

Out of Scope

From: Kimberly Roberts § 9(2)(a) >
Sent: Thursday, 19 May 2016 4:46 p.m.
To: Animal Welfare Submissions
Subject: Animal Welfare - Proposed Regulations - Simon's feedback submission.docx
Attachments: Animal Welfare - Proposed Regulations - Simon's feedback submission.docx;
ATT00001.txt

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Animal Welfare: Proposed Regulations

Simon Roberts

s 9(2)(a)

My feedback:

62. The proposed regulation states: Must be performed by a veterinarian or a veterinary student under the direct supervision of a veterinarian.

Must only be performed for therapeutic reasons

Pain relief must be used at the time of the procedure.

I disagree with this proposal in its entirety and advocate for the status quo and these are my reasons:

I am a member of the New Zealand Kennel Club (NZKC) and I am a registered breeder of pedigree dobermanns.

I only use the services of NZCDB accredited members to shorten the tails on my dobermann litters. The NZCDB as an organisation was established in 2004 and our membership is focussed on the welfare of tail shortened breeds. We operate as a fully audited and regulated group under the umbrella of the NZKC with the approval of the National Animal Welfare Advisory Committee (NAWAC).

I have never had an issue arise from any litter that I have had banded.

When I first bred dobermanns the tails on litters were shortened by my vet using pain relief and then severing the tail, and a few stitches applied to hold a fold of skin over the exposed end. I believe the current practice using accredited tail banders is far superior, is not a surgical procedure and is much preferable to the method that I used thirty years ago with the vet.

The banding is performed in my home with no undue stress to the mother or to the puppies.

I am of the understanding that the procedure of tail banding (described by the NAWAC approved scheme) is vastly different from the process of tail amputation and I am 100% an advocate for tail banding by an accredited bander performing the tail banding procedure under the Animal Welfare Act (No2) 2015 and this is not a surgical procedure.

The dobermann breed that I am associated with and that have their tails shortened by banding, are traditionally docked dogs that still perform their protection duties that they were bred for. In the current environment of home invasions and opportunist crimes of attack when out walking or jogging, the dobermann as the protector is highly valued. A dobermann is sleek and has nothing that a would be attacker can gain a hold of. It is clear that breed specifics were not taken into account when this proposal was documented.

I think the proposal is totally one-sided and I am very surprised that it could be written and circulated for discussion with such obvious and extreme bias.

61. The proposed regulations states: Front limb dew claw removal and articulated (jointed) hind limb dew claw removal:

Must be performed by a veterinarian or a veterinary student under the direct supervision of a veterinarian;

Must only be performed for therapeutic reasons; and

Pain relief must be used at the time of the procedure

Hind limb dew claws: non-articulated (greater than or equal to four days of age)

Must be performed by a veterinarian or veterinary student under supervision; and

Pain relief must be used at the time of the procedure.

I disagree with this proposal in its entirety and advocate for the status quo and these are my reasons:

My dobermann puppies have front dew claw removal performed as a neonate puppy 4 days of age or under. The neonate dewclaw is removed without cutting through bone (has not calcified) and does not bleed when performed correctly.

As a dog breeder and caretaker of the dobermann, I am fully versed in the damage that a dew claw can cause to the dog if left on.

From my personal experience of owning an english bull terrier that had dew claws left on as a neonate only to catch and rip both dew claws at the age of 1 year of age when running in a forest, I believe removal of dew claws as a neonate is far more humane than leaving them on only to be ripped out.

Finally I implore you to retain the status quo and allow me to band tails using an NZCDB Accredited Bander and to remove dew claws on my beloved dobermann breed.

I consider myself to be a caretaker of a dog breed that I love and admire for the purpose it was originally bred for.

Regards,
Kimberly Roberts

Out of Scope

From: Paula McGregor <^s₉>
Sent: Thursday, 19 May 2016 4:42 p.m.
To: Animal Welfare Submissions
Subject: Submission On Animal Welfare Regulations-Prong Collars

The availability and purchase of prong Collars in New Zealand would lead to the general public having access to using them without adequate training or practical knowledge.

The prong collar can be purchased with no instructions or warning as to the potential for pain and fear it can cause if used wrongly.

I DO NOT support its sale and general use for the following reasons:

It should always be fitted snugly close to behind the ears in the upper neck area. The double rings should both be attached to the lead to prevent the collar closing like a vice. During a recent TV programme On ONE TV regarding the use of the prong collar, a dog club in Auckland was shown slipping the collar over the head of the dog. This can lead to the prong catching in the eye of the dog, the prong trapping itself in the ear canal both causing potential injury. The collar links open at one end and the collar when used in expert hands is then fastened around the neck of the dog.

Fitted too loosely and when abrupt pressure is applied by the handler, the collar snaps shut at speed with potential for the prong to cause physical damage to the neck of the dog. It lies exactly where the microchip responder is located on the neck of the dog which again raises injury concerns.

It is to be noted that the prong collar breaks open when severe instant pull force is applied resulting in the dog being loose. For this reason it is often double clipped to a secondary slip collar.

It is possible not to be aware that a dog is wearing a prong collar as they can be purchased with a cover.

The collar should not be on the dog unless the lead is held by a handler. Loose on the dog and running free the collar can catch on a low object and again snap back on the neck of the dog.

The collar should not be fitted to the neck of the dog in a crate or moving vehicle as again it can fasten itself to the side of a crate causing great panic and injury to the dog. Especially it should not be used to fasten a dog to a Ute or similar open vehicle.

I will not go on to explain by which capacity this type of collar has some method of purpose. However I do accept that in the hands of trained experts such as the Police it has a measure of use and function and therefore its use should be allowed by NZ Police. The dogs employed by this service exhibit high drive behaviour and at times require specialist equipment.

Regards

Paula McGregor

Out of Scope

From: s 9(2)(a)
Sent: Thursday, 19 May 2016 4:43 p.m.
To: Animal Welfare Policy
Subject: FW: MPI Submission
Attachments: MPI Submission.doc

Good afternoon

Forwarding in case this document has not reached the submissions team.

Thanks and regards.

s 9(2)(a)

Acting Executive Assistant
Office of Louisa Wall
MP for Manurewa
Parliament Buildings
Wellington

s 9(2)(a)

From: Bryce Timperley
Sent: Thursday, 19 May 2016 10:07:19 a.m.
To: Louisa Wall
Subject: MPI Submission

Animal Welfare Policy
Ministry for Primary Industries
PO Box 2526
Wellington 6140

18th May 2016

Submission on the Animal Welfare Act Review

Dear

As an owner of a gundog breed; I would like to put forward my submission on the following.

Item 61. Dogs - Dew claw removal I request that this continues to be allowed in NZ as is the current approved practice by accredited practitioners.

Dew claw's not removed and damaged or ripped as an adult cause excruciating pain and would require major surgery to remove. I view their removal as a new born a preventative measure for the future well being of the pup. The same as I view Tail Docking and vaccinations.

Item 62. Dogs - Tail docking I request that this continues to be allowed in NZ as is the current approved practice again by accredited practitioners.

Undocked, the interaction of the tail conformation, breed activity and the environment causes increased risk of injury through the life of these breeds.

The Shortening of the weak portion of the tail humanely at a few days old eliminates the risk of injury

I view Tail removal in a new born in the Gundog breeds historically docked, as a preventative measure for the future health and well being of the pup. The same as I view Dew claw removal and vaccinations for the dog's future well being. So for the welfare of working gundog's breeds in NZ, I ask that you consider this practice to continue to be allowed.

Thank you for taking the time to read this submission.

Yours sincerely

Bryce Timperley.

Out of Scope

From: Honeybee Society <§ 9(2)(a)>
Sent: Thursday, 19 May 2016 4:43 p.m.
To: Animal Welfare Submissions
Subject: Submission on Animal Welfare Regulations
Attachments: 2016 HBS - ANIMAL WELFARE CONSULTATION - SUBMISSION.pdf

To: Proposed Animal Welfare Regulations - MPI 2016/12

From: The Honeybee Society of NZ Incorporated

Contact: Linda Bray, Administrator.

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Submission on Proposed Animal Welfare Regulations

1. Introduction

This submission is from The Honeybee Society of NZ Incorporated. The members of the society are primarily beekeepers and have the objective to promote sustainable beekeeping.

The members of The Honeybee Society of NZ Inc. are concerned that the proposed strategy for animal welfare may have some unintended consequences for beekeepers and the wider public of NZ if bees were to be included in the Act.

2. Status of Bees

We do not believe insects should be included within the scope of the Animal Welfare Act (AWA) for this round of consultation regarding the conduct of painful procedures and the export of live animals, however the Ministry for Primary Industries (MPI) have deemed bees to be animals for other Acts (such as Animal Products Act).

We accept that insects are part of the animal kingdom but are not included in the interpretation of an 'animal' for the purposes of the Animal Welfare Act, therefore we submit support for the continuation of this exemption.

In supporting the continuance of an exemption for insects from the AWA we would submit that any changes to the status quo would compromise the keeping of bees to the extent it would be impossible to comply with many aspects of the AWA and still maintain a beekeeping industry.

3. Present Consultation.

The present consultation for the conduct of surgical procedures is not relevant to beekeeping as there are no procedures carried out on bees that could be considered in this category (such as de-sexing or removal of body parts, ie tails or horns).

The care and conduct toward bees is also not applicable to the act as bees are kept as unconfined animals and as such are expected to forage for their needs, within their environment.

Beekeepers simply provide a shelter (beehive) for bees, encourage and manipulate the colony to provide surplus honey which is then harvested for profit to the beekeeper. The beekeeper supplies sustenance to bees in times of food shortage by way of supplementary feeding of sugar syrup.

The consultation process also covers live animals for export for slaughter or breeding. Bees are exported from New Zealand however they are not exported to be slaughtered. As most bees in a colony (which are exported) are infertile 'worker bees', in a true sense the exported bees are not exported as 'breeding stock'. Therefore the export of live bees does not 'fit' the present consultation process for slaughter or breeding.

4. Conclusion.

We appreciate this submission is 'out of scope' for the current consultation process, however, we are expressing our concerns regarding any inclusion of insects into part of the AWA and we would wish to be further consulted if there were any proposals to change the AWA which would incorporate bees or insects.

Linda Bray
Administrator

The Honeybee Society of NZ Inc.

April 2016.

New Zealand
PORK

**NZPork's Submission on the Proposed Animal Welfare
Regulations (Care and Conduct and Surgical & Painful
Procedures) MPI Discussion Paper No: 2016 /12**

May 2016

Contact:

Frances Clement
Policy Manager

(s 9(2)(a))

c/- 2a/9 Sir Gil Simpson Drive, Burnside
PO Box 20176, Bishopdale
CHRISTCHURCH

1. Introduction

NZPork is a producer body which is funded by statutory levy, and whose statutory purpose is to act in the interests of New Zealand pig farmers within the broader framework of contributing to the New Zealand economy.

NZPork's submission is made on behalf of New Zealand commercial pig farmers.

The New Zealand pork producing industry is very small in international terms, contributing less than 0.1% of international production. It is however a very resilient sector within the New Zealand farming landscape, existing without any government support at any time.

Points relevant to this submission are—

Currently New Zealand's consumption of pigmeat is almost 22.6/ capita. 60% of pigmeat consumed is imported for which there are no animal welfare requirements.

- Because of the high level of imports, New Zealand's pork producing industry is heavily influenced by the international market, notwithstanding its domestic focus.
- NZPork's focus is supporting a world class sustainable industry. It invests producer funds to support international good practice animal welfare, along with environmental practices, and to maintain its very favourable health status. Its objective is the production of safe and suitable food that consumers choose to purchase. It goes without saying that price is one critical factor in consumer choice and so productivity improvements are a major focus for the industry in the face of rapidly growing imports from countries operating on larger scales and to lesser standards than our own.
- NZPork and New Zealand's commercial pig farmer takes animal welfare very seriously. New Zealand's commercial pig farmers are strongly concerned to provide for the welfare of the animals they spend their lives caring for, and to provide assurance of this care to their consumers.
- The industry has implemented PigCare™, an innovative animal-based welfare assurance programme which also cross-references to the minimum standards in the Pigs Code of Welfare. PigCare™ now spans the commercial industry, is supported by wholesalers and is a requirement for use of the 100% New Zealand pork (ham and bacon) PigCare™, thereby providing welfare assurance to consumers.
- NZPork and individual farmers closely monitor international research and particularly its commercial application. It undertakes New Zealand research. For example, it has supported a PhD student to assess free farrowing systems, and has facilitated an MPI funded study to identify best practice outdoor farrowing systems. In addition NZPork is a foundation member and funding contributor to the Pork CRC, an Australian-based cooperative research centre focussing on research to support the production of high integrity pork, both product quality and production practices.

NZPork supports the concept of improving the clarity, transparency and enforceability of animal welfare requirements. It supports the concept of enforceability extending to small scale/ lifestyle owners to provide for the welfare of all pigs.

NZPork views regulations as an additional tool to codes of welfare sitting under the Animal Welfare Act. We would be very concerned if regulations become the prime focus of providing for welfare. Animal welfare is a holistic concept. Particularly within more controlled animal production systems such as pig farming, there is interaction of a number of factors.

NZPork welcomes the opportunity to review these proposals. It goes without saying that we agree with MPI: *MPI recognises the importance of ensuring that the regulations make sense and are practical in everyday situations for those people that live and work with animals* (p 4).

MPI has loosely referred to seeking industry input to a regulatory impact assessment for specific proposals: *As well as the specific questions that are asked for each proposal, we are also keen to know the impact that the proposals could potentially have on more general issues such as the costs they might generate, business processes that may need to be adapted and any unintended consequences that could arise* (pp 4-5).

The very short time provided for consultation has not allowed us to evaluate all specific proposals against current industry practice, and fully cost the economic impact and timing associated with any change for commercial farmers. A regulatory impact assessment is required before any regulations are put in place if they are not exact current minimum standards that have been fully consulted on with a supporting impact assessment already undertaken.

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2. Summary of Recommendations on proposals concerning Pigs

Proposal 1. All Animals – Electric prodders (refer p 10)

We request amendment to the proposal as follows:

Electric prodders may only be used on:

- a) cattle and other animals over 100kg;
- b) cattle over 100kg and other animals, in a circus where the safety of the handler is at risk; or
- c) cattle over 100kg, and other animals, in a commercial slaughter premises:
 - i. where the safety of the handler is at risk; or
 - ii. when loading a stunning pen.
- d) other animals:
 - i. where the safety of the handler is at risk;
 - ii. when loading.

Proposal 2. All Animals – Use of goads (refer p 11)

We support the intent of the proposal.

Proposal 24. Pigs – Dry sleeping area (refer p 12)

We support the intent of the proposal.

Proposal 25. Pigs – Lying space for grower pigs (refer pp 13 – 15)

We request amendment to the proposal as follows:

Grower pigs housed inside on non-litter systems such as slatted or solid floors must be provided with an area of, on average, at least: $\text{Area (m}^2\text{) per pig} = 0.03 \times \text{liveweight (kg)}$.

Proposal 26. Pigs – Dry sow stalls (refer p 16)

We support the intent of this proposal, and the definitions of 'dry sow stall' and 'mating stall' in the 2010 Code of Welfare for Pigs.

Proposal 27. Pigs – Size of farrowing crates (refer p 17)

We request amendment to the proposal as follows:

When standing in a farrowing crate the sow must not touch both sides of the crate simultaneously, and her back must not touch any bars along the top.

Proposal 28. Pigs – Provision of nesting material (refer pp 18 – 19)

We request that this proposal is not regulated.

Transport Proposals (Proposals 34, 38, 39, 40) (refer p 20)

We support the intent of these proposals, and request that Proposal 39 is amended to permit the same relatively minor degree of lameness as for Proposal 38.

Proposal 55. All Animals – Dental work (refer p 22)

We support the intent of the proposal.

Proposal 80. Pigs – Castration (refer p 23)

We support the proposal currently, noting the proviso to seek to amend this regulation if required.

Proposal 81. Pigs – Tail docking (refer p 24)

We request amendment to the proposal as follows:

Tail docking (under 7 days):

- May be undertaken by anyone.
- The procedure must create a clear cut and not tear the tissue.

Tail docking (over 7 days):

- Must be performed by a veterinarian or a veterinary student under the direct supervision of a veterinarian; or by a person operating under veterinary operating instructions where it is not practical to undertake under 7 days of age;
- Pain relief must be used at the time of the procedure.

Additional regulations (refer p 25)

We request that nose ringing, boar tusk trimming and needle teeth clipping are regulated if required to ensure that these husbandry procedures can continue to be done on-farm.

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3. General Questions

Question 1: *Is there any reason why changes to the Act not yet in force, should not be brought into force at the same time as the regulations (rather than waiting for them to automatically commence in 2020)?*

Generally we are concerned about the speed with which the introduction of regulations is being undertaken. We accept the rationale to act quickly in regard to the upcoming bobby calf season but this timing does not have to apply to all regulations.

We are cautious about the implementation of changes in regard to surgical procedures. Is MPI confident that the changes to the Act can be immediately implemented with no unintended consequences for the continuation of current good practice for undertaking such procedures?

Question 2: *Are the infringement fees proposed for sections 156I and 36(3) appropriate?*

Section 36 (3) does not directly concern us.

Section 156I sets penalties for non-compliance with a compliance notice. Our view is that these penalties are excessive for a compliance notice which is not complied with: a compliance notice is designed as an early intervention tool with its scope described in section 156A.

We agree with the proposal (section 2.3.2) that the fee for an infringement offence associated with non-compliance with a Compliance Notice (section 156I (1)) be set at \$500.

Question 3: *Are there any minimum standards or additional matters you think should become regulations immediately, which are not included in the regulatory proposals in Part B?*

Yes. Refer our submission section 7: Additional regulations. We request that regulations are set for some husbandry procedures to ensure they are not classed as significant surgical procedures under the new provisions of the Act and therefore become vet only.

Question 4: *Are there any minimum standards or additional matters that you think should be considered for regulation in the future, once the implications of regulating these areas are better understood?*

Possibly. However it is our strong recommendation that the priority is to give sufficient attention and analysis to these current proposals to ensure that the full implications of potential regulations including their impacts are understood before implementation.

We are very concerned about the generality of parts of the current discussion document and some proposals; both with the lack of evidence of welfare benefit and with the lack of assessment of the impact on the industry.

The discussion document states: *Some proposals go beyond existing minimum standards and the consultation process will help to accurately identify the full costs of these proposals* (p 3). We have highlighted in our Introduction that the very limited time provided for consultation has not provided time for us to accurately assess the proposals against current practice and the full costs of any change required.

Proper regulatory process requires an assessment of benefit and cost before implementation.

