.

The Chair (Mr. Bas Balkissoon): Okay, we probably have time for one quick question from each side. The government side.

Mr. Rick Johnson: Thank you for your presentation. You’ve raised a number of interesting issues that I’m sure we’ll get a chance to consider during the ongoing talks here.

You spoke about transportation, and part of this bill refers specifically to the ability of inspectors to more closely monitor the transportation of animals to auction houses. Do you think it goes far enough?

Ms. Melissa Matlow: We would like to make sure the OMAFRA inspectors are also able to look at animal welfare issues, even if they aren’t directly correlated to an animal health hazard issue; that’s our concern. If an animal is suffering, it should be seen as evidence of perhaps a potentially greater problem happening. The way we read the bill is that they can only respond to animal health hazards when there is significant evidence

that that is occurring or actually has been reported, whereas if an animal is suffering, they wouldn't necessarily be able to relieve that animal of distress or examine the issue further.

The Chair (Mr. Bas Balkissoon): The official opposition. Mr. Miller.

Mr. Norm Miller: Thank you for your presentation. You bring up many different issues, but you quote a study where you say that 96% of the people surveyed said it's important that farm animals be treated humanely. Do you have any idea if that's something that's happening now in Ontario, or do you have concerns that it isn't happening—any statistics on that?

Ms. Melissa Matlow: Well, to combine your question, if I may, with Mr. Hardeman's question before about people being willing to pay, I think an amazing system that's in place in Ontario is Local Food Plus. It's taking off; it's very successful. It basically certifies food that is local and produced sustainably. It looks at ethical working conditions and that the animals are treated humanely. It's a one-stop shop: You feel good and leave the guilt behind. It's doing so well that it's not able to meet demand. The demand is so high that they're still looking for suppliers.

So there are great organizations like this. Obviously, we're in a role of asking people to buy humane food. We see the government's position as legislating minimal standards, basic standards.

The Chair (Mr. Bas Balkissoon): Mr. Hampton?

Mr. Howard Hampton: I want to offer you the opportunity to answer your own question. When the discussion paper went out, it had a section called Animal Health Promotion, yet as you point out, there is nothing in the bill, no section dealing with animal health promotion. So what do you think happened?

Ms. Melissa Matlow: I think the egg industry lobbied the government to take it out. We saw minimal standards of care that were supposed to apply to all animals in the Ontario SPCA act, and an exclusion was granted then because of pressure from the egg industry lobby groups to take that out.

Again, I just want to repeat those minimum standards of care: It's provision of water, space to turn around, shelter, veterinary care and adequate food—very basic; it's not a radical notion at all. I don't see why we can't have those minimum standards of care applied to all farm animals too.

The Chair (Mr. Bas Balkissoon): Thank you for taking the time to be here.

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ONTARIO FARM ANIMAL COUNCIL

The Chair (Mr. Bas Balkissoon): The next presenter is the Ontario Farm Animal Council, John Maaskant and Kelly Daynard. Please state your names for Hansard. You have 15 minutes. If there's any time left at the end of your presentation, we'll go to questions.

Mr. John Maaskant: Thank you. My name is John Maaskant. I'm a chicken farmer and chair of the Ontario Farm Animal Council. This is Kelly Daynard, our interim executive director.

The Ontario Farm Animal Council appreciates this opportunity to provide its expertise and recommend improvements and support regarding Bill 204.

OFAC represents 40,000 Ontario livestock farmers and related agribusinesses on issues related to animal health and welfare, and food safety. Our founding members include the Ontario Cattlemen's Association, Ontario Pork, Chicken Farmers of Ontario, Egg Farmers of Ontario, Turkey Farmers of Ontario, Dairy Farmers of Ontario and the Ontario Federation of Agriculture.

The content of this bill is obviously of great importance to our members, since it will have far-reaching effects on animal agriculture and food production in the province.

OFAC has long been on record as supporting the need for a provincial Animal Health Act. In fact, the council has been actively involved in the many proposals and discussions leading up to Bill 204. OFAC supports the overall intent of this legislative proposal; namely, to provide "a broad and enabling framework for the protection and promotion of animal health in Ontario."

OFAC believes that, with some modifications and considerations, the proposal as presented could give the province's agricultural industry and the Ontario government added ability to reduce animal health risks. Furthermore, OFAC believes that such legislation is timely and in keeping with initiatives in other provinces over the last several years.

It is our opinion that this proposed legislation, if properly implemented, could enhance and support the strategies and initiatives under way by commodity groups and businesses related to the prevention, detection and control of animal disease outbreaks and contaminations.

The council believes that incorporation and updating of other related acts, such as the Livestock Medicines Act and the livestock sales barn act, vis-à-vis animal health and disease reporting is a logical outcome of a new and inclusive Animal Health Act.

Recommendation and industry consultations: We are in agreement with other agricultural stakeholders on the necessity of industry consultations in the development of regulations to address areas of potential concern. We feel it's very important to have that consultation.

Definitions of hazards under the act: The proposed legislation must be consistent with and complementary to like-minded legislation and bylaws in other jurisdictions, be they municipal, provincial or federal. Clear definitions, reporting requirements and actions related to hazards are one example where industry consultation and agreement is a necessity in developing future regulations. While written into the act, "reportable hazard," "immediately notifiable hazard," "periodically notifiable hazard," "prescribed incident" and "finding referred to in section 9" are not defined or listed. The concern is the impact of notifiable hazards to our province versus outside juris-

dictions. Inconsistencies will have animal, public health and economic consequences to the province. Particularly in crises situations, it's imperative that actions not be impeded by jurisdictional barriers or inconsistencies.

Given that the act will have the greatest impact on the province's agriculture sector, qualifications for the Chief Veterinarian for Ontario and for the deputy chief veterinarian for Ontario should be mandated to have farm animal veterinary experience.

The act states that "a regulation may adopt by reference ... a code," protocols, etc. Due to the potential impact on accepted farming practices, the regulations must adhere to recognized industry guidelines and be limited to health-related situations. Industry input is a necessity in adoption of regulatory standards and guidelines.

