

EADRA GUIDANCE DOCUMENT

Livestock Welfare Management and Compensation Principles for Parties to the Emergency Animal Disease Response Agreement

SUMMARY OF GUIDANCE AND RECCOMENDATIONS

1. A set pf principles, criteria and guidance is presented for determining whether an animal welfare related response cost could be eligible for cost shared under the EADRA.

PURPOSE OF THIS GUIDANCE DOCUMENT

2. This guidance document is provided to signatories of the Emergency Animal Disease Response Agreement¹ (EADRA) to facilitate a common understanding and provide greater clarity on the Livestock Welfare Management and Compensation Principles are published as guidelines for decision-making in the case of a cost-shared response under an approved EAD Response Plan.
3. This guidance document should be read in conjunction with the EADRA. If there is any conflict between the EADRA and this guidance document then the provisions of the EADRA will take precedence over the guidance document.

WHAT ARE THE LIVESTOCK WELFARE MANAGEMENT AND COMPENSATION PRINCIPLES?

4. The purpose of defining Livestock Welfare Management and Compensation Principles is to ensure that Parties understand their potential commitments to a response up front, to improve funding certainty during a response, to assist with response planning and incident management, and thereby to promote rapid responses to emergency situations.
5. The principles define the context, scope and assumptions for livestock welfare management in an EAD response. A detailed version is in Attachment A, and a summary in Attachment B.
6. These principles are also included in the AUSVETPLAN Operational Manual: Livestock welfare and management². Further details on process and enterprise specifics are available there.

BACKGROUND

7. In emergency disease responses around the world it is acknowledged that the welfare of animals is an important consideration. In recent responses that achieved eradication of the disease,

¹ The legal title is “Government and Livestock Industry Cost Sharing Deed in Respect of Emergency animal Disease Responses”
<https://www.animalhealthaustralia.com.au/what-we-do/emergency-animal-disease/ead-response-agreement/>

² <https://www.animalhealthaustralia.com.au/our-publications/ausvetplan-manuals-and-documents/>

significant resources were devoted to the management of animal welfare cases. Australia acknowledges this predicament and the need to act responsibly in an animal disease crisis.

8. In 2006, the Parties to the EADRA agreed to request Animal Health Australia to develop a set of principles for the management of livestock welfare in an EAD Response. The following description of 'compensatable welfare slaughter' was agreed in the September 2009 EADRA workshop, without the need to alter the EADRA:

"Compensation for welfare-related slaughter under the EADRA is appropriate where the relevant CVO agrees that the slaughter is essential for disease control purposes in accordance with an approved EAD Response Plan and all other non-slaughter options have been exhausted.

Compensation is limited to the market value of the destroyed animals as defined in the EADRA, and does not include reduced value, feed costs, husbandry costs, or any other form of consequential loss."

9. EADRA **Clause 10.6 (d)** provides a mechanism for such costs to be shared subject to NMG approval.
10. The February 2010 EADRA workshop participants agreed:
 - a) to the principles for animal welfare management in an EAD response
 - b) to the working group continuing to develop guidance for CVOs relating to welfare compensation (determine whether or not the Deed would require changes – group would develop guidelines)
 - c) to further investigate the operation of disease control principles and their effect on welfare in two case studies.
11. The March 2012 EADRA workshop participants agreed that the foot-and-mouth disease (FMD) and highly-pathogenic avian influenza (HPAI) modelling studies completed in 2011 to scope resources and further test the principles were substantial predictors of likely and possible management of welfare issues in FMD and HPAI responses. Space for growing pigs and meat chickens is the most likely issue, assuming other supply issues are met; there is an inevitability of space related problems developing in 14 days for pigs and 3 days for meat chickens. A timely response would be required.
12. The FMD and HPAI modelling studies are available as AUSVETPLAN resource documents.
13. The Parties agreed in March 2012 that the current studies indicate that existing welfare arrangements, guiding principles and the EADRA contribute substantially to successful management of welfare issues in an EAD response and do not require further revision.
14. The March 2012 EADRA workshop participants agreed that there needs to be further development of arrangements surrounding concessional movements to slaughter and products to markets to improve feasibility of this salvage welfare slaughter strategy. It was also noted that significant other non-welfare issues in response planning, policy and resourcing have been highlighted by the FMD and HPAI response studies. There is a commitment that future disease control exercises test a scenario including the management of welfare issues on non-infected enterprises and this additional study could lead to a revision of these principles.

Animal Health Australia

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ATTACHMENTS

Attachment A *Principles for Livestock Welfare Management and Compensation in an EAD Response*

Attachment B *A summary of the guiding principles for Livestock Welfare Management and Compensation in an EAD Response*

Attachment A: Principles for Livestock Welfare Management and Compensation in an EAD Response

A different standard of welfare management to that normally expected is temporarily required in an EAD response where the normal ability to provide care for animals by the owner is compromised.

The owner (manager or custodian) of the enterprise is primarily responsible for the welfare of the animals contained therein. Persons working in the enterprise also have individual responsibilities for animal welfare commensurate with their roles and responsibilities in the enterprise.