Question 5: *Are there any proposed regulations, set out in Part B that should not be regulated?*

Yes. Refer our submission section 4 on Proposal 28: Provision of manipulable material before farrowing.

Our recommendation is that this proposal is not progressed as a regulation until evidence is provided that manipulable and/or malleable material can be provided in current commercial farrowing systems in New Zealand, in a way that improves the sow's net welfare, does not compromise other welfare elements including hygiene and piglet survival, does not compromise effluent management systems; and it has been consulted on, and the full cost implications for commercial implementation has been assessed.

Question 6: *If so, how should these matters be managed?*

Refer our submission on Proposal 28: research is required to elaborate that the sow's net welfare is enhanced in a meaningful way within a commercial farming situation.

Question 7: *Do you think there should be a wider use of non-regulatory mechanisms? If so, in what situation?*

Yes we do. We see considerable potential for the use of non-regulatory mechanisms in addition to regulatory mechanisms. Non-regulatory mechanisms generally have the buy-in of industry, often commercial incentives, and strengthen collaboration between regulators, enforcers and industry. The example quoted (p15) of the effectiveness of the dairy industry initiative to address inductions is a good case in point.

Welfare assurance programmes can address animal welfare in a holistic way and operate with commercial incentives.

For example, PigCare™, the New Zealand pork industry's on-farm animal based assessment of welfare is an example of an effective non-regulatory mechanism that has raised on-farm performance since its inception. PigCare™ now spans the whole commercial farming sector, is incentivised via the supply chain, and is a requirement for labelling with 100% New Zealand pork, ham and bacon logos, providing an assurance of welfare through to the consumer. We welcome MPI's ongoing support.

Note for example, the 'Fit to Load' guidelines that are used as a supporting tool for PigCare™. These guidelines were developed in conjunction with MPI VS and NZVA's Pig Veterinary Society. The 'Fit to Load' guidelines are directly relevant to selection of pigs for transport.

We believe there is a place for both regulatory and non-regulatory mechanisms. Regulations in theory have value in enforceability, but regulations are not the whole answer to provide for welfare, as animal welfare cannot be simply reduced to single issues for which measurable black-and-white criteria can be specified. In many cases a number of factors are interactive in assuring welfare.

Question 8: *Will the proposed regulations, set out in Part B, change the way you or others currently operate, if so, in what ways? What implications would these have for you?*

As already noted, NZPork and commercial farmers take animal welfare very seriously. The facilitation of PigCare™ is one illustration of this. It has been effective in raising animal welfare standards.

We are hopeful that enforcement of any animal welfare regulations that come out of these proposals will emphasise the importance of animal welfare standards among the non-commercial sector of pig owners.

Section 4 of our submission covers our concerns about the value and consequences of the implementation of some particular proposals before a full assessment is completed.

Question 9: *Are the infringement offences and respective fees proposed for breaches of the proposed regulations, outlined in Part B, appropriate? Should any of the proposals attract higher or lower fees or penalties?*

AND

Question 10: *Are the prosecutable offences proposed in the regulations appropriate? If not, why not?*

It is difficult to understand the reasoning for the type of offence and fee proposed for various proposed regulations.

We do not support the setting of prosecutable offences for proposed regulations without evidence that such regulations are necessary to meet the requirements of the Act, justified by science and good practice.

As a general comment pig farming is disproportionately associated with prosecutable offences.

We believe further review is required.

Question 11: *Should any of the proposed regulations, set out in Part B, include a mental element (e.g. intention, knowledge or recklessness)? If so are the penalties for a prosecutable offence under regulation (see Table 2) appropriate for the regulated activity?*

Our view is that in all cases a mental element (e.g. intention, knowledge or recklessness) is appropriate. This is supportive of New Zealand's animal welfare strategy which highlights that animal welfare is everyone's responsibility, and MPI's current VADE (Voluntary, Assist, Direct, Enforce) compliance model. Education is a necessary platform, and likely to have longer term effect.

Question 12: *What defences do you think should be available if the proposed regulations are breached and why?*

AND:

Question 13: *Would it be appropriate to expand the second defence above to include "...necessary for the preservation, protection, or maintenance of human or animal life."?*

We strongly support extension of the defences proposal as follows (amendment shown in bold):

It is proposed that the following defences be made available to a defendant to prove on the balance of probabilities:

- *the defendant took all reasonable steps to comply with the relevant provision; or*
- *the act or omission constituting the offence took place in circumstances of stress or emergency and /or was necessary for the preservation, protection, or maintenance of human or **animal health and welfare**.*

In addition, animal welfare regulation obviously must be able to be complied with all with all legal requirements. As well as meeting health and safety legal (and moral) provisions, meeting of environmental requirements also needs to be recognised.

If so, in what circumstances, and which regulatory proposals would this apply to?

An example is nose ringing / clipping of outdoor sows which is a condition applied to run pigs outdoors by some Councils, and which requires a surgical procedure.

Question 14: *Do any of the proposed regulations, set out in Part B, require a lead-in period? If so, what period is reasonable? Are there any other challenges relating to the timing of regulations coming into force?*

Please refer to our coverage of specific proposals in Section 4. For example, our recommendation is that for Proposal 27 Pigs – Size of farrowing crates, that the current minimum standard in the code is put in place. If this is to be extended, then the current status needs to be assessed, plus the cost and time required to change.

Question 15: *How should the codes of welfare be amended by the proposed regulations to ensure the codes continue to work effectively within the legislative scheme?*

AND:

Question 16: *Which of the approaches as outlined above, or combination of approaches do you support?*

AND:

Question 17: *What other options to amend the codes are there?*

We have not had the time to fully consult and consider feedback from our farmers and industry advisers to answer this question fully.

Our general view is that codes of welfare have a very important function because the provision of welfare requires far more than providing for those few aspects that it is technically feasible to set in regulation. Minimum standards in codes are very important because they are required to set the minimum necessary to ensure that the purposes of this Act will be met. In addition the Act sets out the consultation required for issue of a code.

Question 18: *How should MPI best engage with stakeholders to monitor and review the impact of the proposed regulations?*

In all cases where direct stakeholders have submitted concerns that proposals will have impacts that are difficult to align with current practice and / or will have an economic impact, a full assessment of the benefits and costs needs to be done before confirming the decision to implement the proposals.

Ongoing monitoring must of necessity involve direct collaboration with animal owners / persons in charge and their representative organisations. We will welcome the opportunity to work with MPI.

4. Care and Conduct Proposals

Our submission covers only proposals relevant to pigs.

1. All animals – Electric prodders	
Proposal	<p>Electric prodders may only be used on:</p> <ul style="list-style-type: none">a) cattle over 100kg;b) cattle over 100kg and other animals, in a circus where the safety of the handler is at risk; orc) cattle over 100kg, and other animals, in a commercial slaughter premises:<ul style="list-style-type: none">i. where the safety of the handler is at risk; orii. when loading a stunning pen.

We request amendment to this proposal.

There is no scientific justification for this prohibition. A prodder well used by a trained operator instructed in its use is an effective tool to aid movement of a number of animals. It means that the animal that baulks further up the group can be encouraged to move rather than having to force animals at the back.

This limits any use of electric prodders on farm or transport for any pigs including during loading.

If the principle is to permit use on large, dangerous animals, then boars and sows need to be included. If the principle is to permit use for loading at a slaughterhouse then loading on-farm needs to be included.

The principle of potential to cause harm if inappropriately used could also be applied to other handling devices such as alkathene and steel pipes and electric fences.

Recommendation – Proposal 1:

Amend the proposal as follows:

Electric prodders may only be used on:

- e) cattle and other animals over 100kg;
- f) cattle over 100kg and other animals, in a circus where the safety of the handler is at risk; or
- g) cattle over 100kg, and other animals, in a commercial slaughter premises:
 - iii. where the safety of the handler is at risk; or
 - iv. when loading a stunning pen.
- h) other animals:
 - iii. where the safety of the handler is at risk;
 - iv. when loading.

2. All Animals – Use of goads	
Proposal	<p>Prohibit using a goad to prod an animal in the udder, anus, vulva, scrotum or eyes</p> <p><i>Transport code of welfare 2011 definition of goad – an object, including an electric prod, used to stimulate or prod an animal to make it move.</i></p>

Recommendation – Proposal 2:

We support the intent of this proposal.

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24. Pigs – Dry sleeping area	
Proposal	<p>Pigs must have access to a dry sleeping area.</p> <p><i>Links to dog shade and dry sleeping area.</i></p>

Recommendation – Proposal 24:

We support the intent of this proposal.

Please note the number of complaints reported is not supported by MPI Animal Welfare Compliance figures. The discussion document states *An identified area of frequent non-compliance. On average 30 complaints per year investigated relating to muddy conditions and a lack of shelter. More than half of these are for small scale or lifestyle owners* (p 43). Figures from MPI Animal Welfare Compliance show that over the last 4 years (2012 – 2015) on average there have been 7.3 complaints per year in total in relation to conditions.

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25. Pigs – Lying space for grower pigs

Proposal	Grower pigs housed inside on non-litter systems such as slatted or solid floors must have lying space of at least: Area (m ²) per pig = 0.03 x liveweight 0.67(kg)
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We request amendment to this proposal.

The allometric equation relates space allowance to pig weight recognising that it is not a linear relationship but impacted by the body shape of the pig. That is, as the pig gets heavier its dimensions and therefore space requirements do not increase at the same rate as its bodyweight. (The formula therefore relates space to liveweight raised to the power of 0.67).

The factor (0.030) was proposed in work by Edwards et al (1) who assessed pig performance and profitability as a basis to provide recommendations for stocking on commercial farms. It was subsequently assessed by Spoolder et al (2) across a range of floor types (slatted, and solid with and without straw) for its ability to provide for welfare when this minimum space was provided continually throughout the growing cycle. Spoolder et al concluded that offering space above this minimum did not improve welfare in a measurable way (compared to the then EU recommendations which required greater space) and recommended the equation approach with a factor of 0.030 as appropriate for the EU in setting future legislative space requirements. Considerable research has also been done to assess the productivity (in addition to welfare) associated with greater space allowances across the growing cycle, but such work is not relevant to the setting of welfare standards.

Any regulation needs to refer to area or space allowance, not lying space, as per the Spoolder research. The minimum standard in the Code of Welfare for Pigs (2005) referred to area; and space allowance or area was consulted on before the 2010 Code was issued. Lying space as a concept was not consulted on.

There are a number of points relevant to proposing a regulation in New Zealand:

- In practice, growing pigs will have considerably more space than whatever minimum space is specified, for most of their growing cycle. Good husbandry practice dictates that growing pigs are usually kept in the same group from weaning through to finishing, and during that time they will generally move through 3 accommodation stages - from weaner to grower to finisher. During this time they grow from around 8kg to 90+ kg in around 15 weeks.
- Each of these accommodation stages is specially designed to accommodate a particular age, stage of development and corresponding weight of pig. The point at which the pigs are approaching a size when they will be ready to be moved to the next accommodation stage, is the point at which a minimum space requirement may become a constraint. Once they are shifted on to the next stage of their growing cycle, stocking density will greatly reduce. In other words, in practice, there is a difference between the average space allowance across the growing cycle, and the minimum space allowance set.
- In contrast to actual farming practice, with generally 3 accommodation stages, Spoolder et al's research provided an estimate of the minimum space allowance (calculated by the equation) continually across the whole growing cycle.

- However, Spoolder et al's estimate of the minimum space calculated by the equation was based on the estimated average weight at the mid-point of a number of 2 week periods. In other words, the space allowance provided was based on a series of average points set at 2-weekly intervals to reflect the continuous growing cycle of pigs. So within each 2-week period, the space provided was, approximately equally, slightly above and slightly below (about a week's growth) that estimated by the equation.
- Spoolder et al did not assess the welfare outcome associated with lesser space allowances.

In terms of its practical applicability as a regulation, it needs to be noted that commercial farms in New Zealand aim for the effective utilisation of available accommodation. In practice there will be some biological variation e.g. a particular week's farrowing may produce a larger number of viable piglets, or growth rates may be greater than the norm. The impact may be that minimum space allowances may be exceeded to a small extent to provide for these pigs.

As a principle, we are very cautious about the impact of selecting one single factor to regulate as a proxy for providing for welfare of grower pigs in indoor systems. There is a complex interaction of many different factors, including genotype, nutrition, health, ambient temperature, ventilation, pen design, group size, and access to feed and water. Too much space for weaners is likely to have a deleterious chilling effect; and for growers may lead to a hygiene issue where pigs use the wrong area to defecate and urinate making the pen wet.

We are particularly cautious about the impact of 'single factor' regulation where the penalty is so significant. The very limited time provided for consultation has not allowed us to do any assessment of the impact of this proposed regulation on the industry e.g. the likelihood of slippage by a few days within the whole growing period.

Other systems

Deep litter straw or sawdust systems require greater space allowance per pig compared to slatted and solid floors as this system requires the dung and urine to be processed in the bedding. Deep litter systems are not all the same and there is no definitive research establishing a minimum space allowance below which welfare is compromised in all such systems.

Questions in regard to the identified problem and how the proposed regulation will help

How does the statement '*Will provide a proportionate response for low-level (emphasis from NZPork) outcomes from overcrowding*' align with the very severe penalty proposed for this regulation?

Please note the number of complaints reported is not supported by MPI Animal Welfare Compliance figures. The number of complaints reported does not reflect the actual figures. Figures from MPI Animal Welfare Compliance show that over the last 10 years (2006 – 2015) there has been an average of 25 complaints per year not 120.

Recommendation – Proposal 25:

Amend the proposal as follows:

Grower pigs housed inside on non-litter systems such as slatted or solid floors must be provided with an area of, on average, at least: Area (m²) per pig = 0.03 x liveweight 0.67(kg).

References:

1. Edwards, S.A., and A.W.Armsby. Effects of floor area allowance on performance of growing pigs kept on fully slatted floors. Anim. Prod. 1988. 46:453 - 459.
2. Spooler, H. A. M., S. A. Edwards, and S. Corning. Legislative methods for specifying stocking density and consequences for the welfare of finishing pigs. Livestock Production Science 64 (2000) 167 – 173.

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26. Pigs – Dry sow stalls

Proposal	Dry sow stalls must not be used.
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Recommendation – Proposal 26:

We support the intent of this proposal.

We support the definitions of dry sow stall and mating stall given above, which are the definitions in the Code of Welfare for Pigs issued in 2010.

The EU position is to permit dry sow stalls for the first four weeks of pregnancy and makes no comment at all on the use of mating stalls. A small number of individual EU countries set clearer provisions (e.g. Sweden, the Netherlands). North America (Canada and United States – all major pig producing States) permit the use of stalls throughout pregnancy and for mating.

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27. Pigs – Size of farrowing crates

Proposal	Prohibit keeping a sow in a farrowing crate where the sow cannot avoid touching the top of the crate, or touching both sides of the crate simultaneously, or touching the front and the back of the crate simultaneously.
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We request amendment to this proposal.

We support the words in the current code: *When standing in a farrowing crate the sow must not touch both sides of the crate simultaneously, and her back must not touch any bars along the top* being set as a regulation.

We do not support the proposal as stated because it sets a higher requirement than the current minimum standard.

We would need time to consult with farmers to establish the extent to which new facilities would be required to meet this proposal. A lagged introduction may be required.

Pig farmer have been uncertain about farrowing systems since mid- 2014 when the Minister announced he was seeking NAWAC to review farrowing crates. A number of farmers have deferred maintenance and upgrade of their systems until the review was announced.

We strongly seek amendment due to the very high penalty proposed.

Recommendation – Proposal 27:

Amend the proposal as follows:

When standing in a farrowing crate the sow must not touch both sides of the crate simultaneously, and her back must not touch any bars along the top.

28. Pigs – Provision of nesting material

Proposal	Sows, in any farrowing system constructed after 3 December 2010, must be provided with material that can be manipulated until farrowing.
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We do not support this proposed regulation.

Evidence of welfare benefit

Part of some sows' pre-farrowing behaviour exhibits elements of nest building. As with most behaviours, there is variation in the extent to which sows are motivated to build a nest.

In New Zealand sows have been selected for over 40 generations for their ability to thrive in modern farrowing systems. The research is variable on the net welfare benefit for modern sows associated with expressing this need in current farrowing systems. There is evidence of adaptation to farrowing in crates: for example, there is some evidence illustrating sows in crates spend less time attempting nest building with increasing parity.

There is still no clear idea of how much material is 'enough' to be beneficial to the sow (1). Also, sows that exhibit this behaviour are highly variable in how much material, if any, they manipulate. Modern farrowing systems are on slatted floors and open at floor level, so that any manipulable material is likely to disappear quickly, either through the slats or out of the sow's reach.

Many design elements of the modern system contribute to piglet welfare including the provision of a heated, warm and dry 'creep' area for the piglets so that the piglets are not reliant on a nest for warmth. The provision of manipulable material to modern systems can compromise hygiene which is crucial for piglet survival. The effluent management systems which are a component of modern facilities would not be able to deal with appreciable amounts of manipulable material.

Note that while the concept of nesting material is supported in EU regulation it is qualified as follows:

In the week before the expected farrowing time sows and gilts must be given suitable nesting material in sufficient quantity unless it is not technically feasible for the slurry system used in the establishment.

Current situation in New Zealand

This proposal was included as a minimum standard in the 2010 Pigs Code of Welfare with no consultation as a proposed minimum standard with industry, which are the stakeholders directly and significantly impacted.

Since then, the 2014 – 2016 NAWAC review of farrowing crates has concluded that *their use provides the best welfare outcome for the welfare needs of piglets and the best total welfare of piglets and sows, based on currently available farrowing practices and scientific knowledge and as appropriate to the environment and circumstances of the animals.*

Questions in regard to the identified problem and how the proposed regulation will help

We do not agree with the statements:

- *An identified area of frequent non-compliance.* Since December 2010, there have been only 2 new farrowing systems constructed.
- *Will provide a level playing field for all New Zealand pork producers.* This proposal will not – it will place an additional burden on newly constructed facilities.
- *Will provide stronger assurances about how New Zealand's pigs are treated.* Stronger assurances of New Zealand's animal welfare standards will be provided if standards can be provided in a meaningful way by good practice farmers – see research update below.

Update on current research

International research is active and ongoing to determine the welfare benefits of a suitable manipulable substrate provided within modern fully slatted farrowing systems, and if so, how this can be provided.

NZPork is a Core Participant in the Australian Pork Cooperative Research Centre (CRC). The Pork CRC Programme 1 covers research to develop innovative sow and piglet management and housing systems that progressively rely upon less confinement to optimise sow and piglet welfare while maintaining production efficiency and profitability of pork production. Within this programme a 'Lactation Housing Index' is being developed which will aim to qualitatively and, preferably, quantitatively compare various lactation housing systems.