Regulations under the act should be limited to emergency measures and situations involving the containment and remediation of animal health hazards. An amendment to the act to clarify the focus of the regulations, as stated above, would enhance the act.

While the act does provide limited compensation for costs associated with orders issued under the act, such measures are considered inadequate. To provide for fair compensation, compensation provisions should be expanded to include adequate compensation for the direct costs of quarantine, removal, testing, disposal or storage of animals and/or animal products, as well as coverage for site cleaning and disinfection. An appeals process for decisions related to compensation should be written into the proposed act.

Any legislation enabling a traceability system must be flexible enough to accommodate all existing programs and those that may soon be adopted by the commodity sectors. Such a framework must accommodate both mandatory and voluntary programs. Regulations should be triggered at the request of industry stakeholders. It would be counterproductive to require commodity programs to be retooled to meet post-development legislation and regulations.

Finally, we believe that regulations, standards and procedures must be science-based and correspond to existing protocols.

OFAC will continue to remain actively engaged in this important legislative initiative, and we request the committee to consider our recommended improvements to the act.

Respectfully submitted. Thank you very much.

The Chair (Mr. Bas Balkissoon): Thank you. We have about two minutes for questions. The official opposition, Mr. Hardeman.

Mr. Ernie Hardeman: Thank you very much, John, for your presentation. I just wanted to quickly touch on the veterinarian. I think you made a very good point, making a recommendation that there must be a connection with agriculture and livestock on farms for the chief veterinarian. I want to say that our present chief veterinarian has all those experiences.

My concern is more with the chief veterinarian. I don't know whether your association noticed that. The ability

is, by regulation, for the minister to increase or decrease or set the standards of the responsibility or the authority of the chief veterinarian. It would seem to me that that leaves the door open that at some point in time, if there is a need for the decision to get rid of a whole area of livestock at great expense to the province, the minister could tell the veterinarian, "No, that's not what we're going to do." Would that be a concern to OFAC?

Mr. John Maaskant: I'll ask Kelly if she has an answer because, frankly, I don't.

Ms. Kelly Daynard: We're aware right now that this is enabling legislation, and we know that there is a pile of details to be worked out. I would say that we have full confidence in the Chief Veterinarian for Ontario right now, and we would really hope that we would have input at any stage of the game if a decision like that was to be made.

Mr. Ernie Hardeman: The question really would be, once we have a competent and qualified chief veterinarian who's going to make these decisions on what needs to be done, do you see any point in time where the minister should have the authority to take that authority away from that individual? Incidentally, they don't have it for the medical officer of health. The Minister of Health doesn't have that authority.

Mr. John Maaskant: Well, it would seem unlikely to me. To me, it would be responsible to keep that authority, and I would have difficulty seeing where that could be justified, especially if there's consultation.

Mr. Ernie Hardeman: Thank you very much.

The Chair (Mr. Bas Balkissoon): Mr. Hampton.

Mr. Howard Hampton: We just heard from the World Society for the Protection of Animals saying they're disappointed that there are no animal health promotion measures in the bill and it doesn't establish a traceability system. It says, "The minister may," which also means the minister may not. If you have those two things missing from the bill, what, in your mind, is in the bill?

Mr. John Maaskant: The bill is enabling. That's the way we see it. It's enabling the kind of activity that is happening. These are trends that our whole food safety program—that most of our commodities are doing. Traceability is an initiative that everyone is looking at and dealing with. All these things are happening and they're needed. They're desired by consumers, and we're responding to that. To me, it doesn't need to be required; it's enabled, and that's the important part. If I've missed anything, maybe Kelly can—

Ms. Kelly Daynard: I would also like to suggest that in many of the commodity associations, like in the ruminant animal sector, national identification is already mandatory; it's been here since the year 2000. It's illegal to ship a cloven-hoofed animal in Canada without an ID tag in its ear. To add a new system, in this case, would certainly conflict with the national system that's already in place.

1400

The Chair (Mr. Bas Balkissoon): To the government side. Mr. Johnson.

Mr. Rick Johnson: Thank you for presenting today and for putting out your recommendations in such a nice, clear, concise fashion. It's much appreciated. I'd just like to point out, I think under section 64 of the bill, 3(e), which says, "The minister may make regulations

"(e) establishing committees to provide advice to the minister or the chief veterinarian" on any matter.

The minister, I believe, has been quite clear that having committees set up to work on the regulations is one of the things that the government's planning to do.

You talked a few times about this being enabling legislation. What do you feel that this will enable? When you talk about enabling there are questions raised that it won't do something, but what do you think it will enable the sector to do?

Ms. Kelly Daynard: I think the one thing we look at as being the biggest advantage to this bill is allowing systems to get moving quicker in the case of an animal health outbreak. Right now, we have to wait for verification of the disease, and that can take a few days. Sometimes in the case of, say, foot and mouth disease, you don't have a few days; you have a few hours before that disease can really take off. I think that this sort of legislation will really help speed that process up and protect our systems.

The Chair (Mr. Bas Balkissoon): Thank you for taking the time to be here today.

CANADIAN COALITION FOR FARM ANIMALS

The Chair (Mr. Bas Balkissoon): The next deputant is the Canadian Coalition for Farm Animals, Stephanie Brown. Please state your name for Hansard. You have 15 minutes, and we'll allow questions if you have any time left over.

Ms. Stephanie Brown: My name is Stephanie Brown; I'm with this Canadian Coalition for Farm Animals. Our coalition is dedicated to promoting the welfare of animals raised for food in Canada through public education, legislative change and consumer choice. We appreciate the opportunity to speak today, and we are on the record in support of the intent of the act: safe food and human and animal health in Ontario.

One of the purposes of the bill is subsection 1(c), "the regulation of activities related to animals that may affect animal health or human health or both;"

Ladies and gentlemen, animal health is tied to animal welfare. As the government's June 18, 2009, discussion paper for this legislation noted, "The handling of farmed animals and the condition of their environment can have a direct impact on the health of the animals." Poor welfare results in stress, making animals more prone to infectious disease. It is no coincidence that many factory-farmed animals in Ontario are fed low-dose antibiotics as a matter of course. The drugs keep the animals alive.

