

October 11, 2015

Via Email

National Farm Animal Care Council
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To Whom It May Concern:

Re: Animal Justice's Comments on Draft Poultry Code of Practice

This month, National Farm Animal Care Council (NFACC) released the draft Code of Practice for the Care and Handling of Hatching Eggs, Breeders, Chickens, and Turkeys ("draft code"), inviting comments from the public to be considered before the final code of practice is issued.

Enclosed you will find comments on behalf of Animal Justice, a national organization dedicated to securing legal protection for animals in Canada.

The substance of the final code of practice is of consequence. The government does not regulate on-farm conditions in Canada, choosing instead to fund and endorse the codes of practice. These codes of practice are the closest to on-farm regulations that we currently have in Canada.

Moreover, several provinces refer to the codes of practice in their provincial animal welfare legislation, and the codes of practice may form the basis of "generally accepted practices" for the purposes of determining whether animal welfare offences have been committed.¹ That means the codes of practice have legislative and common law significance.

The enormous number of chickens raised for food in Canada makes broiler chickens the single greatest animal welfare concern in the country. In 2014, more than 640 million chickens² (along with more than 20 million turkeys³) were killed for meat in Canada.

¹ For a complete explanation, see: Anna Pippus, "Strengthening Farmed Animal Welfare Laws," presented to the Ontario Bar Association, 2014, online: <http://www.animaljustice.ca/blog/strengthening-canadas-farmed-animal-welfare-laws/>.

² Agriculture and Agri-Food Canada, 2014 Poultry Slaughter Report, Chicken.

³ Agriculture and Agri-Food Canada, 2014 Poultry Slaughter Report, Turkey.

In addition to their sheer numbers, relative to other intensively farmed animals, the welfare of broiler chickens is quite possibly the worst.⁴

In its current state, the draft code falls short. It leaves out or scarcely addresses the most important animal welfare concerns. In many areas it is not a meaningful improvement over the previous code, and in some areas it is even a step in the wrong direction. Despite claiming to be the result of a “scientifically rigorous,”⁵ process, the draft code ignores many of the conclusions of the Poultry Code of Practice Scientific Committee, which was specifically appointed to inform the draft code’s development. It is apparent that the interests of producers, rather than animal welfare, have been the paramount concern in the draft code.

The most significant flaw of the draft code is its failure to address genetic selection for rapid growth, which renders animals in systemic, chronic pain. The rapid growth of broiler chickens leads to lameness, heart failure, and compromised immunity. Professor Emeritus and husbandry expert John Webster has called such genetic manipulation “the single most severe, systematic example of man’s inhumanity to another sentient animals.”⁶ If only one change is made to the draft code, it should be to regulate limits on genetic selection, and to do so with urgency.

The draft code falls short in most other areas, too. In the following submission, we flag and expand upon the following ten areas of concern:

1. There are no limitations on genetic selection for rapid growth.
2. Severe overcrowding is permitted.
3. Inhumane catching and loading practices are not adequately addressed.
4. The use of near-constant, dim lighting is permitted.
5. Painful mutilations, such as beak and toe amputations, are permitted, using outdated technology and without the use of painkillers.
6. The chronic hunger of broiler breeders is not adequately addressed.
7. Cleaning facilities between flocks is not, but should be, a requirement.
8. Although not currently used for broilers in Canada, cages should be banned.
9. “Required” practices should set out specific, measurable standards.
10. There is no guidance on the use of antibiotics.

⁴ Nick Cooney, *Veganomics*, 2014 (Brooklyn, NY: Lantern Books), citing personal correspondence with poultry welfare expert Dr. Sara Shields.

⁵ NFACC, Codes of Practice for the care and handling of farm animals, online: <http://www.nfacc.ca/codes-of-practice>.

⁶ John Webster, *Animal Welfare: A Cool Eye Towards Eden*, 1995 (Cambridge, MA: Blackwell Science, p. 156).