The Pork CRC has a project to investigate enrichment pre farrowing currently underway (2). ThisThis will provide a comprehensive comparison of systems, taking into account:

- Sow attributes (welfare from both a physiological and behavioural aspect, body condition, feed intake and reproductive performance)
- Piglet attributes (welfare from both a physiological and behavioural aspect, growth performance and mortality)
- Producer attributes (investment cost, labour requirement and staff safety issues)

Recommendation:

Our recommendation is that this proposal is not progressed as a regulation until evidence is provided that manipulable and/or malleable material can be provided in current commercial farrowing systems in New Zealand, in a way that improves the sow's net welfare, does not compromise other welfare elements including hygiene and piglet survival, does not compromise effluent management systems, it has been consulted on, and the full cost implications for commercial implementation has been assessed.

References:

1. Damm, B.I., L.T. Pedersen, T. Heiskanen, N.P. Neilsen. Long-stemmed straw as an additional nesting material in modified Schmid pens in a commercial breeding unit: effects on sow behaviour, and on piglet mortality and growth. Applied Animal Behaviour 92 (2005) 45 – 60
2. Pork CRC Annual Report: 2014-2015 (Pages 20 and 24)

Transport: Proposals 34, 38, 39 and 40

34. Stock transport – Cuts and abrasions	
Proposal	Transport of cattle, deer, sheep, goats, and pigs must not result in cuts or abrasions.

38. Stock transport – Lameness due to injury	
Proposal	<p>A cattle beast, deer, pig, or goat that has a lameness score of two must not be transported, except when certified fit for transport by a veterinarian.</p> <p>A cattle beast, deer, pig, or goat that has a lameness score of three must not be transported.</p>

39. Stock transport – Animals that cannot bear weight evenly due to injury	
Proposal	<p>A cattle beast, sheep, deer, pig, or goat that has suffered a physical injury or defect that means it cannot bear weight evenly on all four legs should not be transported, except when certified fit for transport by a veterinarian.</p> <p><i>Note this proposal relates to lameness due to an injury rather than disease.</i></p>

40. Stock transport – Pregnant animals	
Proposal	Prohibit transporting a cattle beast, sheep, deer, pig, or goat that is likely to give birth during transport, or within 24 hours of arrival at a commercial slaughter premises, except when certified fit for transport by a veterinarian.

We support the intent of these proposals, with the proviso that the same relatively minor degree of lameness as for Proposal 38 is included in Proposal 39.

The New Zealand commercial pork industry operates under the umbrella of PigCare™, which incorporates 'Fit to Load' guidelines developed in association with MPI VS, Pig Veterinary Society of NZVA, and farmers. See:

http://www.nzpork.co.nz/images/custom/fit_for_transport_guidelines_19_dec_2012.pdf

These guidelines cover farmers' selection responsibilities. Transporters are responsible for injuries in transport. We see ensuring seamlessness of this process, including unloading, requires ongoing monitoring.

Recommendation:

Proposal 39 is amended to permit the same relatively minor degree of lameness as for Proposal 38.

5. Pain relief

We have consulted with industry veterinarians in respect of these general questions and specifically in relation to the proposals for Surgical & Painful Procedures regulations for pigs (covered in the next section of our submission.)

The only specific proposal for regulation that requires a veterinarian to authorise a non-veterinarian to hold and use pain relief is Proposal 81, to allow for farmers breeding pigs outdoors to undertake tail docking at weaning if this is their practice for staff safety reasons. This current practice operates under the VOI framework.

However given large numbers of pigs on some commercial farms there is a potential need for pain relief to be stored and available on-farm for some minor surgical procedures where pain relief is recommended. This current practice is also covered by the VOI framework.

If such good practice operation is not enabled under the amendments to the Act, then we request the opportunity to discuss this area further with MPI before the changes to the Act take effect.

Significant surgical procedures are currently undertaken by vets who use post-operative pain relief where necessary.

Recommendation:

We request that current good practice availability of pain relief on-farm under VOI continues under the new regime. If this is not the case, we request further discussions with MPI before such changes to the Act take effect.

6. Surgical & Painful Procedures proposals

55. All animals – Dental work	
Proposal	<p>Any power tool used on an animal for dental work must be designed for the purpose of dentistry.</p> <p><i>Power tools are used in some dentistry procedures, for example, grinding float teeth in horses.</i></p>

Recommendation – Proposal 55:

We support the intent of this proposal.

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80. Pigs – Castration

Proposal	<p>Must be performed by a veterinarian or a veterinary student under the direct supervision of a veterinarian.</p> <p>Pain relief must be used at the time of the procedure.</p>
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We support this proposal in New Zealand's current pig production environment because surgical castration is not undertaken. However the great majority of pigs produced internationally are castrated among other reasons to meet product quality demands from consumers.

As veterinary capacity could not possibly cover all commercial farms on a routine basis, if the market place demanded surgically castrated pigs then we would seek a regulation to be put in place to enable suitably trained and competent farmers to undertake this procedure with pain relief under VOI.

Recommendation – Proposal 80:

We support this proposal currently, noting the proviso to seek to amend this regulation if required.

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81. Pigs – Tail docking

Proposal	<p>Tail docking (under 7 days):</p> <ul style="list-style-type: none">– May be undertaken by anyone.– The procedure must create a clear cut and not tear or crush the tissue. <p>Tail docking (over 7 days):</p> <ul style="list-style-type: none">– Must be performed by a veterinarian or a veterinary student under the direct supervision of a veterinarian.– Pain relief must be used at the time of the procedure. <p><i>Tail docking is performed to reduce the incidence of tail biting.</i></p>
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We request amendment to this proposal in 2 ways:

- Amend the proposal to remove the prohibition on crushing the tissue. Good practice procedures should create a clear cut and not tear tissue but a slight crushing effect may be advantageous for reducing haemorrhage from the cut surface.
- Amend the proposal so that tail docking of pigs over 7 days of age may be undertaken in certain outdoor breeding farming situations.

Sows are particularly aggressive in protecting their newborn piglets and some farmers who breed outdoors undertake tail docking at weaning time (around 4 weeks of age) to ensure they meet their health and safety obligations to staff. In such cases the procedure is under VOI including the application of pain relief.

Recommendation – Proposal 81:

Amend the proposal as follows:

Tail docking (under 7 days):

- May be undertaken by anyone.
- The procedure must create a clear cut and not tear the tissue.

Tail docking (over 7 days):

- Must be performed by a veterinarian or a veterinary student under the direct supervision of a veterinarian; or by a person operating under veterinary operating instructions where it is not practical to undertake under 7 days of age;
- Pain relief must be used at the time of the procedure.

7. Surgical and Painful Procedures Regulatory Proposals – additional inclusions

We request the development of regulations on three additional husbandry procedures: nose ringing / clipping, boar tusk trimming and needle teeth clipping, if this is required, to ensure that current good practice procedures can continue.

- **Nose ringing**

Where pigs are run outdoors nose rings, clips or wires are generally necessary for environmental reasons to maintain ground cover and to reduce nutrient runoff and leaching. Nose ringing also reduces fence breaking by sows. Some District Councils require the use of nose rings, clips or wires as a condition for keeping pigs out-doors. For these reasons, around 90% of outdoor sows have nose rings or clips.

NZPork has developed guidelines for the use of nose rings, clips and wires (refer: http://www.nzpork.co.nz/images/custom/nose_rings_good_practice_guidelines.pdf)

Sows can lose their nose rings, clips or wires so farmers need to be able to replace as required.

We request the inclusion of a regulation as follows:

Nose ringing must be performed by a person operating according to NZPork's good practice guidelines or to veterinary operating instructions.

Pain relief is not recommended. This is on the grounds of net welfare and staff safety. While nose ringing /clipping is likely to cause some pain, the restraint of the pig is particularly stressful but necessary to undertake the procedure. If 2 procedures are required (injection of local anaesthetic as well as nose ringing itself) restraint is prolonged and the shorter the period of restraint the greater the welfare. In addition it is a particular challenge to restrain a large animal and manage an injection safely.

- **Boar tusk trimming**

Boars can be aggressive and unpredictable. Tusk trimming is not routinely done on all farms but is undertaken where required for staff safety reasons and to ensure that boards with tusks do not injure other boars.

This is unlikely to be a painful procedure as current knowledge indicates that there is no nerve supply to the tusk above the gum line. But as for nose ringing it involves restraint which is stressful.

If boar tusk trimming is likely to be classified as a significant surgical procedure, then we request the inclusion of a regulation as follows:

Boar tusk trimming must be performed by a person operating under veterinary operating instructions.

- **Needle teeth clipping**

Needle teeth clipping is not routinely done but is undertaken when necessary on welfare grounds when damage is evident on litter mates' faces and / or the sow's udder.

If needle teeth clipping is likely to be classified as a significant surgical procedures then we request that the current minimum standard in the code is set as regulation:

Clipping or grinding of needle teeth must be carried out before 5 days of age.

Animal Welfare proposed regulations feedback submission form

Mark Simpson

s 9(2)(a)

My feedback:

62. The proposed regulation states: Must be performed by a veterinarian or a veterinary student under the direct supervision of a veterinarian.

Must only be performed for therapeutic reasons

Pain relief must be used at the time of the procedure.

I disagree with this proposal in its entirety and advocate for the status quo and these are my reasons:

I am a member of the New Zealand Kennel Club (NZKC) and am a registered breeder of pedigree dogs.

I have never had a complaint or issue arise from any litter that I have had banding completed on and to the best of my knowledge I understand that as an accredited group, they have performed tail shortening on over 10 500 neonate puppies without incident since 2005.

I am of the understanding that the procedure of tail banding (described by the NAWAC approved scheme) is vastly different from the process of tail amputation and as an accredited bander I only perform the tail banding procedure under the Animal Welfare Act (No2) 2015 and this is not a surgical procedure.

The breeds that I am associated with and that are banded by me are traditionally docked dogs that still perform their duties that they were designed for.

I understand that in 2012 NAWAC agreed and suggested a study should be completed to dispel any myths around the process of tail banding, yet to date, this has not been carried out by NAWAC so I am surprised that this proposal has taken shape.

I understand that MPI partly funds both the RSPCA and NAWAC, yet they are both major stakeholders in writing this proposal which I see as being extremely one sided and is not factual. I also understand that the governing body of the professional dog world Namely the NZKC has over 6000 members, but NZKC were not included as a major stakeholder when writing these proposals and nor are they funded by the Ministry.

I understand that over 170 countries do not ban the tail shortening procedure however these countries are not spoken about in any documentation produced by MPI.

I understand that breed specifics are not taken into account when this proposal was documented and the groups largely involved in writing these have dealings mainly with crossbred non-pedigree

(no registration with the NZKC) dogs. I would sincerely question the stakeholder's ability to answer such detailed questions around form and function of a specific breed for the purposes of this proposal.

I understand that another major stakeholder is an offshoot of the RSPCA namely HUHA. This group also deals with crossbred non-pedigree dogs yet they felt qualified to once again offer their opinion on pedigree dogs and the reasons for tail shortening.

I am of the belief that there is currently a process in place for the SPCA to act on individual cases that perform a tail shortening procedure illegally on a litter of non-registered NZKC members neonate puppies, however in the last 4 years I only know of 2 cases where the SPCA has acted on this information.

61. The proposed regulations states: Front limb dew claw removal and articulated (jointed) hind limb dew claw removal:

Must be performed by a veterinarian or a veterinary student under the direct supervision of a veterinarian;

Must only be performed for therapeutic reasons; and

Pain relief must be used at the time of the procedure

Hind limb dew claws: non-articulated (greater than or equal to four days of age)

Must be performed by a veterinarian or veterinary student under supervisions; and

Pain relief must be used at the time of the procedure.

I disagree with this proposal in its entirety and advocate for the status quo and these are my reasons:

When performing a dew claw removal, I have this process completed in a neonate puppy 4 days of age or under. At this time it is a well-recognised fact that the toes and tail are the last part of the neonate puppy to calcify and develop into bone. The neonate dewclaw is removed without cutting through bone (has not calcified) and does not bleed when performed correctly.

No other country in the world has proposed this procedure should not be practiced as the health and welfare of the dog will be compromised.

As a professional dog breeder and caretaker of my chosen breed, I am fully versed in the damage that a dew claw can cause to the dog if left on. My chosen breed has been bred to be used in its traditional purpose and the dew claw if left on would result in significant pain and suffering to the dog.

I understand that breed specifics are not taken into account when this proposal was documented and the groups largely involved in writing these have dealings mainly with crossbred non-pedigree (no registration with the NZKC) dogs. I would sincerely question the stakeholder's ability to answer such detailed questions around form and function of a specific breed for the purposes of this proposal.

I understand that another major stakeholder is an offshoot of the RSPCA namely HUHA. This group also deals with crossbred non-pedigree dogs yet they felt qualified to once again offer their opinion on pedigree dogs and the reasons for dew claw removal.

I understand that MPI partly funds both the RSPCA and NAWAC, yet they are both major stakeholders in writing this proposal which I see as being extremely one sided and is not factual. I also understand that the governing body of the professional dog world Namely the NZKC has over 6000 members, but NZKC were not included as a major stakeholder when writing these proposals and nor are they funded by the Ministry.

I understand that not all front dew claws are articulated and once again the breed specifics have been ignored in this instance and MPI have been advised incorrectly.

I understand that the Groomers Association have not been contacted for information from their large membership to dispel the myths displayed in the proposed regulation and I further understand that the largest governing body (and only – NZKC) have also not been included in the proposal to not allow this process to remain as is.

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From: Sarah Oliver <s9(2)(a)>
Sent: Thursday, 19 May 2016 4:36 p.m.
To: Animal Welfare Submissions
Subject: Submission on Animal Welfare Regulations

To whom it may concern

In response to MPI's request for feedback on the proposed animal welfare regulations I wish to first make the following submission.

I firstly request an extension of the consultation time frame to allow the public to fully engage in the consultation process. The seriously short time of five weeks for the public, has put pressure on people to take part fully in what should be a democratic submission process. I have included a short proposal below on a small selection of the regulations however with an extension of the time frame my submission would have been more in depth and I therefore support the calls for an extension of this time frame to a much more realistic public consultation period.

Below are three proposals I draw your attention to.

13. Goat – tethering requirements

Propose that the tethering of goats be made illegal

- Tethered goats are not of economic value and are not kept as pets. This makes them especially susceptible to neglect.
- Tethered goats can become tangled up when on a chain. This makes them particularly vulnerable, as they are then unable to access food and water, have restriction of movement and are susceptible to injury.
- Tethered goats are vulnerable to attack from wandering dogs, cars and abusive humans
- Goats are climbing animals and so chained up they are not able to express their natural behaviour
- Goat hoofs are also a problem when tethered as insufficient exercise means they can become deformed and out of shape. [1]
- Tethering means goats cannot graze (weeds and high fibrous foods are ideal for goats). This means if they are tethered in an area offering only grass they need supplementing in order to digest food properly, this is often a problem as they are kept merely as roadside animal 'lawnmowers'.

17. Layer hens

I do not support the note made in this proposal that colony cages be considered a housing system that meets the requirements specified in (a) *'Hens must have the opportunity to express a range of normal behaviours. These include, but are not limited to nesting, perching, scratching, ground pecking, and dustbathing.'*

In cages hens are unable to express their natural behaviours and this is not properly catered to with colony cages. The hard scratch pad is no substitute for scratching in natural materials such as dirt, leaves and grass. Hens scratch for a variety of reasons and in different places. They scratch to hunt for worms, insects etc. They also use dirt to dust bathe and have a strong instinctual urge to do so. Stereotypical behaviours have been documented in caged hens including pecking others and self-pecking. Colony cages present unique welfare issues because of the inclusion of 'enrichments' such as the perch which may result in them getting trapped and hurt. It is also impractical to check on the welfare of the animals in large factory farms as the number of cages prevents easy access to the birds.

Lots of countries are banning the use of colony cages so moving toward this is a bad economic decision that would tarnish NZs reputation. A growing number of customers are uncomfortable with buying any eggs from a caged animal.

27. Pigs – Size of Farrowing Crates

I do not support the current proposal of using a farrowing crate.

Given the nature of factory farming (large numbers in confined spaces hidden from public view) it is difficult to ensure animal welfare. Many cases of undercover footage have exposed worker abuse both here and overseas and so cameras should be installed to ensure sufficient monitoring.

Farrowing crates do not allow pigs to display normal patterns of behaviour. I support further research into the effect of the combination of the excessive size of the sow due to selective breeding and lack of exercise due to factory farming and the impact of this on piglet mortality.

[1] <http://www.spcacanterbury.org.nz/animal-care/caring-for-your-pets/goats/>

Kind regards

Sarah Oliver

Out of Scope

From: Catherine Napp <§ 9(2)(a)>
Sent: Thursday, 19 May 2016 4:33 p.m.
To: Animal Welfare Submissions
Subject: Submission on Animal Welfare Regulations
Attachments: MPI submission.pdf

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Proposal 1 – Electric Prodders

Your wording under 'what's the problem' in this section is incorrect as it states that "if misused, electric prodders can cause pain and distress". The whole purpose of electric prodders, even when used correctly, is to cause pain so the animal will move away from this.

The exceptions for circuses and rodeos are not justified. Under no circumstances should electric prodders be used where animals are used for entertainment. The Health & Safety argument for using electric prodders could be negated by not having animals in circuses and banning rodeos. If people wish to put themselves at risk by handling stressed or uncooperative animals at circuses and rodeos they should do so at their own peril – prods are used to move animals solely for the (sick) entertainment of the humans.

I agree with an infringement for first offences, however think \$300 is too low. A three strikes rule, or one warning infringement then prosecution should be developed.

2 – use of Goads

In no circumstances should exceptions be made allowing use of goads on sensitive areas of animals.

I agree with an infringement for first offences, however think \$300 is too low. A three strikes rule, or one warning infringement then prosecution should be developed.

3. – Tail Twisting

This should be completely banned with no level of acceptability.

4. – Dogs, Pinch or Prong Collars

I completely agree with this change.

There are no legitimate uses for these collars. There is much international research that proves that these collars cause stress, pain and distress in dogs. Furthermore, training using methods like these are not considered best practice in behavioural modification.

Prong collars need to be completely banned and not used by law enforcement or defence forces. If these trainers are so 'skilled' they will not require these collars as they will have the training and knowledge to handle these dogs without them. And if a dog is really that bad, either its trainers have failed it or it is not suitable for the job.

This proposal should be widened to include the use of ALL shock collars. This should be defined as collars with electrodes on them. This would ensure only true 'vibration' collars (as are used by trainers of deaf dogs) are able to be used.

Sale of prong collars – this should be banned. If something is prohibited, it should be illegal to sell.