It was anticipated that Bill 204 would address the tie between animal health and animal welfare. But no,

animal welfare is not a priority in the act. It is ignored completely.

The animal health/animal welfare link is recognized in numerous jurisdictions. Chief veterinary officers from around the world, members of the World Organization for Animal Health or the OIE, recognize the connection. The veterinarians have incorporated animal welfare as a priority in the strategic plan of the international organization, adopting animal welfare standards as part of their program. The European Union recognizes animal welfare as part of animal health. Their strategy is motivated by public health concerns and animal welfare concerns. Internationally, there is a move toward legislative on-farm welfare standards.

The European Union, some European nations and some state governments in the US are legislating the treatment of animals on farms and phasing out intensive confinement systems common on Ontario farms. At the same time, international food retailers are establishing welfare standards to ensure consumer confidence.

Animal industry groups in Ontario do not want the Animal Health Act to include on-farm standards because, they say, the voluntary codes of practice and the OSPCA act suffice. In fact, the OSPCA act covers only basics like provision of food, water and shelter. The act exempts on-farm practices, including intensive confinement practices and animal handling methods.

To be clear, industry is not honest when it claims the OSPCA act covers on-farm practices. It does not. There is no legislation in Ontario to ensure animal welfare on the farm. The voluntary codes of practice do not suffice either. The province of Ontario is responsible for on-farm practices, yet federal and provincial governments have deferred much of their authority to the codes, which are developed by industry-dominated committees. The codes are not audited, and there is no offence for not complying with their minimal standards.

The beef and pig codes were written 18 and 16 years ago, respectively. Though attitudes change and new scientific information becomes available, the codes remain static. The codes legitimize outdated practices, justifying the status quo as good animal care when it is not.

Bill 204 recognizes a provincial traceability system, section 33, as necessary to facilitate trade. Should an animal health crisis arise and a product cannot be identified and traced, it would be a trade deterrent. The same can be said about animal welfare, which is destined to become a trade issue with nations with high animal welfare standards.

The province should exercise its authority to monitor animal health and welfare on farms. Regulations should be more than voluntary codes, which lack legal status in the province. Ontario should show solid leadership in the treatment of farmed animals by regulating on-farm standards in the Animal Health Act.

The Livestock Community Sales Act is repealed with the introduction of the Animal Health Act. The new act should regulate conditions at assembly yards and sales

facilities, including provision of euthanasia when animals are sick or injured.

In addition, the act should be amended to provide an enabling framework to provide for non-disease emergencies such as barn fires, border closures or bankruptcies of major farms. Provision of such regulations would further the goals of the Animal Health Act for food safety, and for human and animal health.

Our recommendation, therefore, is to amend the Animal Health Act to provide OMAFRA an enabling framework to regulate animal welfare on farms and at assembly yards and sales facilities, including provision of euthanasia when necessary; and to provide for non-disease animal emergencies.

Thank you for your consideration.

The Chair (Mr. Bas Balkissoon): We've got about two minutes and a little extra for questions. Mr. Hampton?

Mr. Howard Hampton: A couple of references have been made about the European Union. I wonder if you can enlighten us a bit more about what the European Union is doing in terms of animal welfare and its connection to animal health.

Ms. Stephanie Brown: The European Union, as a union, has put forward a couple of pieces of legislation, one of which, in 2012, will ban the use of battery cages for laying hens; in 2013, it will ban the use of sow stalls. They have also made a number of important regulations with respect to transport, limiting the numbers of hours that animals can be transported—12 hours for ruminants, and eight hours for monogastric animals, which are pigs, horses and poultry; and if the truck is not outfitted with water etc. We find that in Canada, the trucks are not. So on a par basis, we would limit transportation to 12 hours. In Canada right now, 52 hours for ruminants is allowed; 36 hours is allowed for monogastric animals.

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So they are looking at a number of issues, taking into consideration the health and welfare of animals, and scientifically basing it on experts from the University of Cambridge who have studied this in great depth and have come forward with these recommendations which have been then adopted by the union.

Mr. Howard Hampton: That's what the union has done. What about individual European countries?

Ms. Stephanie Brown: A number of them have done a number of different things. For instance, in the United Kingdom they've banned veal crates. They have banned battery cages in a number of nations: Austria, Germany, Switzerland, Sweden. Sow stalls have been banned as well, I believe, in some nations; I just can't name them all off right now. But the individual nations have the right to make unilateral decisions on their own, and have done so. They want to move ahead quicker than what the union decision has been, because they gave a 10-year phase-in of the new standards, which is reasonable, but some nations have said, "We can do this quicker and we need to do it quicker," and have done so.

The Chair (Mr. Bas Balkissoon): To the government side.

Mr. Rick Johnson: Thank you for your presentation. You've covered a number of issues that you are very passionate about. Ministry staff is here, and I know that we'll be talking about some of the very good issues you have raised. I thank you for your presentation. Your concerns are noted. Thank you for your recommendation.

The Chair (Mr. Bas Balkissoon): The official opposition. Mr. Miller.

Mr. Norm Miller: I know Mr. Hardeman has a question as well.

Thank you for your presentation. You mentioned that the OSPCA act does not cover on-farm practices. In the rare cases where animals are not being cared for on farms, it was my understanding that the OSPCA did investigate and, I assume, deal with the situation. Am I correct?

Ms. Stephanie Brown: Indeed they can in emergency situations. If animals are being starved to death or not given water, yes, they can move in and they do move in, which is very important. But my reference is to the standards, the way animals are kept on farms, in terms of their housing, for instance. An example would be sow crates, where a sow is kept in a crate barely larger than the size of her body, where she cannot turn around for four months during her pregnancy. This is totally allowable; it's not able to be addressed under the OSPCA act.

Mr. Norm Miller: So the OSPCA just investigates in emergencies?

Ms. Stephanie Brown: Exactly.

The Chair (Mr. Bas Balkissoon): Mr. Hardeman?

Mr. Ernie Hardeman: Right at the end of your presentation is, "Provision of such regulations would further the goals ... for food safety and human and animal health," that it needs to go beyond the situation, and you recommend to provide for non-disease animal emergencies.