Additionally, the definition of “euthanasia” does not comport with common language use, and would perpetuate the euphemistic use of the word to cover instances in which the word “killing” would be more accurate. Whereas Merriam-Webster defines euthanasia as “The act or practice of killing someone who is very sick or injured in order to prevent any more suffering,” the draft code defines euthanasia as “The process of ending the life of an individual animal in a way that minimizes or eliminates pain and distress.” The draft code should not reinvent the English language in order to avoid acknowledging the serious and grisly nature of the industry.

Concern #1: There are no limitations on genetic selection for rapid growth.

This is a paramount welfare concern. Selective breeding for fast growth and large breasts is the source of most welfare problems.⁷ Not only does it lead to lameness, heart failure and compromised immunity, but breeding birds must necessarily be starved to stay alive.

The only mention of curtailing runaway genetic selection practices is a single, throwaway sentence in reference to the extreme feed restriction imposed on broiler breeders.

NFACC’s own appointed Scientific Committee acknowledged that genetic selection for rapid growth causes lameness;⁸ still, this issue does not appear in the draft code.

Concern #2: Severe overcrowding is permitted.

The draft code allows chickens to be crowded to a density of up to 38 kg/m², which—assuming an average broiler size of approximately 2 kg—amounts to approximately 19 birds per square metre. This is not an improvement over the previous code of practice, which also allows stocking densities of up to 38 kg/m².⁹ In fact, it is a step in the wrong direction considering that while 31 kg/m² is the

⁷ Compassion in World Farming Trust, “The Welfare of Broiler Chickens in the European Union,” 2005, online: <http://www.ciwf.com/media/1241298/welfare-of-broilers-in-the-eu-2005.pdf>.

⁸ Karen Schwean-Lardner et. al., “Code of Practice for the Care and Handling of Chickens, Turkeys, and Breeders: Review of Scientific Research on Priority Issues,” November 2013, online: http://www.nfacc.ca/resources/codes-of-practice/chickens-turkeys-and-breeders/Poultry_SCReport_Nov2013.pdf.

⁹ Canadian Agri-Food Research Council, “Recommended Code of Practice for the Care and Handling of Farm Animals: Chickens, Turkeys and Breeders from Hatchery to Processing Plant,” 2003, p. 18.

recommended target in the previous code, the draft code increases this target to 33 kg/m².

The European Commission's respected Scientific Committee on Animal Health and Animal Welfare (SCAHAW) recommends stocking densities of 25 kg/m² or lower. According to SCAHAW, "It is clear from the behaviour and leg disorder studies that the stocking density must be 25 kg/m² or lower for major welfare problems to be largely avoided and that above 30 kg/m², even with very good environmental control systems, there is a steep rise in the frequency of serious problems."¹⁰

Concern #3: Inhumane catching and loading practices are not adequately addressed.

When chickens and turkeys reach slaughter weight, they are rounded up and packed into crates by unskilled workers. Workers carry three or four animals per hand, upside down, and throw them into transport crates. Rough handling is the norm. The confused, terrified birds experience extreme stress, and are frequently physically harmed with bruises, broken bones, dislocated joints, and other injuries.¹¹

In 2014 in Canada, almost 1.4 million chickens were loaded alive for transport but were recorded as arriving dead at federal slaughterhouses.¹² These are animals who have died during transport. The figure excludes those who arrived injured or otherwise suffering.

In light of the dire welfare consequences associated with the manual catching techniques that are common practice in Canada, it is insufficient that the draft code essentially only requires "minimizing stress and injury" during catching. Specific guidelines and a structure that does not incentivize brutal handling habits should be set out and deemed required.

In contrast to Canada, the common practice in Sweden is for birds to be carried

¹⁰ European Commission, "The Welfare of Chickens Kept for Meat Production (Broilers): Report of the Scientific Committee on Animal Health and Welfare", 21 March 2000, SANCO.B.3/AH/R15/2000.

¹¹ The Humane Society of the United States, "An HSUS Report: Welfare Issues with Conventional Manual Catching of Broiler Chickens and Turkeys," 2009, *HSUS Reports: Farm Industry Impacts on Animals*. Paper 9.

¹² Agriculture and Agri-Food Canada, Poultry Condemnation Report By Species.

gently upright in pairs.¹³ This causes less stress and fewer injuries.

Concern #4: The use of near-constant, dim lighting is permitted.