Penalties – given how lenient the judiciary is on Animal Welfare prosecutions, the penalties as stated would not result in offenders being given the maximum penalty anyway. However, for first time offences, perhaps a fine would be more appropriate (\$1,000 would be a reasonable level) with prosecution for further offences as an Animal Welfare Act violation and maximum penalties available to be handed down.

5. Injuries from collars or tethering

This should cover all species. Proposal should state that collars that are not fixed should not be used (ie no choke chains, martingale collars etc). As in other countries, there should be a limit on the number of hours a day a dog or other animal can be tethered (this may vary for species).

I agree that 'must not prevent drinking' should be included.

I agree with an infringement for first offences, however think \$300 is too low. A three strikes rule, or one warning infringement then prosecution should be developed.

6. Muzzling

I agree with this proposal and agree it should include limitations on the sorts of muzzles that can be used. Muzzles that restrict panting or drinking should only be able to be used up to a maximum amount of time (eg 15 minutes to allow a veterinary check). Dogs show and relieve stress by panting so it is essential that if muzzled they can continue to exhibit this natural behaviour.

7. Dogs dry and shaded shelter

This should be expanded to include all animals from goats and sheep to pet rabbits.

There should be a limit on time an animal can be left without shade on a sunny day to ensure that a person leaving their dog for a few minutes to run a quick errand or use a public toilet while out on a walk can do this.

8. Dogs in hot vehicles

This should be expanded to include all animals (including those being exported live) with a maximum temperature stipulated. Digital thermometers are widely available making it feasible for people with pets in cars to check on the temperature and understand at what point the vehicle is too hot. This would also allow for a clear level at which an infringement or prosecution can be taken. Otherwise it is too easy for people to claim they thought the temperature level was ok.

9. Dogs on moving vehicles

I agree with this change. Animal Welfare Inspectors should have the power to stop a vehicle if they believe an animal is suffering or in danger of injury.

10. Drowning dogs and cats

This should be expanded to include all animals. If it is cruel to drown a dog it is cruel to drown a pig, rabbit or goat!

The suggested maximum penalty is too low.

11 & 12. Eels, Lobsters etc

As with any killing this should be done with the least possible distress. Eels should be killed humanely prior to desliming, and Lobsters etc rendered insensible prior to killing.

13. Goat Tethering

There should be a limit to the number of hours a day a goat can be tethered and during this time they must have access to shelter, food and water.

I agree with an infringement for first offences, however think \$300 is too low. A three strikes rule, or one warning infringement then prosecution should be developed.

17 & 18 Hens

The current hens per M2 sizes are woefully inadequate for hens to express normal patterns of behaviour. This should be reassessed and ALL hens should have access to open outdoor space.

19. Hens

This should be regulated as clearly farmers aren't capable of recognising that the build up of excretia and adequate space to move for hens is required.

20. Hens

I was not aware induced moulting was occurring, and this practice should be illegal.

29. Rodeo & Fireworks'

Given the number of animals, including horses, that are spooked by fireworks each year it is unbelievable that this goes on at Rodeos.

I don't believe this proposal regarding Rodeos goes far enough. Rodeos clearly involve activities that would not be tolerated on other animals (eg calf roping). I call for a complete ban on Rodeos in New Zealand.

30. Circuses

Given as you state there are no exotic animals in circuses in New Zealand, I propose a complete ban on this so it can not occur in the future. Furthermore, use of any animals for entertainment (circuses or rodeo) should be banned.

51. Hot branding

I agree this should be banned as there are more humane alternatives available.

56. Declawing Cats

I agree with this proposal however rehoming should be considered before declawing a cat at risk of euthanasia.

57. Desexing

I agree with the proposal. If vet nurses are properly trained and qualified to undertake this procedure then I support this as it would save shelters money.

58. Freeze branding dogs

This should be banned. Dogs that need to be identified to enter hunting blocks can be microchip scanned. In addition, I would like to see the Kiwi Safe training not use shock collars and better more humane training methods developed.

S9. Dog Debarking

This should be completely banned. The reasons for the dog barking should be fully investigated and appropriate training (positive training!) undertaken. Debarking is inhumane.

60. Ear cropping

I support this remaining a banned procedure

62. Dog tail docking

I support this proposal. Tails should only be docked after an injury has occurred. I think this regulation should state that tails cannot be docked for breed standard or aesthetic reasons.

Docking should only be carried out by veterinary surgeons under anaesthetic regardless of the age of the dog (ie if a puppy is born with a deformed tail that requires removal this must be done by a vet).

(259)

Out of Scope

From: Grace McLean s 9(2)(a) >
Sent: Thursday, 19 May 2016 4:31 p.m.
To: Animal Welfare Submissions
Subject: Submissions on Animal Welfare Regulations

To whom it may concern,

I'm sending this email because I have seen the suggestion of using pain relief during calf disbudding, and am concerned that introducing this would force trained professionals in this field to have to stop one of the most efficient and humane ways for calf disbudding that I've ever witnessed.

For over ten years I have worked part-time with Jorgen Hansen, a local farmer and professional calf disbudder. During the spring months he commits to doing full time calf disbudding for hundreds of local farmers throughout Southland, and his method has shown to be the most humane and kind way to execute this procedure on calves that I've ever witnessed. Over the years I have seen the results of different calf disbudding methods, and have been horrified by mess that some other disbudders have made. Im glad that this is being looked into by animal welfare, but dont think using pain relief will fix the real problem: the method by which disbudding is done, and by whom.

I highly recommend looking into Jorgen's method by which he was trained in Denmark, it uses hot corterising irons, and only takes 4 or 5 seconds per horn. Usually when he has finished the calves will jump up and go and eat, or come back to try and suck on our overalls! One of the keys to this method is the age by which they're done, as the horn hasn't developed enough for us to need to cut it off and break the skin, so the hot irons merely kill the nerves in a few seconds, and then leaves the calves in peace! If pain relief had to be given (I'm assuming this job will be for vets only), the number of calves they'd have to get through would be massive. Even if contractors like Jorgen could administer it themselves, the process would take so much longer, with a lot of unnecessary stressful double handling on the animals, meaning that a lot of calves would get seen at a later age, once the horn has developed and grown, which would be much more painful for the calf, even after the pain relief wears off. The age difference would also mean they would be harder to hold down, and a crush might need to be used, causing more stress and risk of bruising and injury for both parties.

As well as this, the cost would be a lot higher for farmers, and when there is a method as efficient and kind to the animals as Jorgen's one, I think the best conclusion would not be to resort to pain relief on all methods, but to have more restrictions on which methods are allowed to be used, and get Jorgen Hansen to train people professionally in his method so that it can be used all over the country for the benefit of the animals.

Regards,
Grace McLean
s 9(2)(a)

Animal Welfare proposed regulations feedback submission form

Ros Mihaka

s 9(2)(a)

My feedback:

62. The proposed regulation states: Must be performed by a veterinarian or a veterinary student under the direct supervision of a veterinarian.

Must only be performed for therapeutic reasons

Pain relief must be used at the time of the procedure.

I disagree with this proposal in its entirety and advocate for the status quo and these are my reasons:

I am a member of the New Zealand Kennel Club (NZKC) and am a registered breeder of pedigree dogs.

While I am not an accredited member of the New Zealand Council of Docked Breeds (NZCDB), I choose to utilise the skills of an accredited member of the New Zealand Council of Docked Breeds (NZCDB), in performing tail shortening of my chosen breed.

The NZCDB as an organisation was established in 2004 and our membership is focussed on the welfare of tail shortened breeds. We operate as a fully audited and regulated group under the umbrella of the NZKC with the approval of the National Animal Welfare Advisory Committee (NAWAC).

I have never had a complaint or issue arise from any litter that I have had an accredited member of the New Zealand Council of Docked Breeds (NZCDB) completed banding on and to the best of my knowledge I understand that as an accredited group, we have performed tail shortening on over 10 500 neonate puppies without incident since 2005.

I am of the understanding that the procedure of tail banding (described by the NAWAC approved scheme) is vastly different from the process of tail amputation and as an accredited bander I only perform the tail banding procedure under the Animal Welfare Act (No2) 2015 and this is not a surgical procedure.

The breeds that I am associated with are traditionally docked dogs that still perform their duties that they were designed for.

I understand that in 2012 NAWAC agreed and suggested a study should be completed to dispel any myths around the process of tail banding, yet to date, this has not been carried out by NAWAC so I am surprised that this proposal has taken shape.

I understand that MPI partly funds both the RSPCA and NAWAC, yet they are both major stakeholders in writing this proposal which I see as being extremely one sided and is not factual. I also understand that the governing body of the professional dog world Namely the NZKC has over 6000 members, but NZKC were not included as a major stakeholder when writing these proposals and nor are they funded by the Ministry.

I understand that over 170 countries do not ban the tail shortening procedure however these countries are not spoken about in any documentation produced by MPI.

I understand that breed specifics are not taken into account when this proposal was documented and the groups largely involved in writing these have dealings mainly with crossbred non-pedigree (no registration with the NZKC) dogs. I would sincerely question the stakeholder's ability to answer such detailed questions around form and function of a specific breed for the purposes of this proposal.

I understand that another major stakeholder is an offshoot of the RSPCA namely HUHA. This group also deals with crossbred non-pedigree dogs yet they felt qualified to once again offer their opinion on pedigree dogs and the reasons for tail shortening.

I am of the belief that there is currently a process in place for the SPCA to act on individual cases that perform a tail shortening procedure illegally on a litter of non-registered NZKC members neonate puppies, however in the last 4 years I only know of 2 cases where the SPCA has acted on this information.

61. The proposed regulations states: Front limb dew claw removal and articulated (jointed) hind limb dew claw removal:

Must be performed by a veterinarian or a veterinary student under the direct supervision of a veterinarian;

Must only be performed for therapeutic reasons; and

Pain relief must be used at the time of the procedure

Hind limb dew claws: non-articulated (greater than or equal to four days of age)

Must be performed by a veterinarian or veterinary student under supervisions; and

Pain relief must be used at the time of the procedure.

I disagree with this proposal in its entirety and advocate for the status quo and these are my reasons:

When performing a dew claw removal, again I have had competent breeders complete this process for me in a neonate puppy 4 days of age or under. At this time it is a well-recognised fact that the toes and tail are the last part of the neonate puppy to calcify and develop into bone. The neonate dewclaw is removed without cutting through bone (has not calcified) and does not bleed when performed correctly.

No other country in the world has proposed this procedure should not be practiced as the health and welfare of the dog will be compromised.

As a professional dog breeder and caretaker of my chosen breed, I am fully versed in the damage that a dew claw can cause to the dog if left on. My chosen breed has been bred to be used in its traditional purpose and the dew claw if left on would result in significant pain and suffering to the dog.

I understand that breed specifics are not taken into account when this proposal was documented and the groups largely involved in writing these have dealings mainly with crossbred non-pedigree (no registration with the NZKC) dogs. I would sincerely question the stakeholder's ability to answer

such detailed questions around form and function of a specific breed for the purposes of this proposal.

I understand that another major stakeholder is an offshoot of the RSPCA namely HUHA. This group also deals with crossbred non-pedigree dogs yet they felt qualified to once again offer their opinion on pedigree dogs and the reasons for dew claw removal.

I understand that MPI partly funds both the RSPCA and NAWAC, yet they are both major stakeholders in writing this proposal which I see as being extremely one sided and is not factual. I also understand that the governing body of the professional dog world Namely the NZKC has over 6000 members, but NZKC were not included as a major stakeholder when writing these proposals and nor are they funded by the Ministry.

I understand that not all front dew claws are articulated and once again the breed specifics have been ignored in this instance and MPI have been advised incorrectly.

I understand that the Groomers Association have not been contacted for information from their large membership to dispel the myths displayed in the proposed regulation and I further understand that the largest governing body (and only – NZKC) have also not been included in the proposal to not allow this process to remain as is.

Regards

Ros Mihaka

RELEASED UNDER THE OFFICIAL INFORMATION ACT 1982

s 9(2)(a)

Out of Scope

61. Dogs-Dew Claws.

Removing dew claws at an early age prevents injury to dogs by ensuring the dewclaw (often missed in long coated dogs in particular) does not become overgrown. In my time in veterinary practice a large number of clients did not trim these claws resulting in them becoming overgrown-often into the forelimb itself as they do not wear down on hard surfaces (.g. concrete) like the digital nails. A large number of my friends who are dog groomers have said this also. Dogs with more protruding eyes such as Chihuahuas and pugs have been known to scratch the surface of the eye with their dewclaws when rubbing their eyes as well. Those people heavily involved in dog training often report being scratched as dogs jump up on them and attempt to 'grab' their arms in particular. Dew claws are not well attached to the forelimb at birth and bony formation is not complete so dewclaws are best removed by a person with the necessary knowledge and skill at less than 3days of age. I believe pain relief should be used in the form of a topical local anaesthetic cream-Emla cream for example and trained persons should have access to this through a veterinarian. Dewclaw removal after 3days of age should be performed by a veterinarian.

The proposed regulations allow for castration in cattle and sheep (under 6mths of age), sheep (up to 6mths of age) and pig (under 7days of age) docking, supernumerary teat removal (up to 6wks of age) in cattle by any person without the use of pain relief and these species are far more precocial than neonatal puppies with more developed nervous systems. If this regulation is bought into law these standards also need revisiting with regards to who can perform the procedure and the use of pain relief.

62. Dogs-Tail Docking.

I agree with the ban on docking except for therapeutic reasons. However, the proposed regulations allow for castration in cattle and sheep (under 6mths of age), sheep (up to 6mths of age) and pig (under 7days of age) docking, supernumerary teat removal (up to 6wks of age) in cattle by any person without the use of pain relief and these species are far more precocial than neonatal puppies with more developed nervous systems. If this regulation is bought into law these standards also need revisiting with regards to who can perform the procedure and the use of pain relief.

I strongly feel MPI ought to look into the practice of puppy and kitten farming/mills as part of the changes to animal welfare regulations. Docking and dewclaws affect a tiny percentage of animals compared to puppy farms. This is not something that should be left to a charity organisation to 'enforce', this should come from the top.

s 9(2)(a)

Animal Welfare proposed regulations feedback submission:

Glenys Smith

s 9(2)(a)

My Views and Responses as Below.

62. The proposed regulation states: Must be performed by a veterinarian or a veterinary student under the direct supervision of a veterinarian.

Must only be performed for therapeutic reasons

Pain relief must be used at the time of the procedure.

I disagree with this proposal in its entirety and advocate for the status quo and these are my reasons:

I am a member of the New Zealand Kennel Club (NZKC).

Within the NZKC is the NZ Council of Docked Breeds who operate as a fully audited and regulated group under the umbrella of the NZKC with the approval of the National Animal Welfare Advisory Committee (NAWAC). There accredited Members carry out the Banding and Dew Claw removal under strict and Measured Standards.

I am of the understanding that the procedure of tail banding (described by the NAWAC approved scheme) is vastly different from the process of tail amputation and an accredited bander will only perform the tail banding procedure under the Animal Welfare Act (No2) 2015 and this is not a surgical procedure.

The breeds that I am associated with and that are banded are traditionally docked dogs that still perform their duties that they were designed for.

I understand that in 2012 NAWAC agreed and suggested a study should be completed to dispel any myths around the process of tail banding, yet to date, this has not been carried out by NAWAC so I am surprised that this proposal has taken shape.

I understand that MPI partly funds both the RSPCA and NAWAC, yet they are both major stakeholders in writing this proposal which I see as being extremely one sided and is not factual. I also understand that the governing body of the professional dog world Namely the NZKC has over 6000 members, but NZKC were not included as a major stakeholder when writing these proposals and nor are they funded by the Ministry.

I understand that over 170 countries do not ban the tail shortening procedure however these countries are not spoken about in any documentation produced by MPI.

I understand that breed specifics are not taken into account when this proposal was documented and the groups largely involved in writing these have dealings mainly with crossbred non-pedigree

(no registration with the NZKC) dogs. I would sincerely question the stakeholder's ability to answer such detailed questions around form and function of a specific breed for the purposes of this proposal.

I understand that another major stakeholder is an offshoot of the RSPCA namely HUHA. This group also deals with crossbred non-pedigree dogs yet they felt qualified to once again offer their opinion on pedigree dogs and the reasons for tail shortening.

I am of the belief that there is currently a process in place for the SPCA to act on individual cases that perform a tail shortening procedure illegally on a litter of non-registered NZKC members neonate puppies, however in the last 4 years I only know of 2 cases where the SPCA has acted on this information.

I believe the Shortening of a Dogs Tail has Absolutely no effect on their ability to Communicate, Swim or Run and is purely an emotive argument which is impossible to base on fact as the overwhelming evidence proves otherwise.

Currently Tail injuries are only a small percentage of why Dogs are presented to a Veterinary Clinic and this is because a lot are shortened and if they were left long there will be a huge increase in this issue which can be a very drawn out and painful experience for the Dog.

61. The proposed regulations states: Front limb dew claw removal and articulated (jointed) hind limb dew claw removal:

Must be performed by a veterinarian or a veterinary student under the direct supervision of a veterinarian;

Must only be performed for therapeutic reasons; and

Pain relief must be used at the time of the procedure

Hind limb dew claws: non-articulated (greater than or equal to four days of age)

Must be performed by a veterinarian or veterinary student under supervision; and

Pain relief must be used at the time of the procedure.

I disagree with this proposal in its entirety and advocate for the status quo and these are my reasons:

When performing a dew claw removal, The process is completed in a neonate puppy 4 days of age or under. At this time it is a well-recognised fact that the toes and tail are the last part of the neonate puppy to calcify and develop into bone. The neonate dewclaw is removed without cutting through bone (has not calcified) and does not bleed when performed correctly.

No other country in the world has proposed this procedure should not be practiced as the health and welfare of the dog will be compromised.

As a caretaker of my chosen breed, I am fully versed in the damage that a dew claw can cause to the dog if left on. My chosen breed has been bred to be used in its traditional purpose and the dew claw if left on would result in significant pain and suffering to the dog.

I understand that breed specifics are not taken into account when this proposal was documented and the groups largely involved in writing these have dealings mainly with crossbred non-pedigree (no registration with the NZKC) dogs. I would sincerely question the stakeholder's ability to answer

such detailed questions around form and function of a specific breed for the purposes of this proposal.

I understand that another major stakeholder is an offshoot of the RSPCA namely HUHA. This group also deals with crossbred non-pedigree dogs yet they felt qualified to once again offer their opinion on pedigree dogs and the reasons for dew claw removal.

I understand that MPI partly funds both the RSPCA and NAWAC, yet they are both major stakeholders in writing this proposal which I see as being extremely one sided and is not factual. I also understand that the governing body of the professional dog world Namely the NZKC has over 6000 members, but NZKC were not included as a major stakeholder when writing these proposals and nor are they funded by the Ministry.