Could you explain to me how you would envision a program to deal with those? I've been to a lot of barn fires and so forth, and the last thing they're looking for is the provincial government to tell them where they should take the cows; they're talking to the neighbours and they are moving them to other premises. How would you envision that they could do that?

Ms. Stephanie Brown: I would envision that there could be huge problems, and I'm just looking for solutions.

Mr. Ernie Hardeman: Me too.

Ms. Stephanie Brown: I wouldn't presume to provide answers to how OMAFRA might do this, but if there were, for instance, a closure of the border—we ship many thousands of animals every week across the border, and if that were suddenly closed, where are those animals going to go? Our farms don't have the capacity to hold the normal 40,000 pigs, let's say, that might be exported per week.

I'm just saying that there are issues out there that are not easily solved, but somebody needs to do it. The

OSPCA, quite frankly, on charitable dollars, doesn't have the capacity to be able to look after 40,000 animals. So who do you call?

People often look to government and think, well, OMAFRA is the logical choice, but if they're going to have that role, they need to have the ability to carry it out. In the Pigeon King fiasco referred to by Mrs. Matlow, there were multi-thousands of pigeons that nobody wanted on very short order. What do you do with thousands of pigeons? So—

The Chair (Mr. Bas Balkissoon): Thank you very much. I'm sorry. We're out of time.

NATIONAL FARMERS UNION

The Chair (Mr. Bas Balkissoon): The next presenter is the National Farmers Union, Ann Slater. Please state your name for Hansard, and you have 15 minutes. If there's any time left at the end of your presentation, we'll go to questions.

Ms. Ann Slater: My name is Ann Slater. I'm here on behalf of the National Farmers Union. I'm a regional council member of the National Farmers Union, and I'm an organic farmer from up in the northwest corner of Oxford county.

The National Farmers Union supports the broad policy goals of animal health and food safety. Farmers' livelihoods are dependent upon producing healthy and safe food. The NFU supports government efforts to take responsibility for ensuring that Ontario citizens have access to a safe and secure food system, and to protect the health of the animals that are an integral part of many of our farms. We have been critical of moves to deregulate and cut back on food safety programs and inspections.

That said, the National Farmers Union has some basic concerns about the manner in which the current Animal Health Act, Bill 204, is being brought forward and seemingly rushed through the legislative process when there is no clear and pressing reason to do so. Government laws and regulations that are not thought through can and do have negative consequences for farmers.

The NFU has recently been involved in the issues surrounding organic turkey production for quota-holding producers in Ontario. In 2008, the Turkey Farmers of Ontario, in their role of regulating turkey production in Ontario, mandated that all turkeys in Ontario had to be raised under a fixed roof with no outside access. This was done under the rubric of preventing disease and cross-contamination from wild birds. Under the Canadian organic standards, livestock, including poultry, must have access to the outdoors. There is no evidence that organic production has any link to disease outbreak or disease spread; in fact, there are studies that suggest the opposite is true. In essence, this rule by TFO would have ended certified organic production of turkey by Ontario quota-holding farmers.

This decision was upheld by the farm products marketing commission, and it was only through the inter-

vention of the minister that this decision is now being changed and a compromise trying to be pulled together. It is instructive to consider the words of TFO chair Ingrid DeVisser in a Better Farming magazine article from November 20, entitled "Turkey Farmers Ease Outdoor Restriction for Organic Producers." Quoting DeVisser, the article states that in the end, "It came down to politics, really." DeVisser further states, "For us it has always been about disease prevention and mitigating risks." So even after the minister intervened politically, the TFO is stating that organic production poses a health risk, that the decision to not restrict organic production was political.

The reason this real-life situation troubles the NFU so much in the context of the Animal Health Act is that much of the language used to justify the TFO's decision to end certified organic production is exactly the language contained in the act. Without the timely intervention of the minister—which came after a public campaign in which the National Farmers Union was a participant, along with the Organic Council of Ontario, the Ecological Farmers Association of Ontario and other organizations—certified organic turkey production would still be prohibited by the Turkey Farmers of Ontario.

It is important to consider this in relation to Bill 204. As the legislation is currently written, we could see practices that are outside of mainstream livestock production challenged and possibly restricted, especially in the face of an outbreak or other crisis. This could lead to restrictions on certified organic livestock production and a variety of other types of production where providing natural, healthy outdoor access is a major part of the raising of that livestock; this at a time when increasing consumer demand for organic meat, grass-fed poultry and other alternative production practices are actually providing positive returns for some Ontario farmers.

1420

The NFU recommends that the act be amended in such a way that it is made clear the legislation is not intended to prefer one food production method over another and that only sound, non-biased, scientific evidence will be used to determine what might prove to be a real animal or human health risk. As well, without clear definitions of the terms used in the act, the likelihood of problems will increase. With this in mind, the NFU recommends that the regulatory definitions be encoded in the act so it is clear what is being supported. "The devil is in the details" is a truism that must be kept in mind; the best intentions, without clear language, could lead to creating more problems than what we hope to solve.

Another concern we have at the NFU is the use of the term "discretionary" in relation to payments made to affected farmers if they have their livestock ordered destroyed, either as a preventive measure or with respect to an outbreak. Destruction of livestock could mean a complete loss of livelihood for farmers, and if compensation is discretionary, it could well create a situation whereby well-meaning farmers might be afraid to come forward with disease concerns. The term and the intent of

“discretionary” needs to be removed from the act. The system must be properly funded, or there is the possibility of someone, somewhere making a bad decision because they feel they have no other option if they are going to protect their livelihood.

As a province, we must show our commitment to animal and human health. The cost of an outbreak that might have been prevented by adequate and secure compensation far outstrips any reason there might be for making compensation discretionary. Governments come and go, but legislation is in place through them all. Trying to fix a problem like this after the fact would simply create an unacceptable risk to the livelihoods of farmers, agri-food workers, not to mention the even more unacceptable risk of endangering the health of animals and people. Thank you.

