



Ontario Livestock Transporters' Alliance



February 27, 2023

Dr. Mary-Jane Ireland
Executive Director, Chief Veterinary Officer
Canadian Food Inspection Agency
Animal Health Directorate
59 Camelot Dr
Ottawa, ON K1A 0Y9

Dear Dr. Ireland:

Re: Commercial Drivers' Hours of Service - Transporting Livestock

We are writing on behalf of our respective associations regarding animal welfare concerns associated with the mandatory use of electronic logging devices (ELDs) for livestock transporters. In your role as Chief Veterinary Officer of Canada, we are calling upon you to proactively work with your colleagues at Transport Canada to address this issue. We recognize the ELDs regulations are under the mandate of Transport Canada but animal welfare is the mandate of CFIA and thus an urgent conversation between the departments is required.

The mandatory use of ELDs began to be enforced as of January 1st this year. ELDs provide less flexibility in documenting service hours than paper logbooks. For example, an ELD will automatically begin calculating a driver's hours of service as soon as the truck reaches a speed of 6 km/hr which may be well in advance of when animals are actually loaded and ready for transit.

Due to this decreased flexibility, our concern is the potential for drivers to reach their maximum hours of service due to **unforeseen delays** before reaching the animals' destination or with unloading at the destination. As you are well aware, live haul drivers, unlike freight transporters, cannot simply pull into a rest area and go off-duty if they unexpectedly cannot get to their destination and/or unload within their hours of service. Most of our livestock trailers are passively ventilated which means the load cannot remain stationary for prolonged periods of time; it must be kept moving to attain maximum air flow and temperature control. This is also true for the transportation of bees. Plus, with bees, there is the concern of bee escapes when stationary which could be a human safety concern. Animal transporters are put in the impossible position of either complying with hours-of-service regulations or doing what they know is best for the humane and safe transportation of the live animals in their care.

Subsections 76(1) and (2) of the Commercial Vehicle Drivers Hours of Service Regulations permit drivers to extend the driving time allowed during adverse driving conditions or emergency situations in order to reach their destination for the safety of the occupants and the security of the load. This may cover animal welfare concerns, but the interpretation is left largely to enforcement officers.

We have written to Minister Omar Alghabra and Minister Marie-Claude Bibeau outlining these concerns. **Our request is not for an exemption of ELDs, but instead that Transport Canada take immediate steps to harmonize Canadian live animal transport regulations with the U.S. legislation.**

The U.S. has recognized the unique challenges associated with animal and insect transport. The 2021 *Infrastructure Investment and Jobs Act* included an exemption from hours of service for livestock and insect haulers within a 150 air-mile radius from the origin and destination of their trip. This is an extremely beneficial exemption as it allows the drivers flexibility in delivering the animals to their destination in a timely and safe manner. The exemption from origin has been in place on an interim basis since 2017. The U.S. Federal Motor Carrier Safety Administration commercial driver and crash data shows this exemption has not increased the number of livestock transporters involvement in total crashes involving large trucks.

Facilitating this harmonization may take time. Therefore, in the interim, we call for the temporary exemption of ELDs for livestock transporters or the immediate provision of strong guidance to all enforcement officers that clearly states that animal welfare issues are defined as 'emergency situations' in Subsections 76(1) and (2) of the *Commercial Vehicle Drivers Hours of Service Regulations*.

We call upon the federal government to create regulatory flexibility so that transporters can safeguard the welfare of the livestock in their care when unforeseen delays during transport cause drivers to go over duty hours. Both driver safety and animal welfare need to be considered. This requires an inter-departmental solution between Transport Canada and the CFIA. We would welcome the opportunity to meet with you to further discuss this important issue.

Sincerely,



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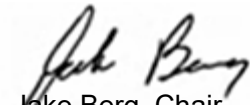
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¹ The **Canadian Cattle Association** is the national voice of Canada's 60,000 beef farms and feedlots.

² The **National Cattle Feeders' Association** represents Canadian cattle feeders on national issues and work in collaboration with other cattle organizations and government to strengthen and improve the cattle feeding industry.

³ The **Ontario Livestock Transporters' Alliance** represents approximately 80% of the commercial hog transport in Ontario and over half of the cattle transport. We also have members located in Manitoba, Alberta and Quebec.

⁴ The **Canadian Pork Council** is the national voice for hog producers in Canada. A federation of nine provincial pork industry associations representing 7,000 farms, the organization plays a leadership role in achieving and maintaining a dynamic and prosperous Canadian pork sector.

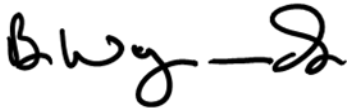


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⁵ The **Canadian Honey Council** is the national association of beekeepers representing apiculturists across Canada. The CHC provides a forum where producers, packers, professionals, provincial associations, and officials from different levels of government can talk and recommend action in the best interests of the Canadian honeybee industry.

⁶ The **Alberta Beekeepers Commission** supports 175 producers who manage more than 300,000 hives for honey production and pollination of hybrid canola seed and BC blueberries. Alberta is the largest honey producer in Canada and third largest in North America.

⁷ The **Canadian Veal Association** (CVA) is a partnership between Ontario and Quebec to advance the Canadian veal sector through proactive communication and collaboration. The CVA represents Canada's grain-fed and milk-fed veal farmers and industry partners.

⁸ The **Canadian Sheep Federation** represents the interests of Canadian sheep producers, through the member organizations, and provides leadership to the industry aimed at furthering the viability, growth and prosperity of the Canadian sheep and wool industry.

⁹ The **Canadian Meat Council** represents Canada's federally registered meat packers, meat processors and suppliers of goods and services to the meat industry. The Canadian red meat industry represents over 20 billion dollars to the Canadian economy and supports 288,000 jobs across Canada.

¹⁰ The **Canadian Federation of Agriculture** is a farmer-funded, national umbrella organization comprised of provincial general farm organizations and national and interprovincial commodity groups. Through our members we represent approximately 190,000 Canadian farm families from coast to coast.

¹¹ The **Canadian Association of Bovine Veterinarians** represents over 800 veterinarians from across Canada who have a specific interest in bovine health and production medicine.