There have been many incidents of dew claws growing back into the skin of the dog as the pet owner doesn't understand how to trim the nails and often as the dog is of a coated variety, they are not aware of a dew claw being present.

I understand that not all front dew claws are articulated and once again the breed specifics have been ignored in this instance and MPI have been advised incorrectly.

I understand that the Groomers Association have not been contacted for information from their large membership to dispel the myths displayed in the proposed regulation and I further understand that the largest governing body (and only – NZKC) have also not been included in the proposal to not allow this process to remain as is.

Ironically both the Shortening of Tails and Removal of Dew Claws are done at Birth for the Dogs best interest and long term Health. WE care for our dogs more than any Vet or Government Agency and would never do anything to them we didn't believe was in there best interest.

Thank You,

From: Lisa T. § 9(2)(a)
Sent: Thursday, 19 May 2016 4:25 p.m.
To: Animal Welfare Submissions
Subject: Animal Welfare Act Review

Lisa Terry

§ 9(2)(a)

Animal Welfare Policy Ministry for Primary Industries PO Box 2526 Wellington 6140

19th May 2016

Submission on the Animal Welfare Act Review

To Whom it concerns:

Versatile Hunting Dog Assn member and owner of a gundog breed; I would like to put forward my submission on the following.

Item 61. Dogs - Dew claw removal I request that this continues to be allowed in NZ as is the current approved practice. By accredited practitioners.

Performed correctly there is no bone cut though, there is no bleeding. Breeders are scrupulously conscious of sterile conditions so there is very limited chance of infection.

Dew claw 's not removed and damaged or ripped as an adult cause excruciating pain and would require major surgery to remove. I view their removal as a new born a preventative for the future well being of the pup. The same as I view Tail Docking and vaccinations.

Item 62. Dogs - Tail docking I request that this continues to be allowed in NZ as is the current approved practice. By accredited practitioners.

The Accredited Banders Scheme which follows strict guidelines and is strictly audited by the NZ Kennel Club to ensure compliance with agreed protocols and current Code of Animal Welfare.

Gundog breeds with long whippy tails historically docked would commonly injure their tails while hunting through vegetation and thick scrub or today in everyday life pursuits. Their fast tail action often leads to splitting or tearing and bleeding which is painful and extremely difficult to treat. Because of the long thin tail, the end has very poor circulation which makes healing difficult and prone to infection.

All Tails are not created equal. The GSP's tail like many of the Versatile Gundog breeds, which is a man made breed which didn't get the tail right. Unlike the Labradors who have a thick well covered tail. So historically the fore fathers of the breeds where aware of this weakness and docked accordingly for the well being of their dogs. Undocked they would be very prone to damage in the dogs environment be this rural or urban. The only

resolution for an undocked adult Versatile dog suffering from chronic tail damage is a painful and traumatic amputation which as an adult is major surgery to remove.

Undocked, the interaction of the tail conformation, breed activity and the environment causes increased risk of injury through the life of these breeds.

The Shortening of the weak portion of the tail humanely at a few days old eliminates the risk of injury. By shortening but still retaining a substantial tail occurs once and protects against chronic pain and discomfort for life, typically 12 to 15 years.

The NZVA research study that found little evidence of tail damage in dogs in New Zealand is totally flawed. Because the dogs prone to tail damage are to date docked as newborns. They also failed to acknowledge that there are in excess of 170 countries in the world that DO NOT have a ban on the docking/shortening of dogs tails, and there are countries which have had the ban now looking at reversing that decision ie Scotland.

I view Tail removal in a new born in the Gundog breeds historically docked, as a preventative measure for the future health and well being of the pup. The same as I view Dew claw removal and vaccinations for the dog's future well being. So for the welfare of working gundog's breeds in NZ, I ask that you consider this practice to continue to be allowed.

Thank you for taking the time to read this submission.

Yours sincerely,

Lisa Terry.

RELEASED UNDER THE OFFICIAL INFORMATION ACT 1982

Out of Scope

From: Lisa T. <s 9(2)(a) >
Sent: Thursday, 19 May 2016 4:17 p.m.
To: Animal Welfare Submissions
Subject: Animal Welfare proposed regulations feedback submission

Animal Welfare proposed regulations feedback submission:

Lisa Terry

s 9(2)(a)

My Views and Responses as Below.

62. The proposed regulation states: Must be performed by a veterinarian or a veterinary student under the direct supervision of a veterinarian.

Must only be performed for therapeutic reasons

Pain relief must be used at the time of the procedure.

I disagree with this proposal in its entirety and advocate for the status quo and these are my reasons:

I am a member of the New Zealand Kennel Club (NZKC).

Within the NZKC is the NZ Council of Docked Breeds who operate as a fully audited and regulated group under the umbrella of the NZKC with the approval of the National Animal Welfare Advisory Committee (NAWAC). There accredited Members carry out the Banding and Dew Claw removal under strict and Measured Standards.

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The breeds that I am associated with and that are banded are traditionally docked dogs that still perform their duties that they were designed for.

I understand that in 2012 NAWAC agreed and suggested a study should be completed to dispel any myths around the process of tail banding, yet to date, this has not been carried out by NAWAC so I am surprised that this proposal has taken shape.

I understand that MPI partly funds both the RSPCA and NAWAC, yet they are both major stakeholders in writing this proposal which I see as being extremely one sided and is not factual. I also understand that the governing body of the professional dog world Namely the NZKC has over 6000 members, but NZKC were not included as a major stakeholder when writing these proposals and nor are they funded by the Ministry.

I understand that over 170 countries do not ban the tail shortening procedure however these countries are not spoken about in any documentation produced by MPI.

I understand that breed specifics are not taken into account when this proposal was documented and the groups largely involved in writing these have dealings mainly with crossbred non-pedigree (no registration with the NZKC) dogs. I would sincerely question the stakeholder's ability to answer such detailed questions around form and function of a specific breed for the purposes of this proposal.

I understand that another major stakeholder is an offshoot of the RSPCA namely HUHA. This group also deals with crossbred non-pedigree dogs yet they felt qualified to once again offer their opinion on pedigree dogs and the reasons for tail shortening.

I am of the belief that there is currently a process in place for the SPCA to act on individual cases that perform a tail shortening procedure illegally on a litter of non-registered NZKC members neonate puppies, however in the last 4 years I only know of 2 cases where the SPCA has acted on this information.

I believe the Shortening of a Dogs Tail has Absolutely no effect on their ability to Communicate, Swim or Run and is purely an emotive argument which is impossible to base on fact as the over whelming evidence proofs otherwise.

Currently Tail injuries are only a small percentage of why Dogs are presented to a Veterinary Clinic and this is because a lot are shortened and if they were left long there will be a huge increase in this issue which can be a very drawn out and painful experience for the Dog.

61. The proposed regulations states: Front limb dew claw removal and articulated (jointed) hind limb dew claw removal:

Must be performed by a veterinarian or a veterinary student under the direct supervision of a veterinarian;

Must only be performed for therapeutic reasons; and

Pain relief must be used at the time of the procedure

Hind limb dew claws: non-articulated (greater than or equal to four days of age)

Must be performed by a veterinarian or veterinary student under supervisions; and

Pain relief must be used at the time of the procedure.

I disagree with this proposal in its entirety and advocate for the status quo and these are my reasons:

When performing a dew claw removal, The process is completed in a neonate puppy 4 days of age or under. At this time it is a well-recognised fact that the toes and tail are the last part of the neonate puppy to calcify and develop into bone. The neonate dewclaw is removed without cutting through bone (has not calcified) and does not bleed when performed correctly.

No other country in the world has proposed this procedure should not be practiced as the health and welfare of the dog will be compromised.

As a caretaker of my chosen breed, I am fully versed in the damage that a dew claw can cause to the dog if left on. My chosen breed has been bred to be used in its traditional purpose and the dew claw if left on would result in significant pain and suffering to the dog.

I understand that breed specifics are not taken into account when this proposal was documented and the groups largely involved in writing these have dealings mainly with crossbred non-pedigree (no registration with the NZKC) dogs. I would sincerely question the stakeholder's ability to answer such detailed questions around form and function of a specific breed for the purposes of this proposal.

I understand that another major stakeholder is an offshoot of the RSPCA namely HUHA. This group also deals with crossbred non-pedigree dogs yet they felt qualified to once again offer their opinion on pedigree dogs and the reasons for dew claw removal.

I understand that MPI partly funds both the RSPCA and NAWAC, yet they are both major stakeholders in writing this proposal which I see as being extremely one sided and is not factual. I also understand that the governing body of the professional dog world Namely the NZKC has over 6000 members, but NZKC were not included as a major stakeholder when writing these proposals and nor are they funded by the Ministry.

There have been many incidents of dew claws growing back into the skin of the dog as the pet owner doesn't understand how to trim the nails and often as the dog is of a coated variety, they are not aware of a dew claw being present.

I understand that not all front dew claws are articulated and once again the breed specifics have been ignored in this instance and MPI have been advised incorrectly.

I understand that the Groomers Association have not been contacted for information from their large membership to dispel the myths displayed in the proposed regulation and I further understand that the largest governing body (and only – NZKC) have also not been included in the proposal to not allow this process to remain as is.

Ironically both the Shortening of Tails and Removal of Dew Claws are done at Birth for the Dogs best interest and long term Health. WE care for our dogs more than any Vet or Government Agency and would never do anything to them we didn't believe was in there best interest.

Thank You,

Lisa.

From: Megan Ebersberger <§ 9(2)(a)>
Sent: Thursday, 19 May 2016 4:22 p.m.
To: Animal Welfare Submissions
Subject: Submission on Animal Welfare Regulations

Hello,

I am submitting a submission for the animal welfare regulations to include a proposal for housing of breeding male cats.

It is common practice for cat breeders (both registered and unregistered) to cage their breeding males for the duration of their life. They do this to control aggression in the intact males, manage who has inseminated which breeding queen and restrict the amount of things the intact male can urinate on.

At current, there is only a recommended practice in the Animal Welfare Act Cat Code for housing caged breeding cats. I spoke to the SPCA Waikato Chief Welfare Inspector and he said that as long as a cage has three corners, one for sleeping, eating and defecating in, then the cage is considered adequate to live in for the duration of its life.

It is extremely cruel that currently New Zealand legislation only entitles breeding cats to cages that have three corners. With such vague laws, those who don't care about their cats can keep them in the smallest cage that they want to. It could be as small as a dog kennel. This affects thousands and thousands of NZ breeding cats and is a crisis that needs to be addressed.

My first proposal is to ban breeding by those who are not registered by the NZ Cat Council. We have a cat overpopulation problem in NZ which has caused shelters to become overrun with cats and kittens. We do not need unlicensed backyard breeders pumping out thousands of unregulated kittens from parents kept in compromising conditions every year. I think that it is not a radical idea to suggest all cat breeding to be banned in NZ except by registered breeders who can be properly regulated.

Those registered breeders should have strict housing requirements for their breeding males. It is not enough to have three corners. Those cats should be entitled to significantly larger enclosures to be able to express their natural behaviours. It has been proven time and time again that animals suffer in close confinement. They get deprived of the hugely important behaviours of processing new sensory experiences while navigating their environment. They should be entitled to an enclosure at LEAST 30 meters by 30 meters with multiple perches and places to jump, run, stretch, explore and navigate. The amendment should stress the necessity to provide daily meaningful stimulation and enrichment to every caged cat.

Cats who are caged for the duration of their lives exhibit stereotypical behaviours that have been scientifically proven to have manifested from the boredom of confinement and incredibly limited sensory experiences. These behaviours are repetitive and often self-destructive. They have been documented in lab animals, circus animals (monkeys, big cats, elephants), zoo animals and any other industry that confines and extremely restricts an animals range of motion and limits new sensory experiences for long periods of time.

Please consider the victims of this unnecessary industry and pass legislation entitling them to a higher quality of life. Also consider the victims of the NZ cat overpopulation problem and pass legislation banning the breeding of cats except by registered breeders.

Kind Regards,

Megan Ebersberger

s 9(2)(a)
[Redacted]
[Redacted]
[Redacted]

RELEASED UNDER THE OFFICIAL INFORMATION ACT 1982

Submission on

Proposed Animal Welfare Regulations
(Care & Conduct and Surgical & painful procedures)

Matthew Deighton and Chris Stewart

Private contact details, please withhold from public view: Email: s 9(2)(a)

MPI Discussion Paper

12.0 Surgical and Painful Procedures Regulatory Proposals

62. Dogs – Tail Docking

Submission Summary

- We oppose any change to New Zealand Animal Welfare Regulation that could prevent the legal neonatal shortening of tails of German Wirehair dogs as required in this breed's country of origin, Germany. Any such change in law will result in negative welfare outcomes for dogs of the German Wirehair breed and would be at odds with international precedents for this breed. It would also be inconsistent with New Zealand law relating to painful husbandry procedures in other species
- We support the current NAWAC approved tail banding scheme for dogs operated by the New Zealand Council of Docked Breeds. This scheme guarantees that tail-shortening is undertaken in compliance with international best practice for the German Wirehair and other docked breeds and upholds New Zealand's international reputation for high standards of animal welfare
- We submit that the available scientific evidence clearly demonstrates that failure to shorten the tails of normally tail shortened breeds increases their risk of tail injury. We also submit that breed appropriate tail shortening significantly reduces the risk of tail injury. The available scientific evidence supports the large body of knowledge amongst breed experts to whom such scientific conclusions are self-evident
- We submit that the welfare cost of neonatal tail banding is low and the net welfare benefit conferred to the German Wirehair by neonatal tail shortening justifies this husbandry procedure because it improves health and welfare outcomes for these dogs throughout their lives

Introduction

The main purpose for the breeding and training of German Wirehair dogs is to produce highly competent hunting dogs that enable hunters and wildlife managers to consistently achieve high standards of ethics by ensuring their rapid recovery and dispatch of all shot game and pest species, regardless of working environment.

Breeding groups for the German Wirehair exist worldwide with clubs affiliated to the German breed-club-of-origin in most European countries including Germany, France, Russia, Bulgaria, Turkey, the United States of America, Canada and New Zealand. The parent club has a membership in excess of 12,000 and is responsible for a population of approximately 33,000 working German Wirehair dogs. All 33,000 of these dogs have their tails shortened by approximately 50% to prevent injury to the otherwise vulnerable tail tip. In Germany where non-therapeutic tail shortening of many breeds has been prohibited the well-recognised benefits of tail-shortening of the German Wirehair and many other working dog breeds native to Germany and other European countries remains a mandatory breed-specific practice to improve welfare outcomes for these animals.

It is important that the breed appropriate husbandry practice of tail shortening of the German Wirehair in New Zealand be maintained within effective animal welfare regulation. The German Wirehair is bred according to defined performance and health regulations that ensure population level breed improvement, health and welfare. Dogs are bred under the supervision of regional breed wardens who have responsibility to audit breeders to ensure breed appropriate care of the bitch and litter exceeds minimum standards of welfare, such as those specified in the Animal Welfare (Dogs) Code of Welfare 2010. Breed groups also provide breed specific training advice and ensure that these working dogs are placed in homes suited to their breed-specific needs.

Neonatal tail-shortening of the German Wirehair is only performed to promote positive welfare outcomes for adult dogs, and only that part of the tail most vulnerable to injury is removed according to internationally recognised best-practice for the breed. It is my opinion that neonatal tail-shortening of the German Wirehair in New Zealand is an appropriate and proactive measure to improve welfare these dogs because of the net welfare benefit conferred to each tail-shortened dog.

The New Zealand Animal Welfare Act specifically states that the owner or person in charge of animals has overall responsibility for their welfare. It is their legal obligation to ensure that the physical, health and behavioural needs of their animal are met in accordance with good practice. Further they are required to alleviate any unreasonable or unnecessary pain or distress being suffered by their animal. It is my submission to MPI that proactive prevention via tail banding is the most appropriate management practice for German Wirehair dogs to prevent negative health and welfare outcomes due to tail injury.

We do not support re-classification of neonatal tail banding in any way that would restrict this practice solely to members of the New Zealand Veterinary Association (NZVA). Given this organisations stated opposition (policy 9c Tail Docking of Dogs, 2011) and lack of breed-specific knowledge its appointment in such a capacity would be inappropriate and may result in perverse outcomes. Such as if NZVA members were not permitted to exercise individual choice.

It is appropriate that neonatal tail shortening be performed by an adequately trained and competent person. Experienced dog breeders of breeds that require tail shortening are the most appropriate group from which to draw accredited people. These are the people who have responsibility for the husbandry and welfare of the pedigree dogs in their care and also those who have the greatest breed specific knowledge.

A precedent for such practice is well established in New Zealand in the form of the NAWAC approved Accredited Banding Scheme administered by the New Zealand Council of Docked Breeds and Audised by the New Zealand Kennel Club. In other species farmers (lay animal managers) are also permitted to undertake appropriate painful husbandry procedures for animals in their care. These procedures range from unrestricted, yet pain inducing, procedures such as ear tagging (piercing) and ear notching (cutting) of domestic ruminant species, to potentially more painful procedures such as industry standard tail docking of sheep and pigs and other procedures as outlined in the Animal Welfare (Painful Husbandry Procedures) Code of Welfare 2005 published by the National Animal Welfare Advisory Committee.

Given the list of currently approved painful husbandry procedures undertaken on millions of commercially farmed livestock in New Zealand a ban on tail shortening of a small number of domestic dogs (approximately 2000 per year) that does not take into account appropriate breed-specific husbandry would be an inconsistency in law.

For an example of a successfully regulated national scheme involving considerable training on the part of lay animal managers the National velvet antler removal scheme is another excellent example of how lay persons with responsibility for their own animal's welfare can be certified to perform even quite complex and potentially painful procedures.

In contrast to the once-in-a-lifetime tail docking of neonate dogs, the surgical removal of velvet antler is a largely commercial practice undertaken on an annual basis for the life of farmed male deer. The success of the velvet antler industry in New Zealand and the ability of its participants to both justify and maintain a high level of welfare compliance and international reputation in this field provides a high level of confidence that the continued operation of the ABS for the breed-specific tail shortening of dogs will not compromise to New Zealand's international reputation for excellence in animal welfare.

1. Tail shortening by approximately 50% is a breed specific requirement for the appropriate management of welfare within the German Wirehair breed.

All German Wirehair dogs, approximately 33,000 in Germany, United States, Canada and New Zealand, have their tails shortened by removing the vulnerable tip of the tail shortly after birth.

Only so much of the tail is removed to prevent injury of the adult working dog, leaving the dog with a fully functional yet shorter tail that is approximately 50% of its natural length (Figure 1).