The Chair (Mr. Bas Balkissoon): Okay, we’ve got about two minutes and a couple of seconds per question. We go to the government side.

Mr. Rick Johnson: Thank you for your presentation. You’ve raised a number of concerns, obviously, from your side. As I’ve stated before, the staff is here to make sure that notes are taken on this. You talked about the legislation not being intended to prefer one food production method over another. Could you just expand upon that?

Ms. Ann Slater: We’d like that to be clear. I’m an organic farmer, and within the National Farmers Union we have a lot of organic farmers. We also have a lot of other farmers who may not be organic but are still using production practices that have their animals outside for much or all of their life. And I think our experience has been that sometimes, especially when crisis situations arise, we get blamed or we get asked to move our animals inside, so it becomes that our way of producing food is not seen as an acceptable way, especially in times of outbreaks. But even beyond that, there was no outbreak that brought the Turkey Farmers of Ontario to decide to put all the turkeys inside. I think we want to be sure that alternative, what we see as healthy ways of raising livestock and something that consumers are looking for, that that continues to be allowed and that this in no way impedes on that.

Mr. Rick Johnson: You’re looking for fairness.

Ms. Ann Slater: Yes.

The Chair (Mr. Bas Balkissoon): Okay. We’ll move to the PC side. Mr. Hardeman.

Mr. Ernie Hardeman: Thank you very much for the presentation. It’s great. I think it will work a lot better if we can get two people from Oxford in the same room with folks. I’m sure that we’ll come up with a better answer, so thank you very much for being here.

I want to start off by saying that I share your concern about the fact that—and we’ve had other presenters tell us—there’s no need for haste. We all support the principles of why the bill is being introduced and what needs to be done, but we were hoping, on the opposition side, that we would have a thorough discussion of that and have full consultations with the people in rural

Ontario. So we could have actually spoken to you in Woodstock, London or Stratford as opposed to here in downtown Toronto, and I think that all could have been done, and I do believe we would have come up with a better piece of legislation.

The thing that I really wanted to go to is the word “discretionary,” as you put it forward, that it deals with the funding, and that word “discretionary” means that the minister may or may not give payment. When I asked the minister about that, the suggestion was that it’s discretionary as to how much and under what conditions it’s paid—but not that she was considering not paying it. But it does seem to be missing the fact that the possibilities are that it could be a lot of years, and it’s guaranteed that the present minister will not forever be the minister. It’s quite possible that at some point in time it’s someone else who doesn’t have the same idea of what needs to be done.

Wherever the word “discretionary” is put in place, we have to assume that it could be someone who totally disagrees with this piece of legislation who is going to make that decision. I share the National Farmers Union’s position on that.

Also, we’ve heard a lot about it being permissive legislation. I wonder if you could tell me what your feelings are about whether this is permissive, and who it’s permissive for.

Ms. Ann Slater: Permissive in—

Mr. Ernie Hardeman: Permissive legislation usually assumes that the people were governing with it. It’s their choice of whether they want to avail themselves of it. It seems to me, and maybe I’m wrong, that it gives all the authority and the permissiveness to the minister, and everybody on the other side gets told what to do—

The Chair (Mr. Bas Balkissoon): I have to cut you off because it took too long to ask the question, so I can’t get the answer.

Mr. Ernie Hardeman: Thank you very much for providing me the opportunity to rant.

The Chair (Mr. Bas Balkissoon): Mr. Hampton?

Mr. Howard Hampton: In not just your presentation, but in the others that we heard earlier, three things jump out. It seems everyone is concerned about traceability. This bill will not establish a traceability system. It says the government may or it may not. The government is in that position anyway without this bill: It may or it may not.

The second issue is animal welfare, which other presenters have said is not in the bill.

The third issue, which I think you have captured, is the discretionary aspect of compensation. I want to take you back to your first point. You said, “What’s the rush” if these things aren’t dealt with? Why do you think there’s a rush?

Ms. Ann Slater: I’m not sure why there’s a rush. There may be a push coming from some other parts of the agricultural sector to move this along. Our concern is that with the rush you end up with poor legislation. Mr. Hardeman was just talking about how we had to come to

Toronto on very short notice on one afternoon to be able to talk about this and it cuts out hearing from sort of a broad spectrum of farmers. I'm not sure whether the rush is coming from another part of agriculture, if it's coming from this government or if it's coming because these kinds of legislation are coming in in other places.

The Chair (Mr. Bas Balkissoon): Thank you for being here today.

ONTARIO FEDERATION OF AGRICULTURE

The Chair (Mr. Bas Balkissoon): The next presenter is the Ontario Federation of Agriculture: Wendy Omvlee and Peter Sykanda. Please state your name for Hansard, and you have 15 minutes. If there's any time left, we'll allow questions.

Ms. Wendy Omvlee: Thank you. My name is Wendy Omvlee.

The Ontario Federation of Agriculture, OFA, appreciates the opportunity to appear before this committee to present our recommendations regarding Bill 204, the Animal Health Act. The OFA is the largest voluntary general farm organization in Canada, with over 38,000 farm business registrations and 30 organizational members and affiliates, representing most provincial commodity groups. We are, and have always been, a farmer-led organization. When you hear from the OFA, you are hearing the voice of farmers from all over the province. For example my husband, Peter, and I have owned and operated a dairy goat farm in Haldimand county for the last seven years. We have over 500 head, including 300 milkers.

In general, the OFA supports the goal of this legislation. There is no denying that farm animal disease outbreaks, wherever they happen to originate, can have economic repercussions to local farmers, and on rare occasions can have tragic consequences to public health.

The OFA agrees that a rapid response to an animal health emergency is essential to protecting human health and animal welfare, maintaining economic stability within the agricultural sector and ensuring continued consumer confidence in Ontario's food supplies.

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The implications of Bill 204 are of great importance to a significant number of our members. While the OFA supports the goals of this act to reduce risks to animal health, there are a number of points we believe require amendment and clarification before we can fully endorse the legislation.