Standard practice is to raise chickens with many hours of artificial light each day to keep the animals awake and eating, but keep the light intensity dim to prevent the animals from exerting too much energy. This near-constant dim lighting is associated with numerous welfare problems.¹⁴

The draft code requires only four hours of dark per day. This is insufficient. In the European Union, at least six hours is required by law,¹⁵ although this too would be insufficient. As noted by NFACC's Scientific Committee, mortality increases with each hour of light above 12 hours.¹⁶

The draft code suggests 5 to 10 lux as being sufficient lighting intensity during the light period. By contrast, SCAHAW notes a variety of welfare problems with lighting intensities below 20 lux,¹⁷ and at least 20 lux is required by law throughout the European Union.¹⁸ NFACC's Scientific Committee acknowledges that lighting intensities below 40 lux are insufficient and that broiler chickens and turkeys prefer 200 lux.¹⁹

¹³ The Humane Society of the United States, "An HSUS Report: Welfare Issues with Conventional Manual Catching of Broiler Chickens and Turkeys," 2009, *HSUS Reports: Farm Industry Impacts on Animals*. Paper 9.

¹⁴ The Humane Society of the United States, "An HSUS Report: The Welfare of Animals in the Chicken Industry," December 2013.

¹⁵ Council Directive 2007/43/EC.

¹⁶ Karen Schwean-Lardner et. al., "Code of Practice for the Care and Handling of Chickens, Turkeys, and Breeders: Review of Scientific Research on Priority Issues," November 2013, online: http://www.nfacc.ca/resources/codes-of-practice/chickens-turkeys-and-breeders/Poultry_SCReport_Nov2013.pdf.

¹⁷ European Commission, "The Welfare of Chickens Kept for Meat Production (Broilers): Report of the Scientific Committee on Animal Health and Welfare", 21 March 2000, SANCO.B.3/AH/R15/2000.

¹⁸ Council Directive 2007/43/EC.

¹⁹ Karen Schwean-Lardner et. al., "Code of Practice for the Care and Handling of Chickens, Turkeys, and Breeders: Review of Scientific Research on Priority Issues," November 2013, online: http://www.nfacc.ca/resources/codes-of-practice/chickens-turkeys-and-breeders/Poultry_SCReport_Nov2013.pdf.

The draft code's lighting intensity guidelines do not differ from the previous code of practice,²⁰ despite this being identified as a priority area.²¹

Concern #5: Painful mutilations, such as beak and toe amputations, are permitted, using outdated technology and without the use of painkillers.

The draft code permits cutting off beaks, toes, spurs, combs, and snoods. Such amputations should be banned in favour of better management practices, including environmental enrichments, appropriate stocking density, and suitable and sufficient food.

The draft code does not even mention painkillers. If these physical mutilations are not banned, painkillers should be required.

Although the draft code favours less painful methods of performing these amputations, it does not require them, and in fact explicitly permits the use of outdated technologies like hot blade trimming. If physical mutilations are not banned, use of the best available technology should be required.

Concern #6: The chronic hunger of broiler breeders is not adequately addressed.

In order to prevent them from dropping dead, broiler chickens reared to reproductive age must be kept in a state of near-starvation. Feed restriction in broiler breeders causes stress, frustration, boredom, and chronic hunger.²²

The draft code acknowledges that "restricted feeding programs result in chronic hunger,"²³ but rather than addressing this serious issue, it chalks up the "negative impact on bird welfare" as "unavoidable."

²⁰ Canadian Agri-Food Research Council, "Recommended Code of Practice for the Care and Handling of Farm Animals: Chickens, Turkeys and Breeders from Hatchery to Processing Plant," 2003, p. 8.

²¹ Karen Schwean-Lardner et. al., "Code of Practice for the Care and Handling of Chickens, Turkeys, and Breeders: Review of Scientific Research on Priority Issues," November 2013, online: http://www.nfacc.ca/resources/codes-of-practice/chickens-turkeys-and-breeders/Poultry_SCReport_Nov2013.pdf.

²² The Humane Society of the United States, "An HSUS Report: The Welfare of Animals in the Chicken Industry," December 2013.