Figure 1. An adult German Wirehair with a correctly shortened tail to prevent injury whilst working in inhospitable vegetation on land and in water, and during encounters with dangerous game such as wild pig.

Opponents of tail docking in 'pet' dogs raise several concerns relating to physical or behavioural effects that might be caused by complete removal off the tail. However valid these concerns may in any breed they are of little or no relevance in the case of the German Wirehair. The minimum post-docking tail length of a German Wirehair is approximately 50% of the undocked tail, thus the dog retains full genital covering, normal muscle development of the tail base area and use of its tail for communication or behavioural signals.



Figure 2. An adult German Wirehair during a skirmish with a dangerous wild pig. The ferocity and pace of hunting work predispose this breed to a very high risk of tail tip injury that cannot be denied by those unqualified in the breeds management.

The German Wirehair like many other German working breeds is predisposed to tail tip injury in adult dogs due to a combination of three main risk factors (Figure 3).

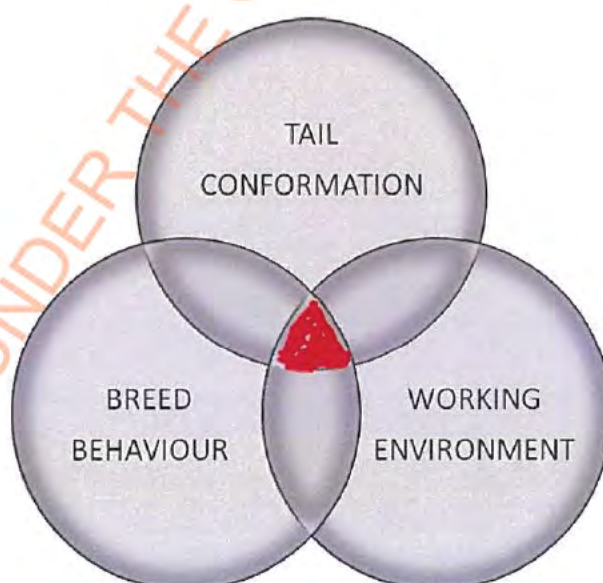


Figure 3. Relationship between the three major risk factors that predispose the German Wirehair (and other European docked breeds) to increased risk of injury of the tail tip.

1.1 Physical tail conformation

The German Wirehair like many, but not all, European working gundog breeds has a naturally long and very slender tail. The proximal 1/3 of which is particularly flexible, thin and almost devoid of subcutaneous fat or muscle tissue over the tail bone. The skin is covered with thin flat lying hair. As a result of this conformation the tip of the tail is afforded very little protection from abrasion or impacts from its hair covering, and the lack of protective soft tissue over the bone results in very poor impact resistance. When the tail becomes wet in wet weather or during water work the hair covering becomes further slicked down and in combination with water softened skin the area of the tail tip becomes further exposed to splitting or other impact or abrasion injury.

1.2 Tail carriage and breed behaviour

The German Wirehair like many related German and European working breeds has a raised tail carriage and for want of better description a high "wag rate" when working (Figure 4). The German Wirehair is a powerful mid-sized dog with incredible determination when working scent. The breed is powerful and highly athletic and works fearlessly through all manner of terrain and undergrowth. Encounters with wild pig are especially dangerous and frenetic. Its high level of activity, speed and working attitude all predispose the extremities of the body and in particular the tail tip to impact and abrasion against all manner of potentially injury causing hard and abrasive surfaces such as trees, fallen branches, scrubby vegetation and rocks.



Figure 4. A young German Wirehair retrieving a duck from water. Note high tail carriage and shortened tail approximately 50% of natural length. The dog is skirting around a tangle of barbed fencing wire on the bank (barley visible in foreground) damaged waterway fencing is not an uncommon working hazard for the breed.

1.3 Working environment

The German Wirehair breed is a versatile gundog, neither is it a specialist pointer or a retriever, but an all-round hunting breed for all types of game and pest species. They work through any and all terrain and vegetation within the natural environment which mostly includes areas not easily accessible by their handlers such as; choked undergrowth, rivers, lakes and swamps, gorse and blackberry thickets, forests and upland (Figure 5). It is therefore not unexpected or even unlikely that the extremities of the dog are exposed to significant abrasion and impact against all manner of undergrowth and that any vulnerable extremity is exposed to significant risk of injury on any given working day.

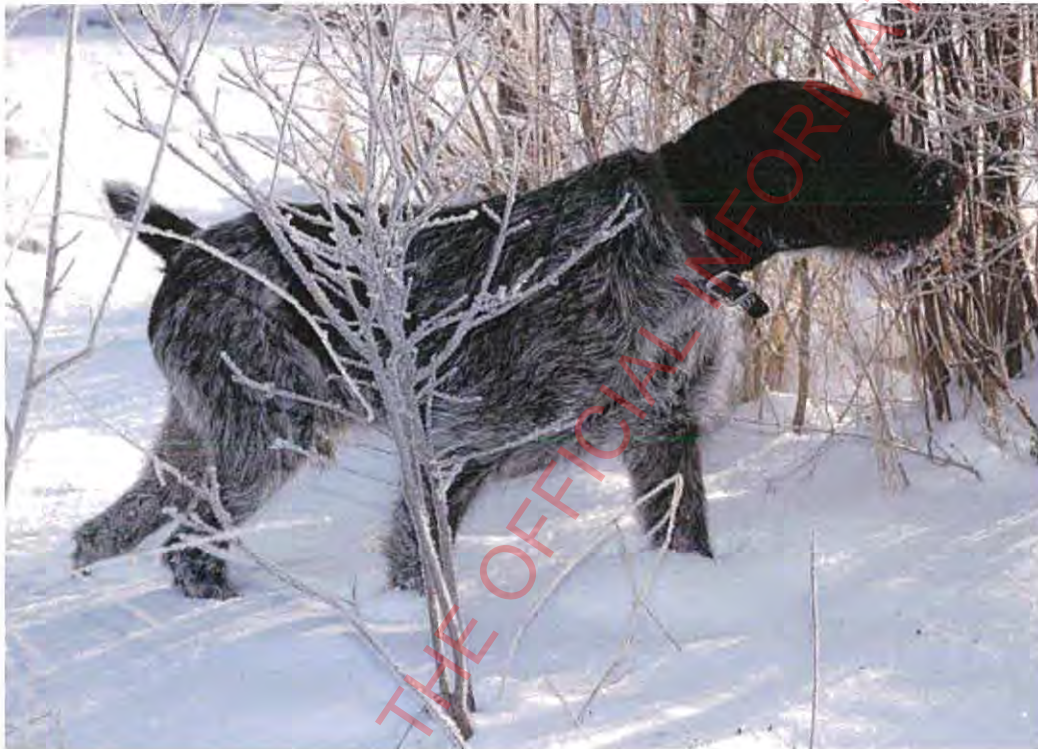


Figure 5. The robust German Wirehair breed works in all weather and terrain, pictured here pointing game in deep snow and freezing conditions.

Working European gundog breeds such as the German Wirehair are at the greatest risk of repeated injury of their tails throughout their adult lives when all three of these risk factors are present. It is the combination of all three of these risk factors that has led the international breed club to conclude that the long term (lifetime) benefit of neonatal tail shortening substantially outweighs any short term cost associated with the correctly performed neonatal tail shortening procedure via tail banding.

Unlike many potentially painful procedures performed on animals to achieve positive welfare or management outcomes, neonatal tail-shortening to prevent injury of the tip of the tail is a relatively minor procedure with minimal impact upon the animal and has a 100% success rate. It is performed once in the animal's lifetime, and yields protection from the potentially serious effects of tail tip injury for the life of the animal.

When balanced against the significant pain, suffering and convalescence experienced by an adult German breed working dog that is suffering from a chronic tail wound or complications arising from the slow healing of these wounds (including for example: painful therapeutic surgery, stitches, possible tail amputation, systemic antibiotic therapy and enforced confinement wearing an Elizabethan collar) the simple removal of the tail tip from the neonate pup is a well justified prevention.

Tail shortening by 50% is a simple husbandry decision that is based upon sound internationally recognised facts specific to the German Wirehair and similar European hunting breeds. It is the choice of the country-of-origin breed club and thousands of knowledgeable breed experts to act **proactively** rather than **reactively** in this matter. Rather than produce a high proportion of injured adult dogs with compromised welfare outcomes and high financial costs in otherwise unnecessary veterinary treatment this well informed group of people choose to eliminate the tail injury risk for their breed by exercising their management responsibility to improve the lifetime welfare of their animals through correctly performed neonatal tail shortening.

2. International precedent for exemption of tail shortening and the need for expert breed specific opinion in formulating robust New Zealand welfare legislation.

Even in Germany where non-therapeutic tail shortening of some breeds has been prohibited since 1992 the well-recognised benefits of tail-shortening of the German Wirehair and other European working dogs remains a mandatory breed-specific practice to improve welfare outcomes for these animals. A similar dispensation for working dogs of docked breeds has been implemented in the United Kingdom in recognition of the appropriate breed-specific management of these European hunting breeds.

In seeking to implement New Zealand law to protect the welfare of dogs it is clear that as with domestic livestock consideration needs to be made for breed-specific regulations. Just as typical Romney and Merino sheep have differing physical conformations and live in differing environments that require different husbandry practices, so to do dog breeds differ in their husbandry requirements.

New Zealand is not the country of origin for any docked dog breed. It is therefore not surprising that we do not have in our country an established knowledge base in the appropriate management of these breeds and indeed a veterinary association aware of appropriate breed management. We encourage the Ministry of Primary Industries, the National Animal Welfare Advisory Committee and the Minister to seek expert opinion

from country of origin breed experts prior to formulating welfare regulation that would alter the status quo. The relevant authorities for the German Wirehair breed are German. These include the peak national body for all German hunting dogs, the German Versatile Hunting Dog Association, the "Jagdgebrauchshundverband e.V."

In the absence of any formal input from international breed experts We provide a full translated opinion from such an expert in Germany, Prof. Dr. R. Fritsch, Leader of the Clinic of Veterinary Surgeons, Justus-Liebig-University.

Pain felt by puppies

There follows a letter from Prof. Dr. R. Fritsch, Leader of the Clinic of Veterinary Surgeons, Justus-Liebig-University, to the German Kennel Club.

Quote

"I have been asked by the German Kennel Club to give a professional opinion on the following questions:

- 2.2.1 Will the removal of the tail and dew claws without anaesthetic on a four day old puppy, cause considerable pain?
- 2.2.2 Is it necessary from the veterinary point of view, to shorten the tail or amputate the dew claws of certain breeds of dogs?

The docking of tails and the removal of dew claws in puppies less than 4 days old without anaesthetic, is not connected with any serious pain in such a way that it cannot be allowed from the point of view of the protection of animals.

The reason for this is (**there are two expressions in German for which there is no English equivalent): "Nestfluchter" which means a young bird or young animal which very soon will leave its nest or its mother and therefore will have to find its own food; and "Nesthockern" which means a young animal that stays for a long time in the nest with its mother and is fed by her) the new born puppy belongs to the Nesthockern, in contrast with the horse, cow, sheep, pig and goat which are regarded as Nestfluchter.

The animals in the *Nesthockern* group are born relatively immature, completely naked, blind, deaf, very immobile and very helpless. Their nervous system at birth is not even fully developed. There are still cell divisions in the brain and some of the nervous threads are not fully developed. In psychological tests, it has been determined that the time between the nervous impulse and reaction (*chronaxie*) takes 3-4 times longer than it would in an adult. After about 10-14 days, when the animals eyes are opened (until then it has been more like an embryo) it is possible to determine the normal value of the impulse. In 1941, Volkhov

determined that animals, at this period of life, had very little feeling of pain. The conscious feeling of pain is still not very likely at that age.

Schmidker wrote in his doctorate in 1951 about the feeling of pain in new-born puppies: "Incomplete development of the nervous system at the time of birth and the very high chronaxie value in connection with the fact that the animal is not able to react effectively to pain, gives us every reason to believe that the actual feeling of pain is very low in the new-born of this group of mammals (dogs). In other words, at this age and biological condition, it would have no absolute meaning to talk about pain". You therefore do not have to worry or fear that the dog will be made to suffer pain or psychological pain, if the tail has been docked or the dew claws removed, in the first few days after birth.

It is completely different though, with the *Nestfluchter* (animals which leave their nest or mother just after birth). In these animals, the nervous system is fully developed just after the moment of birth. All senses that serve to get rid of enemies and pain are fully developed. One can neither from physiological knowledge nor from just observation, say that these young animals feel a lot less pain than adults.

It would therefore be a contradiction in the law, for the Protection of Animals, to permit the shortening or docking of tails in pigs and lambs without anaesthetic, because they have fully developed threshold of pain, and , at the same time, forbid the docking of dogs. It is absolutely certain that the docking of tails on small lambs and pigs and also the castration of young pigs, goats and calves during their first days of life, will cause considerable pain if done without an anaesthetic. However, from the point of view of the docking of dogs, whose nervous system is not fully developed during the first few days of life, is completely acceptable from the point of view of the protection of animals.

The removal of dew claws is necessary in order to avoid later damages and illnesses. It is also recommended to dock the tails inbreeds which have long thin, weak and sparsely coated tails, in order to avoid later sickness and damage. At the same time tails should be docked in breeds that are used in such a way that there is a risk of injury to a tail e.g. hunting dogs. It is beneficial to avoid painful injuries and therefore in the interest of the PREVENTION OF CRUELTY to animals.

The dew claw is the rudimentary first toe. They are often injured and the nail can grow into the skin causing considerable inflammation. The dog can easily catch them on different objects because they just hang on the side of their paws a non-functioning objects and can therefore damage themselves quite seriously. It is therefore in the interests of the law to recommend that these claws are removed as early as possible. Their removal is best done in the first week with a little clip with scissors.

The dogs tail on the other hand, whether it be in kennels or around the home, is in constant danger of damage by being hit against hard objects like walls, fences, tables, chair legs, radiators and of being trapped in doors. These injuries usually result in sores at the tip of the tail, which do not heal well because there is a poor blood circulation in this part of the tail.

By licking and chewing, the dog makes the condition worse and the skin and tissue will die. These conditions of necrosis of the tip of the tail is often seen in Great Danes and Dalmatians. German Shepherds are also often seen in veterinary surgeries.

This can sometimes be treated with partial amputation but secondary problems can occur in the healing process because the very poor blood supply is not conducive to this. This actually makes it necessary to amputate the tail several times before the healing process is achieved.

Hunting dogs are in great danger of damaging their tails when thrashing through thick undergrowth and young forest. Only tails that are thick and covered with long hair are protected, such as those of the wolf and fox.

Apart from the dangers that the dog is constantly confronted with in the human environment (as well as the fact that they have less hair than the wild dog) many breeds have a very lively temperament which often cause tail tip damage in the course of their exuberance, e.g. an undocked Boxer will constantly be subject to injury when using its tail when he expresses happiness.

As far as the behaviour of dogs is concerned, I cannot see that their ability to express happiness should in any way be altered by the docking of the tail.

From the veterinary point of view, therefore, there is absolutely no reason why the banning of the docking of dogs tails should be beneficial to them. In actual fact, it would be detrimental to their well-being if docking was abolished. Tail docking protects the dog as it is done to avoid problems with tail injuries and subsequent painful treatment that would often occur.

It is called Prevention!!"

End of Quote

** Since its publication, we have been asked to point out that there are English equivalents for these terms:

Nestfluchter = precocial

Nesthockern = altricial

3. Scientific knowledge of tail-shortening relevant to the German Wirehair breed in New Zealand.

The purebred population of German Wirehair dogs in Germany, the United States, Canada and New Zealand numbers approximately 33,000 animals, however as 100% of these have had their tails shortened by approximately 50% shortly after birth there is no breed-specific data available with which to compare the incidence of tail injury within this population of working dogs had they been left undocked.

The closest undocked population of a similar German hunting breed is the working population of the German Shorthaired Pointers in Sweden. Strejffert (1992) reports on a survey undertaken of 44 litters of undocked German Shorthaired Pointers comprising 299 individual dogs born in 1989 at a time that a blanket all-breed ban of tail 'docking' was introduced in that country. Strejffert (1992) reports that by the time these dogs were 2 to 2.5 years of age 35% of these dogs had suffered from tail injury, in other words, 1 in every three adult dogs had experienced a painful condition that could have been avoided had the managers of these animals been permitted to undertake breed-specific tail shortening. The Ministry of Primary Industries is directed to the survey report of Strejffert (1992) which is available in English from the Council of Docked Breeds (United Kingdom).

The tail docking of dogs policy developed by the New Zealand Veterinary Association (NZVA) seems to discredit the above mentioned Swedish data of Strejffert (1992), stating that NZVA are unaware of credible evidence to demonstrate that dogs welfare is compromised if they are left undocked, however DDNZ Inc. believe that the findings of Strejffert (1992) are entirely relevant as they are drawn from a population of working German breed dogs with similar tail conformation and working activity to the New Zealand German Wirehair.

The NZVA policy 9c (2011) to oppose all tail docking (and hence tail-shortening) of all breeds of dogs cites only one reference from the literature in support of the position, that of Diesel et al. (2010), "Risk factors for tail injuries in dogs in Great Britain". This United Kingdom based survey was conducted using a random sample of 52 participating veterinary practices throughout Great Britain, the rate of response to the survey was only 35%. The survey was undertaken for the entire population of dogs in Great Britain, i.e. all breeds in all types of home, and thus by design the results reported by Diesel et al. (2010) are expected to be representative of the Great British domestic dog population as a whole. It is to be expected that the results obtained will be biased based upon the proportion of dog types that make up this population. Specifically it will be biased towards pet breeds rather than working breeds, towards all-breeds rather than working German hunting dogs and due to the country it is conducted in, it is also likely to include a majority of breeds that have never been docked (and do not require tail docking due to their physical conformation) and/or are never worked in a manner or environment that would induce tail injury.

Of the ten most common pedigree registered breeds in Great Britain, most are irrelevant to the subject under investigation i.e. Labrador and Golden Retrievers, German Sheppard Dog, Staffordshire Bull Terrier and Cavalier King Charles Spaniel. It is clear that from a docked-breed point of view that the study of Diesel et al. (2010), adds very little relevant data and certainly none to support an all-breed ban of tail docking in New Zealand. No one is suggesting that tail docking be permitted for breeds that have never been docked and would not benefit from this practice.

In fact Diesel et al. (2010) conclude that within their subset of the UK dog population;

1. **"Dogs with docked tails were significantly less likely to sustain tail injury"**
2. "That specific breeds including spaniels, greyhounds and lurchers were at substantially higher odds of (tail) injury"
3. "Docking appeared to have a protective effect against (tail) injury, as expected; however, it was calculated that 500 dogs would need to be docked in order to prevent one tail injury. Further studies focusing on what appear to be the highest-risk groups of dogs would be valuable".