OFA recommendation: Clear and harmonized definition of "hazards." The OFA commends the act for recognizing the need to learn from experiences in other jurisdictions. It is imperative that Ontario legislation be harmonized with similar municipal, provincial and federal legislation existing in other jurisdictions in order to ensure a rapid emergency response with reduced administrative barriers across multiple jurisdictions. This consistency is particularly important with regard to the

definition of "notifiable hazards." Regulators are strongly advised to consult with the agricultural industry when developing reporting requirements and actions within a regulation.

Another recommendation: Farmers must not be forced to bear the cost of traceability initiatives. Trace-back systems likely provide more benefit to the consumer than the farmer. Costs associated with introducing traceability must have a mechanism to enable transmission down the market chain to be absorbed by the consumer, or otherwise covered by government assistance programs. Traceability initiatives should be specific to and designed compatibly with individual commodity circumstances. They should move forward so as to not put Ontario animal producers at a competitive disadvantage relative to other national or international producers.

Furthermore, legislation must recognize that only certain sectors will benefit from provincial level traceability programs, while other sectors would benefit from being organized under national and perhaps international traceability programs. Traceability initiatives should be driven by demand and should be reflective of each commodity group's capacity to adopt best practices and standards.

Should regulations governing traceability become mandatory, any proposed traceability systems must be flexible to accommodate existing programs and any programs currently being proposed by commodity groups.

OFA recommendation: Take all measures to reduce the regulatory burden. OFA recognizes that immediate reporting of certain animal health hazards is a crucial first step to organizing a response to an emergency and minimizing the negative impacts to the agricultural sector.

Farmers, however, are already subject to considerable administrative and reporting responsibilities. These administrative responsibilities carry with them costs that are not necessarily reflected in the price received by the farmer. As such, any reporting may be seen as a potential and significant burden. The OFA strongly recommends that the ministry establish a mechanism for mandatory reporting that does not invoke significant additional costs and does not contribute to further burden to farmers.

OFA recommendation: Clearly define the scope of the legislation to animal emergencies. The stated goal of this proposed legislation is to safeguard the province from the negative health and economic consequences associated with serious animal health events, particularly emergency disease outbreaks. The scope of any new on-farm animal care and housing standards or regulations should be restricted to animal health emergency situations that require a rapid response to control and contain disease outbreaks. These standards and regulations must be based on the best available science and be consistent with normal animal agricultural practices. If broad animal care regulation is being considered beyond on-farm animal health care emergencies, we strongly recommend thorough consultation with livestock and animal agriculture stakeholders.

The OFA believes that the OSPCA act and the national codes of practice for animal care and handling provide sufficient direction regarding animal welfare standards during normal farm practices, and we recommend that the development of any further regulations be restricted to animal health emergencies only.

OFA recommendation: mandatory consultation with industry stakeholders. The OFA recommends that OMAFRA continues to consult with general and commodity-specific agricultural organizations as it moves forward with the development of regulations. Consultation and consensus can be a difficult process, and while we appreciate that the act includes provisions for the formation of an advisory committee, we recommend that the inclusion of industry representatives be mandatory.

The OFA coordinates with and trusts the opinions of other farm organizations. These are organizations that, like the OFA, are made up of members who know and work directly with farm animals on a daily basis. Their knowledge and expertise should be trusted and sought after for all matters relating to farm animal health and welfare.

Once again, thank you for this opportunity to address the committee. We look forward to continuing to work with the Ontario government to develop fair and equitable regulations under this act.

The Chair (Mr. Bas Balkissoon): Thank you. We've got two and a half minutes per side. We'll start with the PCs. Mr. Hardeman.

Mr. Ernie Hardeman: Thank you very much for your presentation—a very well-thought-out one.

I want to just go quickly to a paragraph on your second page: "Furthermore, legislated traceability should apply to only certain sectors that will benefit from provincial level traceability.... Other sectors would benefit from being organized under national and perhaps international traceability programs."

We've had a lot of discussion that this bill really doesn't do much traceability. It has just a single paragraph authorizing that the minister may, by regulation, set up a traceability regime.

If we're waiting for the federal, is there any reason why, from the OFA's perspective, we need any provincial? If the federal is only good for some, wouldn't the federal be good for all? Have you got any idea as to why we would need a separate one for the province if we're collectively working together with the federal government to get one federally?

Ms. Wendy Omvlee: It's a good point. I know for me, personally, we ship milk to Hewitt's Dairy, for example, which is very local and dealing with a limited number of families. So you may not need as huge of a whole system set up for a local dairy such as Hewitt's Dairy as you would perhaps need for, say, pork, which is very North American and even international. But it's a good point to consider.

Mr. Ernie Hardeman: Thank you very much.

The Chair (Mr. Bas Balkissoon): Mr. Hampton.

Mr. Howard Hampton: I too want to thank you for your presentation, because I think it highlights a number of areas where in fact the legislation is vague, and, if you'll pardon the expression, if legislation is vague, you may end up buying a pig in a poke: You don't know what the eventual outcome will be.

So I want to focus on the traceability issues. The bill is being advertised as creating a traceability system for Ontario, but all it says is that the minister may participate or may develop a traceability system, which also means the minister may not, and you don't know what's in that traceability system—who's going to pay the cost, what the requirements are and what the regulations are. So, tell me, what would you like to see in the traceability system?

Ms. Wendy Omvlee: Well, we are a general farm organization, so with commodity-specific issues, it is the commodities that decide which route to go, and that's what we support. So I'm not going to speak on behalf of chicken or pork, because they could be very different in how it's set up and managed and that type of thing.

Mr. Howard Hampton: If the result is—and I think this is the result, because I listened to some of the speeches in the House—that this is all deferred to the federal government, and the federal government has to consult with Quebec, Manitoba, British Columbia and the Maritime provinces, don't you think we're going to be a long way away from a traceability system?

Ms. Wendy Omvlee: It could very well be.

The Chair (Mr. Bas Balkissoon): Thank you very much. We'll move to the government side. Mr. Johnson.

