

April 6, 2017

Via Email:
Ontario Society for the Prevention of Cruelty to Animals
cruelty@ospca.on.ca

Via Fax:
Canadian Food Inspection Agency - Ontario Area
Fax: 226-217-8495

To whom it may concern:

RE: Animal abuse at Ottawa Livestock Exchange in Greely, Ontario

I am writing on behalf of Animal Justice, a national non-profit organization with special expertise in animal protection law, including laws that protect farmed animals.

I am also writing on behalf of Ontario resident Linda Petras, who witnessed and documented violations of both federal and provincial animal protection laws at Ottawa Livestock Exchange (1643 Sale Barn Rd., Greely, Ontario) on November 10, 2016.

Ms. Petras documented on video, and can competently testify, that:

The calves were all cuddled together, napping, one of them right by the entrance to the pen. One of the workers opened the pen but the sleeping calves weren't moving.

He then walked over to the first one and wound his leg all the way back and delivered a full kick to the calf's ribs with his steel toe boot. The calf then started struggling to get up and the worker again proceeded to kick the calf two more times before it was able to get to its feet.

This is when I began filming, and the two workers were fully aware I was watching at this point so they started being "nicer" to the calves, but as you can see the animals were not treated in a respectful or humane fashion regardless.¹

The Ontario Society for the Prevention of Cruelty to Animals Act prohibits causing animals to be in distress.² It only exempts agricultural activities if they are both reasonable and generally accepted.³ Kicking sleeping newborn calves is neither reasonable nor is it generally accepted.

¹ Witness statement of Ms. Linda Petras, Appendix 1 herein.

² R.S.O. 1990, c. O.36, section 11.2(1).

³ *Ibid.*, section 11.2(6)(c).

Generally accepted practices can be found in the industry's codes of practice, in which the industry articulates what it considers to be acceptable and unacceptable treatment of animals.

The Transport Code of Practice specifies that overexerted calves should be allowed to rest.⁴ In addition, "Care is essential when forced movement of a stressed calf is necessary. Every animal should be treated with extreme patience when it is overexerted."⁵ Calves at livestock auctions are inherently overexerted.

The Veal Code of Practice requires personnel working with calves at livestock auctions to be instructed in humane handling techniques.⁶ Calves should be moved with patience⁷ and exposed to a minimum of discomfort.⁸

The Dairy Cattle Code of Practice specifies that kicking is "aversive to cattle" and should be avoided.⁹ It also provides that "animals should be handled with care and in a calm, easy manner."¹⁰

Moreover, the Health of Animals Regulations—which apply at livestock auctions—prohibit handling animals in a way likely to cause undue suffering.¹¹

Under no circumstances is it either morally acceptable or legal to kick resting newborn animals. We urge your offices to investigate this incident. Rigorous enforcement of laws is essential to deter abuse and to curb what appears to be a pattern of casual cruelty towards helpless animals.

Yours truly,



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APippus@AnimalJustice.ca

⁴ 8.1.2.

⁵ 8.1.4.

⁶ Canadian Agri-Food Research Council, Recommended code of practice for the care and handling of farm animals: Veal calves, section 7.13.1.

⁷ *Ibid.*, section 7.13.1.

⁸ *Ibid.*, section 7.13.13.

⁹ National Farm Animal Care Council, Code of Practice for the care and handling of farm animals - Dairy Cattle, section 3.2.

¹⁰ *Ibid.*, section 4.1.

¹¹ Health of Animals Regulations (C.R.C., c. 296), section 139.

APPENDIX 1

WITNESS STATEMENT OF LINDA PETRAS

The date of this video was November 10th (2016) at Leo's Livestock Auction House in Greely, ON.

This was my second time entering this auction house for one of their weekly auctions.

I had a chance to walk around the property prior the auction starting, and see where the animals were being held.

It was slow that day, so there were multiple pens completely empty, yet I found two bulls tied up with less than a meter of rope right next to each other. I was later told by a farmer that they do this so the bulls won't fight each other....as I mentioned there were at least 20 empty pens just from what I could see where they could have been held separately, but instead they were tied a few feet from each other just staring at the wall all day long, with no water or food.

But before I was approached by a worker I had a chance to film the bulls and while I was shooting in the background you can hear workers hitting cows (I couldn't tell with what, perhaps the gates?) and when the cows cried out in fear/pain the workers began laughing and mocking their sounds telling them to "shut the fuck up".

After that I went and sat through the auction. Many of the calves were so young they had a hard time walking around, yet the worker pushed them around the ring with a stick, many times causing them to fall over.

The footage I got was after the auction, the workers were trying to move the calves to another area where they were to be loaded on the truck. I wish I had caught the beginning of the situation on tape. The calves were all cuddled together, napping, one of them right by the entrance to the pen. One of the workers opened the pen but the sleeping calves weren't moving.

He then walked over to the first one and wound his leg all the way back and delivered a full kick to the calf's ribs with his steel toe boot. The calf then started struggling to get up and the worker again proceeded to kick the calf two more times before it was able to get to its feet.

This is when I began filming, and the two workers were fully aware I was watching at this point so they started being "nicer" to the calves, but as you can see the animals were not treated in a respectful or humane fashion regardless.