However it is critical to point out to MPI and NAWAC that the ratio of 1:500 calculated by Diesel et al. (2010) pertains to the prevalence of tail injury in the entire UK dog population that was included in their survey. Hence it is erroneous and misleading to suggest this ratio demonstrates the benefit, or lack thereof, of tail shortening in docked breeds. In order to calculate such a ratio to illuminate the tail shortening debate it would be necessary to determine the tail injury rate of long tailed (undocked) dogs of breeds that are normally docked to prevent tail injury and that live and work in the same environment as their tail shortened counterparts. It is self-evident to those who manage working dogs that the injury rate is very high, on both an annual and lifetime basis. Their knowledge is supported by the findings of Strejffert (1992) and Houlton (2008).

Research published by Houlton (2008) "A survey of gundog lameness and injuries in Great Britain in the shooting seasons 2005/2006 and 2006/2007" recorded injuries to working gundogs at English driven shooting estates. The survey included over 1312 dogs for the two hunting seasons and was dominated by undocked breed types. Only one German Versatile dog was included in the survey, an undocked German Wirehaired Pointer, that sustained a tail injury. Despite the lack of direct relevance to the German Wirehair breed the research of Houlton (2008) does reveal some relevant data.

Houlton (2008) concludes that;

1. **"The relationship between the type of work (beating, picking up, peg dog, setting dog) was very significant for both seasons with dogs working in the beating line being at greatest risk".**
2. **"There was a highly significant association between tail injuries and undocked Springer and Cocker Spaniels".**

These research findings; albeit with different breeds and a less challenging hunting environment (English estates) are consistent with my view and that of International German Wirehair breed managers, that the German Wirehair is exposed to an increased risk of tail injury due to its working environment. Houlton (2008) came to the same conclusion based upon this survey data with respect to the breeds investigated.

More recently Lederer et al. (2014). conducted a survey of tail injuries sustained by working gundogs and terriers in Scotland we submit the abstract of this paper to support the extensive and self-evident knowledge that exists within breed clubs. This study provides data that supports breed-specific tail shortening of those breeds prone to painful adult tail injuries. However it is important to note that this study assessed the prevalence of tail injury during just part of one year (the hunting season).

When MPI and NAWAC assess the cost/benefit of tail shortening it is necessary to consider the lifetime prevalence of tail injury, hence the annual injury rate must be multiplied by the number of years each dog is exposed to this risk, as neonatal tail-shortening confers life-long protection from painful tail injury and chronic pain during the treatment and healing of tail injuries that sometimes result in tail amputation:

"Working dog owners in Scotland were invited to take part in an internet survey regarding the 2010/2011 shooting season, which was designed to estimate the prevalence of tail injuries to assess the risk of tail injuries in docked and undocked working dogs and identify risk factors for owner-reported tail injuries. Of 2860 working dogs, 13.5 per cent sustained at least one tail injury during the 2010/2011 shooting season. Undocked spaniels and hunt point retrievers (HPRs) were at greatest risk of tail injury with 56.6 per cent of undocked spaniels and 38.5 per cent of undocked HPRs sustaining at least one tail injury during the season. There was no statistically significant difference in the risk of tail injury in dogs with tails docked by one-third, half or shorter. To prevent one tail injury in one shooting season, between two and 18 spaniels or HPRs would need to be docked as puppies. The authors believe that this work provides the best available evidence on which to base a consultation for changes to the legislation on tail docking in working dogs in Scotland. **Docking the tails of HPRs and spaniels by one-third would significantly decrease the risk of tail injury sustained while working in these breeds**" (Lederer et al. 2014).

Conclusion

We submit to MPI and NAWAC that changing New Zealand law or welfare regulations to prevent breed-appropriate tail shortening, as currently undertaken by within the NAWAC approved ABS scheme, will result in perverse negative outcomes for the welfare of German Wirehair dogs in New Zealand.

The available scientific evidence, established husbandry norms, international precedent and breed specific knowledge of those responsible for this breeds welfare, all support tail shortening as an appropriate prophylactic husbandry practice that promotes health and welfare of the German Wirehair dog breed in New Zealand.

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Out of Scope

From: s 9(2)(a) on behalf of DOGlif NZ <s 9(2)(a)>
Sent: Thursday, 19 May 2016 4:21 p.m.
To: Animal Welfare Submissions
Subject: Submission to Animal Welfare regulations - DOGlif NZ
Attachments: DOGlif NZ - MPI Submission on Animal Welfare Regulation - 2016.pdf

To whom it may concern,

Please find attached my Submission to Animal Welfare Regulations.

Regards,
Sacha Berger
Owner/Operator

DOGlif NZ
Enhancing Life with Dog's

p: s 9(2)(a)
e: s 9(2)(a)
w: www.doglife.co.nz
f: www.facebook.com/DOGlifNZ
chat: www.facebook.com/DOGchatNZ

The question is not "Can they reason?" nor "Can they talk?" but, "Can they suffer?"
Jeremy Bentham



DOGlife NZ

Submission on Animal Welfare Regulation

19th May 2016

SACHA BERGER

DOGlife NZ

s 9(2)(a)

www.doglife.co.nz

4. Dogs – Pinch and prong collars

What would be the positive impacts of this regulation?

- prohibiting the use of pinch or prong collars would enable unauthorised users to be fined.
- a control around who can use pinch or prong collars
- hopefully a movement towards training techniques that do not cause harm or inflict pain that have been proven scientifically to achieve the same results required as when a pinch or prong collar is used.
- unskilled consumers would not be able to use these devices therefore reducing unintentional and intentional harm to dogs in training.
- trainers who use these tools wouldn't not be able to inflict pain, injury or distress by using these tools even if the pain, injury and distress is in a temporary capacity.

What would be the negative impacts of the regulation, including costs of complying?

- additional cost of resource required to manage the enforcement however this would be transitional as people move away from using these devices to train

Would a transitional or phase in period be required to manage these impacts? If so, how long would be appropriate?

- yes, 6 months

Are there any unintended consequences?

- none that negatively impact a dog

Do you think the regulation will achieve its aim?



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- yes but I also feel the sale of these devices needs to be restricted to enable control and management and to limit the possibility of a 'black market'

Is the current issue being managed adequately by codes of welfare or other instruments under this Act?

- no. I am aware of trainers who use these collars on their client's dogs without their clients knowing about it. By bringing in control and making it enforceable there will be an onus on these people to stop using them due to the risk of their business being spotlighted as using prohibited tools on their clients dogs.

- Consultation should be made to the welfare agencies by the parties wanting to use them as part of their training toolkit.

Are there any non-regulatory options that would be more effective?

- Banning the sale and importation of them to NZ along with the use of.

- Consultation should be made to the welfare agencies by the parties wanting to use them as part of their training toolkit.

Has the right conduct been targeted?

- yes

Is the right person being held responsible?

- yes

Are there any exemptions or defences that should apply?

- no

Are the penalties appropriate to the severity of the offence?

- yes, multiple offences post first offence, should incur higher fines and possible conviction

Is the right type of offence (regulatory or infringement) proposed?

- yes

Are there any religious or cultural practices that would be impacted by the proposals?

- no

Do the proposals set out below clearly define this line between acceptable and unacceptable?

- no, it should also include the sale of pinch or prong collars and also should detail specifically who is authorised by NAWAC etc. to use them. Consultation should be made to the welfare agencies by the parties wanting to use them as part of their training toolkit.

If so, is the line drawn in the appropriate place?

In order to make them more enforceable a number of proposals have been made



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more specific than the minimum standard they are based on. For example 'injury and distress' may be changed to 'cuts and abrasions'. Where this has occurred:

- o Have any key impacts or behaviours been omitted that should be covered?
 - 'concurrent injury and distress' should be added to manage the limited use of these by approved professionals
- o Does the changed language capture a wider set of behaviours or impacts?
 - yes but needs to be more specific i.e.
 - 'concurrent injury and distress' should be added to manage the limited use of these by approved professionals
 - multiple offences post first offence, should incur higher fines and possible conviction
 - Banning the sale and importation of them to NZ along with the use of.
- o If so, are there any that shouldn't be covered?

The Act places responsibility for care of animals on both the owner and/or the person in charge of the animal.

- o Should the same principle apply to the care and conduct regulatory proposals?
 - absolutely not only to bring consistency but also to ensure the right person can be charged and fined if needed
- o Are there any proposals where it may be appropriate to hold only one of these parties responsible or to hold another party responsible?

Are there legitimate uses for pinch and prong collars where the risk of harm/misuse is outweighed and could be managed?

- ideally no as scientific research has proven that other force free training techniques can achieve the same result with no pain, distress or injury however, in the interest of government and defence departments, the protocol should define that where one of these parties or another approved by consultation by NAWAC and the other welfare agencies, are training an animal the least aversive method should always be used and if a prohibited device is needed to be used for training purposes there should be reporting to justify the use of that device. Dr Susan Friedman from Behaviour Works has defined and detailed methodologies where this is advocated amongst training professionals.

Dogs used in law enforcement or the defence forces are chosen for their particular temperamental qualities and require highly specialised training. Dog training in these forces is based on positive reinforcement; however, on occasion a particular dog's temperament may require additional tools. Would it be appropriate to allow skilled trainers in the law enforcement and defence forces to have access to pinch and prong collars?



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- ideally no as scientific research has proven that other force free training techniques can achieve the same result with no pain, distress or injury however, in the interest of government and defence departments, the protocol should define that where one of these parties or another approved by consultation by NAWAC and the other welfare agencies, are training an animal the least aversive method should always be used and if a prohibited device is needed to be used for training purposes there should be reporting to justify the use of that device. Dr Susan Friedman from Behaviour Works has defined and detailed methodologies where this is advocated amongst training professionals. Is the definition sufficient to capture all types of pinch and prong collars while not capturing other collars or devices?

Should the sale of pinch and prong collars also be prohibited?

- yes

If so, one mechanism to do so would be to declare it a prohibited device under section 32 of the Act. The associated penalties in the Act are up to 12 months imprisonment or a fine of up to \$50,000 for an individual or a fine of up to \$250,000 for a body corporate. Would these penalties be proportionate?

- yes

The use of pinch and prong collars does not necessarily cause pain and distress, but the risk that they do is high. If unnecessary or unreasonable pain and distress were caused this would still be able to be prosecuted as ill-treatment under the Act.

- depending on the handler, these devices can cause pain and distress if used for a prolonged time or even in a temporary capacity, the whole methodology behind using aversive tools is that they use negative association to change behaviour. To bring about a negative association infers pain, distress or intimidation and fear therefore this statement is somewhat ambiguous

5. Dogs – Injuries from collars or tethers

What would be the positive impacts of this regulation?

- being able to directly enforce the misuse of tethering and collar injuries

What would be the negative impacts of the regulation, including costs of complying?

- additional resource costs to manage enforcement initially

Would a transitional or phase in period be required to manage these impacts? If so, how long would be appropriate?

- yes 6 months

Are there any unintended consequences?

- unintentional injury



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Do you think the regulation will achieve its aim?

- yes, with a direct ability to enforce this with a fine there is real consequence for knowingly allowing this to occur without intervention

Is the current issue being managed adequately by codes of welfare or other instruments under this Act?

- no

Are there any non-regulatory options that would be more effective?

- no, current non-regulatory option aren't effective

Has the right conduct been targeted?

Is the right person being held responsible?

- owners and person in care of animal

Are there any exemptions or defences that should apply?

- unintentional injury, pain or distress, exceptional circumstance

Are the penalties appropriate to the severity of the offence?

- no should be more if there is injury that has broken skin or caused distress

Is the right type of offence (regulatory or infringement) proposed?

- yes

Are there any religious or cultural practices that would be impacted by the proposals?

- possibly the farming community

Do the proposals set out below clearly define this line between acceptable and unacceptable?

-yes

If so, is the line drawn in the appropriate place?

- yes

In order to make them more enforceable a number of proposals have been made more specific than the minimum standard they are based on. For example 'injury and distress' may be changed to 'cuts and abrasions'. Where this has occurred:

o Have any key impacts or behaviours been omitted that should be covered?

- duration of time an animal can be tethered

o Does the changed language capture a wider set of behaviours or impacts?



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- yes however it should also read that animal should be able to reach shelter and water

o If so, are there any that shouldn't be covered?

The Act places responsibility for care of animals on both the owner and/or the person in charge of the animal.

o Should the same principle apply to the care and conduct regulatory proposals?

- yes

o Are there any proposals where it may be appropriate to hold only one of these parties responsible or to hold another party responsible?

- no covered by above

Are the restrictions (must not cause cuts, abrasions, swelling, restrict breathing or panting) at the right level?

- yes

Should there be other restrictions such as 'must not prevent drinking', or fewer restrictions?

- yes and access to shelter

Would it be appropriate for this regulation to cover all species restrained by a collar or tether?

- yes

6. Dogs – Muzzling a dog

What would be the positive impacts of this regulation?

- control around misuse of a muzzle

What would be the negative impacts of the regulation, including costs of complying?

- none

Would a transitional or phase in period be required to manage these impacts? If so, how long would be appropriate?

- yes 3 months

Are there any unintended consequences?

- no

Do you think the regulation will achieve its aim?

- yes



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Is the current issue being managed adequately by codes of welfare or other instruments under this Act?

- no

Are there any non-regulatory options that would be more effective?

- no

Has the right conduct been targeted?

Is the right person being held responsible?

- owner or person in charge of the animal

Are there any exemptions or defences that should apply?

- unintentional misuse

Are the penalties appropriate to the severity of the offence?

- yes, more for multiple offences

Is the right type of offence (regulatory or infringement) proposed?

- yes

Are there any religious or cultural practices that would be impacted by the proposals?

- no

Do the proposals set out below clearly define this line between acceptable and unacceptable?

- yes

If so, is the line drawn in the appropriate place?

- yes

In order to make them more enforceable a number of proposals have been made more specific than the minimum standard they are based on. For example 'injury and distress' may be changed to 'cuts and abrasions'. Where this has occurred:

o Have any key impacts or behaviours been omitted that should be covered?

- yes

o Does the changed language capture a wider set of behaviours or impacts?

- yes however it should still include able to drink if on for a x period of time, although this is unambiguously covered by 'panting', it needs to be more specific

o If so, are there any that shouldn't be covered?



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The Act places responsibility for care of animals on both the owner and/or the person in charge of the animal.

o Should the same principle apply to the care and conduct regulatory proposals?

- yes

o Are there any proposals where it may be appropriate to hold only one of these parties responsible or to hold another party responsible?

- no

Should the regulation also specify that the dog must be able to drink?

- it should include able to drink if on for a x period of time, although this is unambiguously covered by 'panting', it needs to be more specific

Are there legitimate times when a dog should be muzzled in such a way it cannot pant or drink?

- if for brief periods of time (time to be determined by veterinary professionals)

7. Dogs – Dry and shaded shelter

What would be the positive impacts of this regulation?

- by adding an enforceable fine there is real consequence applied for not providing this.
- less suffering by dogs tethered for long periods of time
- complies with current legislation

What would be the negative impacts of the regulation, including costs of complying?

- none

Would a transitional or phase in period be required to manage these impacts? If so, how long would be appropriate?

- yes 3 months to enable provision of adequate shelter and housing

Are there any unintended consequences?

- no

Do you think the regulation will achieve its aim?

- yes but the fine should be higher

Is the current issue being managed adequately by codes of welfare or other



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instruments under this Act?

- no

Are there any non-regulatory options that would be more effective?

- no

Has the right conduct been targeted?

Is the right person being held responsible?

- owner or person in charge

Are there any exemptions or defences that should apply?

- unintentional provision of shelter or exceptional circumstance

Are the penalties appropriate to the severity of the offence?

- no the fine should be higher as this is a necessity of life

Is the right type of offence (regulatory or infringement) proposed?

- yes

Are there any religious or cultural practices that would be impacted by the proposals?

- no, possibly farming however they should also be providing adequate shelter at all times

Do the proposals set out below clearly define this line between acceptable and unacceptable?

- yes

If so, is the line drawn in the appropriate place?

In order to make them more enforceable a number of proposals have been made more specific than the minimum standard they are based on. For example 'injury and distress' may be changed to 'cuts and abrasions'. Where this has occurred:

o Have any key impacts or behaviours been omitted that should be covered?

o Does the changed language capture a wider set of behaviours or impacts?

- yes the current state does not define in cold weather conditions only hot.

o If so, are there any that shouldn't be covered?

The Act places responsibility for care of animals on both the owner and/or the person in charge of the animal.

o Should the same principle apply to the care and conduct regulatory



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proposals?

- yes

o Are there any proposals where it may be appropriate to hold only one of these parties responsible or to hold another party responsible?

Are the protections for confined dogs adequate or too onerous?

- needs to include and have access to water

Are there legitimate situations where dogs are regularly confined for long periods where access to a dry and shady area is not feasible

- no

8. Dogs – Dogs left in vehicles

What would be the positive impacts of this regulation?

- more definition around requirement

What would be the negative impacts of the regulation, including costs of complying?

- none

Would a transitional or phase in period be required to manage these impacts? If so, how long would be appropriate?

- no

Are there any unintended consequences?

- no

Do you think the regulation will achieve its aim?

- yes

Is the current issue being managed adequately by codes of welfare or other instruments under this Act?

- no, too ambiguous

Are there any non-regulatory options that would be more effective?

- no

Has the right conduct been targeted?

Is the right person being held responsible?

- owner or person in charge



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Are there any exemptions or defences that should apply?

- ignorance is not a defence in this case however there may be an exceptional circumstance i.e. unexpected medical emergency

Are the penalties appropriate to the severity of the offence?

- yes

Is the right type of offence (regulatory or infringement) proposed?

- yes

Are there any religious or cultural practices that would be impacted by the proposals?

- possibly for working dogs i.e. police or drug detection dogs

Do the proposals set out below clearly define this line between acceptable and unacceptable?

- yes clearly

If so, is the line drawn in the appropriate place?

In order to make them more enforceable a number of proposals have been made more specific than the minimum standard they are based on. For example 'injury and distress' may be changed to 'cuts and abrasions'. Where this has occurred:

o Have any key impacts or behaviours been omitted that should be covered?

- no

o Does the changed language capture a wider set of behaviours or impacts?

- yes

o If so, are there any that shouldn't be covered?

The Act places responsibility for care of animals on both the owner and/or the person in charge of the animal.

o Should the same principle apply to the care and conduct regulatory proposals?

- yes

o Are there any proposals where it may be appropriate to hold only one of these parties responsible or to hold another party responsible?