Mr. Rick Johnson: Thank you for your presentation and your recommendations. In particular, I want to thank the OFA for being involved in the ongoing process. An earlier presentation made reference to the fact that this appears to be rushed, but in fact this process, developing this legislation, I know, has been going on since 2006, and in large part this is a response to the last time the borders were closed with the last outbreak of BSE, which was a number of years ago. It's something that hasn't been rushed into; we've taken our time to develop it. I know that you were one of the 34 organizations that were involved in this process, and I thank you for doing that.

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Regarding traceability, it says in the act that the minister "may." This is enabling legislation. If the federal government does not come forward, at least we're going to be in a position where we can move forward on this, because when I go into a store and I see that it's grown or comes from Ontario, we'll know that it's safe, and it'll be because of the process that we've put in place on this.

Once again, I thank you for being so clear in your recommendations, and I know, as I said earlier, that ministry staff is here and will listen very carefully to it. Also, I'd just like to say thank you, on page 1, for using the word "harmonized." Lately, around here, it's been a bad word, but it was nice to see. Thank you.

The Chair (Mr. Bas Balkissoon): Thank you very much for taking the time to be here.

ONTARIO LIVESTOCK AND POULTRY COUNCIL

The Chair (Mr. Bas Balkissoon): The next presenter is the Ontario Livestock and Poultry Council, Mr. Gordon Coukell. Please state your name for Hansard. You have 15 minutes like everybody else, and if there's any time left, we'll allow questions from all parties.

Mr. Gordon Coukell: Thank you very much, Mr. Chairman. I'm Gordon Coukell, chair of the Ontario Livestock and Poultry Council.

The Ontario Livestock and Poultry Council was formed in 2005 to provide a forum to facilitate the development and coordination of an Ontario strategy to deal with foreign animal disease and other transmissible livestock and poultry diseases. We represent 28 regular members and five ex-officio members, including all livestock and poultry commodity groups, and associations representing farm service, feed, processing and veterinary sectors. There is a membership list attached for your information.

Over the past four years, our activities have focused on advocating for the development of a provincial Animal Health Act, encouraging the creation of the Office of the Chief Veterinarian for Ontario and adequate funding for the Animal Health Laboratory.

In the event of an animal disease outbreak, many aspects of the Ontario economy could be affected, beyond farmers. These include agricultural services, such as feed suppliers and meat and dairy processors, as well as non-agricultural sectors such as tourism. The agri-food industry contributes more than \$33 billion to the Ontario economy and employs about 700,000 people. We need to be proactive and ensure the appropriate risk prevention practices and mitigation strategies are in place to protect this vital component of the provincial economy. Provincial animal health legislation is an essential component to enable industry and government to work together on animal health and biosecurity initiatives.

Ontario is the largest producer and processor of livestock and poultry in Canada, yet it is currently the only province without animal health legislation. Presently, in Ontario, the Canadian Food Inspection Agency is the only entity with legal powers to control the movement of animals and order eradication actions in the event of a reportable animal disease—and then, only once the disease has been confirmed. One of the current challenges is how to enact control measures in the event of a suspected disease outbreak or for a disease which is not deemed reportable but may be economically devastating to the livestock or poultry groups affected.

Although federal legislation provides coverage for reportable diseases, and the Ministries of Health and Agriculture, Food and Rural Affairs provide legislative coverage for food safety issues, there are serious gaps in the present system that animal health legislation and the enactment of regulations could overcome. These include the control of activities during what's known as the grey period: the period between when a disease is suspected but not confirmed.

The members of OLPC had an opportunity to be involved in the consultation process while this bill was being developed, and submitted our views last summer. We have reviewed Bill 204, and we appreciate the further opportunity to provide input. Overall, the OLPC is in agreement with the suggested purpose as laid out in the bill. As was noted previously, we have urged the government to develop animal health protection, prevention, detection and recovery-from-hazards legislation for a number of years.

There are specific areas which we would particularly like to emphasize and comment on. Number one, Office of the Chief Veterinarian for Ontario: We feel it's extremely important that the Chief Veterinarian for Ontario be recognized as an essential and equal component of Ontario's emergency management authority along with the Commissioner of Emergency Management and Ontario's chief medical officer of health. The Office of Chief Veterinarian of Ontario must also be given the authority and resources necessary to effectively implement Ontario's animal health strategy. While this position and its role is noted in the bill, we would further recommend that criteria be added either to the bill or in resulting regulations specifying that the individual should have been a practising veterinarian for at least five years, with experience in a large animal or poultry practice.

Second point, industry advisory committee: OLPC has advocated for a standing industry advisory committee for the Office of the Chief Veterinarian for Ontario consisting of appropriate senior animal health officials as well as representatives from the farming and other agriculture industry sectors. We strongly believe such a committee is fundamental to effective implementation of the act and the development of appropriate and responsible regulations.

There is currently a reference in the bill that the minister may appoint committees as deemed necessary. However, to ensure that this advisory committee is established and maintained in the longer term, we recommend that it be specifically noted within the act, as has been done with the Lake Simcoe Protection Act, the Ministry of Natural Resources Act and the 2002 version of the Nutrient Management Act.

Third point, hazards: We support the designation of "hazards" versus "diseases" in the wording of the proposed bill. This may allow action to be taken prior to a confirmed disease outbreak, resulting in a faster response time and a reduction of the economic impact. In our view, the structure of Bill 204 will provide the provincial government and the livestock and poultry industry with the required tools to better manage disease outbreaks that could threaten the integrity of the food supply and animal and human health. However, we feel it is important that the list of hazards and their classification as reportable, immediately notifiable and periodically notifiable be developed through consultation with industry stakeholders. This is where the existence of a standing industry advisory committee would provide very beneficial input to the CVO in developing regulations and categorizing the hazards.

Compensation: Within the proposed legislation, we strongly support the inclusion of a framework which will enable the minister, in consultation with the industry, to make regulations regarding fair compensation for direct and specified indirect losses. We do not support including specific levels of compensation within the proposed legislation, as this will restrict the ability to easily adjust future compensation levels in response to changing market values. We support the development of regulations relating to fair compensation for direct and specified indirect losses for any livestock or poultry owner whose animals have been ordered euthanized by government for the purpose of disease control.