²³ National Farm Animal Care Council, "Code of Practice for the Care and Handling of Hatching Eggs, Breeders, Chickens, and Turkeys (Draft for Public Comment Period), p. 18.

Although the chronic hunger of broiler breeders has been identified as a priority welfare issue, the draft code offers merely one sentence to address it: “Genetics companies are encouraged to select for more moderate production goals that allow birds to be productive without having to be subjected to such extreme food restriction to protect their health.”

This is insufficient. It should be required, and it should be considered urgent, that at bare minimum birds are genetically capable of living to reproductive age without needing to be subjected to “extreme food restriction.”

Concern #7: Cleaning facilities between flocks is not, but should be, a requirement.

The draft code does not require facilities to be cleaned between flocks. Leaving the excrement-covered litter in facilities is, unsurprisingly, associated with poor air quality. Specifically, air contains more dust, bacteria, fungal spores, and ammonia.²⁴ Dirty litter and air causes eye, lung, and skin problems.

For reasons of animal welfare and food safety, producers should be required to clean out dirty facilities between flocks.

Concern #8: Although not currently used for broilers in Canada, cages should be banned.

Cages are not used to house broiler chickens in Canada because cages have historically caused breast blisters, which consumers find unattractive.²⁵ However, cages are used in other parts of the world where it is more economically feasible for a variety of reasons, including changing cage technology.²⁶

Canadian producers should be prohibited from adopting cage systems for broiler chickens. Such systems are associated with even worse welfare than is currently experienced by floor-reared broiler chickens.

²⁴ The Humane Society of the United States, “An HSUS Report: The Welfare of Animals in the Chicken Industry,” December 2013.

²⁵ F.N. Reece, J.W. Deaton, J.D. May, and K.N. May, “Cage Versus Floor Rearing of Broiler Chickens,” *Poultry Science* (1971) 50 (6): 1786-1790.

²⁶ Sara Shields and Michael Greger, “Animal Welfare and Food Safety Aspects of Confining Broiler Chickens to Cages,” *Animals* 2013, 3(2), 386-400.

Concern #9: “Required” practices should set out specific, measurable standards.

Phrases such as “sufficient quantities”, “appropriate” diet, “adequate nutrients”, “heights that may cause injury”, and “appropriate environmental conditions” fail to communicate evidence-based best practices or guide behaviour.

“Required” practices should set out specific, measurable standards, rather than leaving it up to producers to determine. This is particularly so in the many cases that improved animal welfare comes with an associated cost or inconvenience. It is unrealistic to expect the fox to guard the henhouse with any degree of responsibility without specific instructions.

The draft code states that requirements are intended to be outcome based, allowing producers flexibility to determine how the welfare outcome will be achieved. Meanwhile, failing to implement recommended practices “does not imply that acceptable standards of animal care are not being met.”

Deliberately keeping requirements vague significantly impairs the potential of the code of practice. It is likely this is understood by those who developed the draft code—mostly industry groups—because requiring specific, measurable standards would promote producer accountability.

If we take animal welfare seriously, we should be promoting, not undermining, producer accountability and ensuring agreed upon standards are being met.

Concern #10: There is no guidance on the use of antibiotics.

Antibiotic-resistant bacteria are widespread in broiler chickens.²⁷ This is both an animal welfare and a public health concern.

The College of Veterinarians of Ontario has linked poultry overcrowding with Salmonella, and environmental stressors with *E.coli*.²⁸ The spread of these and other diseases in turn contributes to the overuse of antibiotics.

Antibiotics should not be allowed for growth promotion or at sub-therapeutic levels. Instead of using antibiotics, producers should address the root of the problem:

²⁷ e.g. Margaret Munro, “Superbugs spreading in Canada due to lax laws governing antibiotic use by farmers: leading doctors,” *National Post* 21 February 2014.

²⁸ The College of Veterinarians of Ontario, “Ontario Veterinary Stewardship of Antibiotic Use in Food-Producing Animals,” p. 8, 2015 (draft report).

confining thousands of genetically immuno-compromised animals into crowded, filthy warehouses.

Thank you for considering our concerns. We look forward to reviewing the final code. I am available to provide any clarification or for further dialogue.

Yours truly,



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