However everybody involved in a responses holds some responsibility for the maintenance of animal welfare standards.

The animal welfare legislation in the relevant jurisdiction must be complied with during an EAD response.

The 'five freedoms' are an accepted framework for thinking about animal welfare³. All livestock (including those intended for immediate killing) have these basic welfare needs. The welfare issues that may be encountered in a response will vary with the species and the circumstances.

The minimum satisfaction of welfare needs is not precisely defined and must be determined by collaboration between the enterprise and the Local Control Centre (LCC). The *AUSVETPLAN Operational Procedures Manual: Livestock Welfare and Management*⁴ sets out EAD response welfare guidelines for different species. The accepted standard of animal welfare management at an enterprise level must be determined in accordance with all of these EAD livestock welfare management principles and in an open and transparent process as outlined.

Appropriate pre-emptive action must be taken by the enterprise in an EAD situation before a welfare problem is allowed to develop. Such actions should include reasonable management strategies, rigorous welfare risk assessment and planning, use of expert advice, and a timely, transparent and auditable decision-making process.

The LCC must be informed prior to a welfare crisis developing. The LCC will develop an animal welfare plan in collaboration with the enterprise. This plan needs to be consistent with (or part of) the EAD Response Plan and once approved will become the Approved Animal Welfare Plan (AAWP). Control centres will take a cooperative approach to exploring and providing all options to alleviate animal welfare issues.

The aim is to ensure:

- destruction of the minimum number of non-infected animals during the EAD response
- maintenance of acceptable animal welfare standards for all livestock species, without compromising disease control and eradication efforts

³ https://en.wikipedia.org/wiki/Five_freedoms

⁴ <https://www.animalhealthaustralia.com.au/our-publications/ausvetplan-manuals-and-documents/>

- effective management of animals within restricted areas and elsewhere, based on sound risk assessment, to avoid later welfare problems
- best use of available resources (finances, personnel, infrastructure, feed and water)
- movement and other disease control measures are applied to minimise the likelihood of slaughter being necessary due to welfare reasons.

The implementation of an AAWP is required for the enterprise to be eligible for consideration for compensation.

During a response, movement controls applied to susceptible animals are risk-based and may vary, depending on the known epidemiology of the outbreak, the local disease situation, social and business continuity impacts, and animal welfare. The LCC / State Control Centre will apply disease control restrictions where possible to alleviate animal welfare issues. The jurisdiction will as far as possible design EAD areas to include suitable livestock slaughtering facilities.

Consequential losses or the unjustified failure to properly provide for animals does not qualify for consideration. A working definition of “consequential loss” is provided in the *EADRA Guidance Document: Consequential loss*.

Response activities may result in risks to animal welfare. If these risks cannot be adequately managed, jurisdictional welfare legislation may require affected animals to be humanely slaughtered. Compensation or financial assistance may then be available for the animal owner and such payments may be eligible for cost-sharing if they meet the conditions outlined below:

- eligibility for compensation and cost sharing must be at the discretion of, and agreed by the relevant CVO
- must be clearly identifiable as directly contributing to the disease management outcomes of the response
- must be included in the approved EADRP
- all non-destruction options must have been considered.

It is recognised that compensation, financial assistance or other forms of payment (e.g. *ex gratia* or *ad hoc* payments) may be payable for actions taken to reduce the risk of animal welfare issues that are not considered eligible for Cost-Sharing.

Where welfare-related destruction under the EADRA is appropriate, it will be for the minimum number of livestock necessary to alleviate the welfare issue.

Where compensation is approved, the valuation and destruction process will be applied as for any party with infected animals under the EAD Response Plan.

Attachment B Summary of the guiding principles for Livestock Welfare Management and Compensation in an EAD Response

- Owner is responsible to maintain acceptable animal welfare
- Welfare legislation must be complied with
- Approved Animal Welfare Plan (AAWP) allows detailed negotiations and planning
- Appropriate pre-emptive action must be taken by owner and CVO
- Effective management of animals is based on a risk assessment
- No compromise of disease eradication efforts
- Best use of available resources (finances, personnel, infrastructure, feed and water)
- Risk-based movement control measures & area declarations are applied to minimise welfare issues
- Destruction of the minimum number of non-infected animals
- Humane destruction represents the final option
- All non-destruction options must have been considered
- AAWP required for compensation to apply or included in the approved EADRP
- Valuation and destruction process will be applied as for any party with infected animals under the EADRP
- Eligibility for compensation must be at the discretion and agreed by the relevant CVO
- Must be clearly identifiable as directly contributing to the disease management outcomes of the response
- Where welfare-related slaughter under the EADRA is appropriate, it will be for the minimum number of livestock necessary to alleviate the welfare issue
- Consequential losses⁵ or unjustified failure to properly provide for animals is not eligible for compensation.

⁵ A working definition of “consequential loss” is provided in the *EADRA Guidance Document: Consequential loss*