Fifth point, licensing, registration, permits and investigations: OLPC agrees with the proposal to repeal the existing Bees Act, Livestock Community Sales Act and Livestock Medicines Act in the future and incorporate their provisions into Bill 204. We recognize that provisions for registration, licensing and inspection currently contained in the above acts to be repealed must be included in Bill 204 in order to cover their responsibilities under this legislation.

Sixth point, traceability: Premises registration of all agricultural operations and full traceability for the livestock and poultry movement is a goal to work towards and one which OLPC supports and a key element of agricultural biosecurity. However, the individual sectors currently have varying levels of identification and tracking in place and it will take considerable time and resources for full traceability to be achieved.

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We agree that traceability is a valuable component of a strong animal health system and support the current provisions within the bill for the development of regulations. The regulations must allow for incorporation within a national system and be compatible with existing industry traceability initiatives. Future regulations must be developed in conjunction with industry consultation and allow for different sectors to move forward at different speeds and to identify the systems best suited to their commodity. This is another area where the standing industry advisory committee could provide valuable input.

Thank you, Mr. Chairman, for the opportunity to comment on this bill today. We're very pleased to see that the government has moved forward on farm animal health and biosecurity initiatives through the introduction of Bill 204.

The Chair (Mr. Bas Balkissoon): Thank you very much. We've got about a minute and a half for each side. Mr. Hampton.

Mr. Howard Hampton: This was a very good brief. It deals with a number of issues that I think have to be addressed. Let me just ask you this question: If the government does not act on your recommendation regarding the Office of the Chief Veterinarian for Ontario, would you still be in support of the bill?

Mr. Gordon Coukell: Definitely.

Mr. Howard Hampton: Okay. The industry advisory committee: If the government does not act on your

recommendation, would you still be in support of the bill?

Mr. Gordon Coukell: We would still be in support of the bill. I would be disappointed. I still think that we have commitments from the present government, but as someone alluded to earlier, the present minister won't always be minister. We recognize that. I've been around long enough to know that. It would be nice to see that enshrined so that it would always happen.

Mr. Howard Hampton: You also raised salient issues about hazards and compensation. If those recommendations that you make were not adopted, would you still be in support of the bill?

Mr. Gordon Coukell: Yes.

Mr. Howard Hampton: I raise these questions because my point is, it seems to me that there are a lot of issues that have not really been addressed by the bill and need to be addressed.

Mr. Gordon Coukell: There may be some of those issues but I would suggest to you that there are bigger issues sitting out there today that we can't address because we don't have the legislation here, and that's the ability to react if in fact something does happen. I've been in this industry for many years, but—

The Chair (Mr. Bas Balkissoon): We'll move on to the government side. Mr. Johnson.

Mr. Rick Johnson: I'm passing it off to Mr. Levac.

Mr. Dave Levac: Thank you very much for your presentation. A couple of things to follow up on: some of the concerns that get raised by some individuals—rightfully so, because if they're concerns, we need to put them on the table to see if they need to be addressed. Do you believe this has been rushed? And if that, do you also believe that, to carry on with what you were saying, the coverage of what it is that we're attempting to do immediately sets the table for us to get the job done that has been highlighted as being a fault in the province of Ontario?

Mr. Gordon Coukell: If working on this project for the last five years is rushing, then no, I don't think it's being rushed. We're very fortunate that we haven't had a disease outbreak in the meantime.

Mr. Dave Levac: Regarding the minister's ability to deal with traceability as opposed to being an enabling piece of legislation, your understanding is that that provides us with the opportunity to get it right.

Mr. Gordon Coukell: That should provide us with the opportunity to get it right and to interact with a national system if and when it's there.

Mr. Dave Levac: Thank you very much.

The Chair (Mr. Bas Balkissoon): We'll move on to the official opposition.

Mr. Ernie Hardeman: Gord, good to see you again. Thank you very much for your presentation. It's obviously a presentation from a group of individuals who have a greater interest, particularly, in animal traceability.

I want to go to traceability and the issue of whether the federal government is or isn't going to have it. We're

going to make the assumption that they are going to come forward with a traceability program that suits the needs of Ontario's producers. You mentioned in your presentation that, "Presently, in Ontario, the Canadian Food Inspection Agency is the only entity with legal powers to control movement of animals and order eradications." If that's good enough for our total meat processing sector, why is that not good enough for traceability?

Mr. Gordon Coukell: I don't think it's good enough for the total meat sector, and that's why we mentioned the grey period. We've been very fortunate that we haven't had a disease outbreak.

Mr. Ernie Hardeman: We could have a long debate about that, Gord, but the problems are no greater in the CFIA-inspected plants than they are in any provincially inspected plants. It may need revamping, but I would suggest that expanding either one of them would be good news. It seems to me that creating another body to do exactly the same thing from scratch doesn't make a lot of sense if we have the federal government already putting it in place.

Mr. Gordon Coukell: With due respect, Mr. Hardeman, I think we're talking about two different things here. Traceability is the ability to know where animals are: if they're diseased, where they are, where they've been, who they've been in contact with. It's nothing to do with the slaughter area—

Mr. Ernie Hardeman: No, but why can't the CFIA agency do exactly the same thing? They have people on the ground here. They have offices here. It seems to me that setting up two parallel systems doesn't make a lot of sense.

Mr. Gordon Coukell: I don't want to criticize the CFIA, but they have a hard job keeping up with what they're supposed to do today with the people they have on the ground. They don't have the ability to do this at this point in time.

Mr. Ernie Hardeman: Wouldn't it make more sense for the province to add something to that and make that a better organization? We do serve the same people, don't we?

Mr. Gordon Coukell: And that could be done through the ability to regulate under this act.

Mr. Ernie Hardeman: Okay. Thank you.

The Chair (Mr. Bas Balkissoon): Thank you very much. I thank all the deputants for being here.

I'd remind committee members, before you leave, that amendments must be filed with the clerk of the committee by 12 noon on Monday, November 30, 2009, and there is no exemption because this bill is time-allocated.

We're now adjourned until Tuesday, December 1, at 3:30 p.m. or following routine proceedings. Thank you.

The committee adjourned at 1454.

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