



January 3, 2011

Dr Gardner Murray  
Manager, Product Integrity, Animal and Plant Health group  
Department of Agriculture, Fisheries and Forestry  
PO Box 858  
**CANBERRA ACT 2601**

**RE : Australian farm animals, Live Exports, The OIE Terrestrial Animal Health Code and the Australian Standards for the Export of Livestock V2.3**

We write again to express our concerns in relation to Australia's claim to be proactive in working with the World Organisation of Animal Health (OIE) to prevent cruelty perpetrated upon animals destined for live export. This follows our complaint about the use of electric goads on sheep contrary to Article 7.2.8 (3) of the Terrestrial Animal Health Code states, in relation to the **use of electric goads**:-

*"The use of such devices should be limited to battery-powered goads on the hindquarters of pigs and large ruminants, and never on sensitive areas such as the eyes, mouth, ears, anogenital region or belly. Such instruments should not be used on horses, **sheep and goats of any age**, or on calves or piglets".*

To supplement that complaint, we add the following from the *Australian Standards for the Export of Livestock V2.3* which clearly are not met when there is obvious and systemic use of electric goads on sheep:-

*'The exporter is also responsible for ensuring that livestock are loaded in a manner that prevents injury and **minimises stress** by providing **competent animal handlers** and suitable loading facilities'.<sup>1</sup> This is reiterated at various points throughout the document.*

The Australian Standards for the Export of Livestock further state:-

*'The Standards are referenced in the Australian Meat and Livestock Industry (Export Licensing) Regulations 1998 and the Export Control (Animals) Order 2004, which came into effect on 1 December 2004. These Australian Government laws cover only the exporter,*

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<sup>1</sup> Australian Standards for the Export of Livestock v2.3 p13



*Australian Quarantine and Inspection Service (AQIS)-accredited veterinarians, the registration of premises, and processes relating to the livestock export trade. The Standards are relevant throughout the livestock export chain and should be reflected in relevant industry quality assurance (QA) programs’.*<sup>2</sup>

Furthermore, page 27 of the ALES v2.3 states that sheep must not be prepared for export if they present with:-

- Blindness in one or both eyes
- Cancer eye
- Keratoconjunctivitis (pink eye)

At page 43<sup>3</sup> of the document it is clearly stated that:

*‘Livestock must be inspected prior to loading and any animal showing signs consistent with the rejection criteria in Standard S1.7 of Standard 1 (earlier referenced)– Sourcing and on farm preparation of livestock, or any other condition that could cause the animal’s health and welfare to decline during transport or export preparation, must not be transported’.*

We have provided below a series of photographs taken at the port of Fremantle to be loaded onto the *M/V Bader III* on the 29/10/11 and 30/10/11. The eye problems included pink eye, blindness in one or both eyes and discharging eyes.

**Berth 1; Loading of the Bader 3- 29/10/11**  
**Period of observation- 1645 hrs to 1845 hrs**

**Series 1-8 which we suggest show serious eye problems**



<sup>2</sup> Ibid p5

<sup>3</sup> Ibid p43

Stop Tasmanian Animal Cruelty  
PO Box 252  
BRIDGEWATER TAS 7030  
Phone 0420 988221  
Email [stoptac@internode.on.net](mailto:stoptac@internode.on.net)

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**Series 9-12 – Moderate to severe problems**



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BRIDGEWATER TAS 7030  
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**Berth 1; Loading of the M/V Bader III- 30/10/11**

**Period of observation- 1000 hrs to 1800 hrs**

**SERIES 1: Apparent serious eye problems**



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Information provided to us by observers at the port indicates that the animals pictured, and others, were presented for loading on to the M/V Bader III for export.

### **The foundation of this complaint**

It is our allegation that the transport of sheep with eye problems as significant as those pictured, which appear to include pink eye (keratoconjunctivitis) and apparent blindness in one or both eyes, from the registered premises to the port of Fremantle is in clear and



unequivocal breach of **Version 2.3 Australian Standards for the Export of Livestock April 2011 S2.11** where the rejection criteria of **v 2.3 ASEL April 2011 S1.7** clearly specifies pink eye and/or blindness in one or both eyes. In other words, these animals should never have been transported to the port.

The transport of animals in a way that causes them unnecessary harm also directly contravenes **s19(2)(e)** of the **Animal Welfare Act 2002 (WA)** (The Act) where harm is defined in **s5** to include pain and distress experienced by the animal. Keratoconjunctivitis is a painful and highly contagious disease, and blindness in one or both eyes is clearly distressing for the animal given the multiple phases of journey it will experience in the live export chain.

It is stated in **Version 2.3 of the ASEL (April 2011), (the 'Position Statement')** that *'the Australian Government is responsible for regulation of the live export industry, including licensing livestock exporters, inspection and health and welfare certification of livestock for export, and issuing export permits and health certificates. This includes ensuring exporters, operators of registered premises and accredited veterinarians comply with the Standards'*.

It is further stated in **ASEL v 2.3 April 2011 Position Statement (the 'Operating Environment)** that *'the export of animals obliges all participants in the trade to ensure that the animals' health and welfare is protected to the greatest extent possible and reflects Australian community expectations. The health and welfare of livestock in the live export chain should be protected by:*

- *state and territory legislation, including animal welfare Acts*
- *Australian Government legislation, including the Standards'*

The observer who provided this evidence observed none (9) transporters on the 29/10/11 and saw approximately 23 high level eye problems and 29 medium level eye problems. On the 30/10/11, she observed 18 trucks and saw approximately 103 high level eye problems and 101 medium level problems. The photographs above are a small sample of the overt level of eye problems witnessed during the loading of the M/V Bader III on the 29<sup>th</sup> and 30<sup>th</sup> October 2011. The remaining photographs also provided but not included in this complaint comprised a spectrum of eye problems from high to medium level eye problems.

The transport of significant numbers of sheep suffering various stages of pink eye including advanced pink eye, together with our earlier complaint regarding the use of electric goads



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contrary to the OIE Article 7.2.8 (3) of the Terrestrial Animal Health Code, is evidence of a complete disregard for the Australian Government's, and DAFF's claimed commitment to basic animal welfare regulation of the live export trade.

Could you please respond to the following questions:-

1. What DAFF intends to do about the breaches of the ASEL and the OIE Terrestrial Animal Health Code in relation to the large numbers of sheep unfit to travel from the registered premises to the port of Fremantle on the 29<sup>th</sup> and 30<sup>th</sup> of October 2011.
2. What DAFF intends to do about the veterinarian/s who approved ill and unfit animals for transport and export
3. Please advise the extent of the AQIS presence during the period of this particular loading.

In making these requests, we remind you that Version 2.3 Australian Standards for the Export of Livestock (April 2011) Standard 4 (Required Outcomes) addressing the vessel loading phase of live exports states that **AQIS must be satisfied** that the Standards have been met before issuing a health certificate and export permit.

4. Please also, as part of your investigation, advise how many sheep were rejected between 1000 hrs and 2000 hrs on 30/10/11 prior to the issuing of the export permit for this particular loading.

Please note that this complaint has also been forwarded to Dean Merrilees at AQIS, as well as to the OIE, and to media and retail outlets in countries which import Australian animals and meat.

Yours sincerely

**SUZANNE CASS**

Stop Tasmanian Animal Cruelty