- no



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Does the offence deal with sufficiently straight forward issues of fact to be an infringement offence (see section 4.1.1)?

- yes

If not, what could be changed to make it clearer?

If it cannot be made clearer, would a prosecutable regulation offence be appropriate?

Is the risk of an infringement going to be a stronger deterrent factor than the risk of harm to the dog?

- yes

Is an infringement appropriate in this situation?

- yes

9. Dogs – Secured on moving vehicles

What would be the positive impacts of this regulation?

- more onus on owner

What would be the negative impacts of the regulation, including costs of complying?

- no

Would a transitional or phase in period be required to manage these impacts? If so, how long would be appropriate?

- 2 months

Are there any unintended consequences?

- needs to include length of tether that it cannot enable the dog to partially fall off the moving vehicle risking strangulation

Do you think the regulation will achieve its aim?

- yes

Is the current issue being managed adequately by codes of welfare or other instruments under this Act?

- no

Are there any non-regulatory options that would be more effective?

- no

Has the right conduct been targeted?



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Is the right person being held responsible?

- needs to include person driving vehicle

Are there any exemptions or defences that should apply?

- no

Are the penalties appropriate to the severity of the offence?

- yes

Is the right type of offence (regulatory or infringement) proposed?

- yes

Are there any religious or cultural practices that would be impacted by the proposals?

- no

Do the proposals set out below clearly define this line between acceptable and unacceptable?

- needs to include length of tether that it cannot enable the dog to partially fall off the moving vehicle risking strangulation

If so, is the line drawn in the appropriate place?

In order to make them more enforceable a number of proposals have been made more specific than the minimum standard they are based on. For example 'injury and distress' may be changed to 'cuts and abrasions'. Where this has occurred:

o Have any key impacts or behaviours been omitted that should be covered?

- needs to include length of tether that it cannot enable the dog to partially fall off the moving vehicle risking strangulation

o Does the changed language capture a wider set of behaviours or impacts?

- yes however needs to include length of tether that it cannot enable the dog to partially fall off the moving vehicle risking strangulation

o If so, are there any that shouldn't be covered?

The Act places responsibility for care of animals on both the owner and/or the person in charge of the animal.

o Should the same principle apply to the care and conduct regulatory proposals?

- yes and person driving vehicle



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o Are there any proposals where it may be appropriate to hold only one of these parties responsible or to hold another party responsible?

- yes person driving vehicle

Is the conduct in this proposal sufficiently risky to warrant regulation?

- yes

This proposals may prove difficult to enforce as animal welfare inspectors have no power to stop vehicles. However, photographic evidence could be used if the offender can be traced.

- yes however they should somehow be able to stop the vehicle or involve police if needed

10. Dogs & Cats – Drowning dogs & cats

What would be the positive impacts of this regulation?

- enforceable by a fine will deter people from doing this

What would be the negative impacts of the regulation, including costs of complying?

Would a transitional or phase in period be required to manage these impacts? If so, how long would be appropriate?

- no

Are there any unintended consequences?

- no

Do you think the regulation will achieve its aim?

- yes

Is the current issue being managed adequately by codes of welfare or other instruments under this Act?

- no, needs to be enforceable by a conviction

Are there any non-regulatory options that would be more effective?

- no

Has the right conduct been targeted?

Is the right person being held responsible?

- person committing the crime and any accomplices there at the time should also be charged

Are there any exemptions or defences that should apply?



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- none

Are the penalties appropriate to the severity of the offence?

- yes

Is the right type of offence (regulatory or infringement) proposed?

- yes

Are there any religious or cultural practices that would be impacted by the proposals?

- no

Do the proposals set out below clearly define this line between acceptable and unacceptable?

- yes

If so, is the line drawn in the appropriate place?

In order to make them more enforceable a number of proposals have been made more specific than the minimum standard they are based on. For example 'injury and distress' may be changed to 'cuts and abrasions'. Where this has occurred:

o Have any key impacts or behaviours been omitted that should be covered?

- no

o Does the changed language capture a wider set of behaviours or impacts?

- yes

o If so, are there any that shouldn't be covered?

The Act places responsibility for care of animals on both the owner and/or the person in charge of the animal.

o Should the same principle apply to the care and conduct regulatory proposals?

- yes and accomplices and person committing the offence

o Are there any proposals where it may be appropriate to hold only one of these parties responsible or to hold another party responsible?

- accomplices and person committing offence

Is it appropriate that drowning cats and dogs becomes a regulation offence, or should it be dealt with under the broader offence 12(c) of the Act?

- needs to be a regulation offence



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57. Companion animals – Desexing (including stray/feral cats, dogs and other species)

58. Dogs – Freeze branding

59. Dogs – Dog debarking (and devoicing of other species)

60. Dogs – cropping the ears

61. Dogs – dew claws

62. Dogs – Tail docking

Answers in relation to clauses 57 through, 62

What is the purpose of the procedure?

- to reduce people outside the veterinary community from performing significant surgical procedures of dogs

• What does good practice look like? Good practice can be thought about in relation to the use of the procedure for animal management purposes, or, in relation to the production of animal or commercial products;

- done by a vet or a vet student under supervision by a vet

• How widespread is the procedure in New Zealand? In what situation(s) does it occur?

- some of these procedures happen a lot by non-veterinary qualified people in back yards without pain relief

• Who currently performs this procedure and under what circumstances?

- multiple parties

o Should the procedure only be performed by a veterinarian, if so, why?

- or a vet student under direct supervision of a vet

- it is a significant surgical procedure

o Should a non-veterinarian be able to perform this procedure, if so, under what circumstances?

- no, never

• Where there is a new requirement for a veterinarian to be involved or additional pain relief requirements, are there any additional implications (including cost) associated with these new requirements?

- possibly financial but at the betterment of the dogs welfare



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- Are there alternatives to the current practice that are less harmful?
 - No
- o Are there any reasons why alternatives can't be used?
 - there are no alternatives as all procedures should require pain relief and this can only be prescribed by a Vet
- o Are there any additional implications (including cost) associated with the alternative approach?
 - no
- Do you know of any procedures, not covered in the following tables, which would fit the criteria for a significant surgical procedure (see Box 1 on page 8), that are currently not being undertaken by a veterinarian or veterinary student?

Animal Welfare proposed regulations feedback submission form

Name: The Continental Gundog Club c/- Michele Reichmuth

Address: § 9(2)(a)

Email address: § 9(2)(a)

Phone number: § 9(2)(a)

My feedback:

62. The proposed regulation states: Must be performed by a veterinarian or a veterinary student under the direct supervision of a veterinarian.

Must only be performed for therapeutic reasons

Pain relief must be used at the time of the procedure.

I disagree with this proposal in its entirety and advocate for the status quo and these are my reasons:

I am a member of the New Zealand Kennel Club (NZKC) and am a registered breeder of pedigree dogs.

I am an accredited member of the New Zealand Council of Docked Breeds (NZCDB) and have had my animal husbandry skills signed off by a veterinarian, who must complete my application for accreditation by either witnessing neonate puppies being banded or being in the presence of another accredited bander to enable me to perform tail shortening.

The NZCDB as an organisation was established in 2004 and our membership is focussed on the welfare of tail shortened breeds. We operate as a fully audited and regulated group under the umbrella of the NZKC with the approval of the National Animal Welfare Advisory Committee (NAWAC).

I have never had a complaint or issue arise from any litter that I have completed banding on and to the best of my knowledge I understand that as an accredited group, we have performed tail shortening on over 10 500 neonate puppies without incident since 2005.

I am of the understanding that the procedure of tail banding (described by the NAWAC approved scheme) is vastly different from the process of tail amputation and as an accredited bander I only perform the tail banding procedure under the Animal Welfare Act (No2) 2015 and this is not a surgical procedure.

The breeds that I am associated with and that are banded by me are traditionally docked dogs that still perform their duties that they were designed for.

I understand that in 2012 NAWAC agreed and suggested a study should be completed to dispel any myths around the process of tail banding, yet to date, this has not been carried out by NAWAC so I am surprised that this proposal has taken shape.

I understand that MPI partly funds both the RSPCA and NAWAC, yet they are both major stakeholders in writing this proposal which I see as being extremely one sided and is not factual. I also understand that the governing body of the professional dog world Namely the NZKC has over 6000 members, but NZKC were not included as a major stakeholder when writing these proposals and nor are they funded by the Ministry.

I understand that over 170 countries do not ban the tail shortening procedure however these countries are not spoken about in any documentation produced by MPI.

I understand that breed specifics are not taken into account when this proposal was documented and the groups largely involved in writing these have dealings mainly with crossbred non-pedigree (no registration with the NZKC) dogs. I would sincerely question the stakeholder's ability to answer such detailed questions around form and function of a specific breed for the purposes of this proposal.

I understand that another major stakeholder is an offshoot of the RSPCA namely HUHA. This group also deals with crossbred non-pedigree dogs yet they felt qualified to once again offer their opinion on pedigree dogs and the reasons for tail shortening.

I am of the belief that there is currently a process in place for the SPCA to act on individual cases that perform a tail shortening procedure illegally on a litter of non-registered NZKC members neonate puppies, however in the last 4 years I only know of 2 cases where the SPCA has acted on this information.

This Submission is on behalf of the Continental Gundog Club which have breeds that are used for hunting purposes and are all docked breeds in the prevention of tail injuries. We are most concern as we have seen multiple cases of our breeds having to have adult amputations due to responsible breeders now not able to prevent these injuries. Please NOTE in the UK they re-introduced on our breeds docking as so many were presenting in PAIN with injuries. Resulting in adult amputation. We are asking for common sense to prevail and be retained as a right to choose and only pedigree dogs be permitted to be docked as we have a data base to record all the information against.

Our club breeds (Bracco Italiano, Brittany, German Shorthaired Pointers, German Wirehaired Pointers, Hungarian Vizsla (and wirehaired) Lagotto, Weimaraner, Large Munsterlander)

Fact: Since the ban of tail shortening in Australia there are multiple reported cases of adult amputation on tails due to breakage and not mending. Causing PAIN, emotional stress on the dog and their families, not to mention the financial stress to remedy something that if breeders had the right to choose what is in the best interest of their breed. I also have an issue with the financial interest NZVA will profit in this.

61. The proposed regulations states: Front limb dew claw removal and articulated (jointed) hind limb dew claw removal:

Must be performed by a veterinarian or a veterinary student under the direct supervision of a veterinarian;

Must only be performed for therapeutic reasons; and

Pain relief must be used at the time of the procedure

Hind limb dew claws: non-articulated (greater than or equal to four days of age)

Must be performed by a veterinarian or veterinary student under supervisions; and

Pain relief must be used at the time of the procedure.

I disagree with this proposal in its entirety and advocate for the status quo and these are my reasons:

When performing a dew claw removal, I complete this process in a neonate puppy 4 days of age or under. At this time it is a well-recognised fact that the toes and tail are the last part of the neonate

puppy to calcify and develop into bone. The neonate dewclaw is removed without cutting through bone (has not calcified) and does not bleed when performed correctly.

No other country in the world has proposed this procedure should not be practiced as the health and welfare of the dog will be compromised.

As a professional dog breeder and caretaker of my chosen breed, I am fully versed in the damage that a dew claw can cause to the dog if left on. My chosen breed has been bred to be used in its traditional purpose and the dew claw if left on would result in significant pain and suffering to the dog.

I understand that breed specifics are not taken into account when this proposal was documented and the groups largely involved in writing these have dealings mainly with crossbred non-pedigree (no registration with the NZKC) dogs. I would sincerely question the stakeholder's ability to answer such detailed questions around form and function of a specific breed for the purposes of this proposal.

I understand that another major stakeholder is an offshoot of the RSPCA namely HUHA. This group also deals with crossbred non-pedigree dogs yet they felt qualified to once again offer their opinion on pedigree dogs and the reasons for dew claw removal.

I understand that MPI partly funds both the RSPCA and NAWAC, yet they are both major stakeholders in writing this proposal which I see as being extremely one sided and is not factual. I also understand that the governing body of the professional dog world Namely the NZKC has over 6000 members, but NZKC were not included as a major stakeholder when writing these proposals and nor are they funded by the Ministry.

In my profession as a Groomer/Boarding Kennel facility I have witnessed many incidents of dew claws growing back into the skin of the dog as the pet owner doesn't understand how to trim the nails and often as the dog is of a coated variety, they are not aware of a dew claw being present.

I understand that not all front dew claws are articulated and once again the breed specifics have been ignored in this instance and MPI have been advised incorrectly.

I understand that the Groomers Association have not been contacted for information from their large membership to dispel the myths displayed in the proposed regulation and I further understand that the largest governing body (and only – NZKC) have also not been included in the proposal to not allow this process to remain as is.

Out of Scope

From: Viv Dostine s 9(2)(a)
Sent: Thursday, 19 May 2016 4:17 p.m.
To: Animal Welfare Submissions
Subject: Submission on Animal Welfare Regulations

From

Vivien Dostine, (President)
On behalf of NZ Horse Network
s 9(2)(a)

In relation to the parts on equines -

14 While we support the prohibition of striking any animal on the head, there should be an exception when handling equines, just as there is proposed for the use of a goad on cattle. It is not desirable, and is not a part of general training, but horses may often be handled at close quarters, without any fencing between the animal and the handler. Self-preservation, or protection of another, should be a possible defense. A horse or other equine (colts, stallions, or jack donkeys), can and will attack with hooves, and teeth, and a blow directly to the head is an last resort way to protect yourself from such an attack.

16 - Travelling on horseback may require tethering. The provision of shelter would be entirely dependent on where the travellers are e.g. DOC huts often don't have shelter for horses. If the travellers tether their horses overnight to a) ensure they don't run off, or b) don't graze on areas they aren't supposed to, then the horse may not have 'constant' access to water. The horse person would have to water (and possibly feed) the horse(s) before tethering, and again in the morning before setting off again.

The regulation on tethering needs to differentiate between ridden, pack, or transport animals (horses, donkeys, llama, oxen) that are being tethered during rest stops, vs animals tethered as a means of grazing an unfenced area.

29 - Fireworks must not be used at Rodeos.

Fireworks should **be banned at any event** which could cause distress, injury or death to animals – particularly equines, or deer. There are significant numbers of equine injuries every year due to fireworks (not necessarily at Guy Fawkes), and we support the use of fireworks at any event being added to this regulation as a mechanism to make event organisers more aware of the potential distress, injury and even deaths they may cause. We would like this to be a prosecutable offence, if the organisers does not take reasonable steps to safeguard animals in the surrounding areas.

Animal Welfare proposed regulations feedback submission form

Claire brooks

s 9(2)(a)

My feedback:

62. The proposed regulation states: Must be performed by a veterinarian or a veterinary student under the direct supervision of a veterinarian.

Must only be performed for therapeutic reasons

Pain relief must be used at the time of the procedure.

I disagree with this proposal in its entirety and advocate for the status quo and these are my reasons:

I am a member of the New Zealand Kennel Club (NZKC) and am a registered breeder of pedigree dogs.

I am an accredited member of the New Zealand Council of Docked Breeds (NZCDB) and have had my animal husbandry skills signed off by a veterinarian, who must complete my application for accreditation by either witnessing neonate puppies being banded or being in the presence of another accredited bander to enable me to perform tail shortening.

The NZCDB as an organisation was established in 2004 and our membership is focussed on the welfare of tail shortened breeds. We operate as a fully audited and regulated group under the umbrella of the NZKC with the approval of the National Animal Welfare Advisory Committee (NAWAC).

I have never had a complaint or issue arise from any litter that I have completed banding on and to the best of my knowledge I understand that as an accredited group, we have performed tail shortening on over 10 500 neonate puppies without incident since 2005.

I am of the understanding that the procedure of tail banding (described by the NAWAC approved scheme) is vastly different from the process of tail amputation and as an accredited bander I only perform the tail banding procedure under the Animal Welfare Act (No2) 2015 and this is not a surgical procedure.

The breeds that I am associated with and that are banded by me are traditionally docked dogs that still perform their duties that they were designed for.

I understand that in 2012 NAWAC agreed and suggested a study should be completed to dispel any myths around the process of tail banding, yet to date, this has not been carried out by NAWAC so I am surprised that this proposal has taken shape.

I understand that MPI partly funds both the RSPCA and NAWAC, yet they are both major stakeholders in writing this proposal which I see as being extremely one sided and is not factual. I also understand that the governing body of the professional dog world Namely the NZKC has over 6000 members, but NZKC were not included as a major stakeholder when writing these proposals and nor are they funded by the Ministry.

I understand that over 170 countries do not ban the tail shortening procedure however these countries are not spoken about in any documentation produced by MPI.

I understand that breed specifics are not taken into account when this proposal was documented and the groups largely involved in writing these have dealings mainly with crossbred non-pedigree (no registration with the NZKC) dogs. I would sincerely question the stakeholder

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I understand that another major stakeholder is an offshoot of the RSPCA namely HUHA. This group also deals with crossbred non-pedigree dogs yet they felt qualified to once again offer their opinion on pedigree dogs and the reasons for dew claw removal.

I understand that MPI partly funds both the RSPCA and NAWAC, yet they are both major stakeholders in writing this proposal which I see as being extremely one sided and is not factual. I also understand that the governing body of the professional dog world Namely the NZKC has over 6000 members, but NZKC were not included as a major stakeholder when writing these proposals and nor are they funded by the Ministry.

In my profession as a Groomer/Boarding Kennel facility I have witnessed many incidents of dew claws growing back into the skin of the dog as the pet owner doesn

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Out of Scope

From: Scott Sanford <§ 9(2)(a)>
Sent: Thursday, 19 May 2016 4:12 p.m.
To: Animal Welfare Submissions
Subject: Fw: Submission on Change of Animal Welfare Regulations

Re Proposed Animal Welfare Regulations

MPI Discussion Paper No 2016/12

Scott Sanford

§ 9(2)(a)

19th May 2016

Submission on the Animal Welfare Act Review

To whom it may concern

As an avid dog lover, and owner of a gundog breed, and also a long coated breed; I would like to put forward my submission on the following.

Item 61. Dogs - Dew claw removal I request that this continues to be allowed in NZ as is the current approved practice. By accredited practitioners.

Performed correctly there is no bone cut through, there is no bleeding. Breeders are scrupulously conscious of sterile conditions so there is very limited chance of infection.

Dew claw 's not removed and damaged or ripped as an adult cause excruciating pain and would require major surgery to remove. I view their removal as a new born preventative for the future well being of the pup. The same as I view Tail Docking and vaccinations.

In a long coated breed, many dew claws are forgotten by pet owners and if left can end up causing horrific injury to the dog. They can tangle in coat very easily and cause discomfort to the dogs if left unchecked.

Item 62. Dogs - Tail docking I request that this continues to be allowed in NZ as is the current approved practice. By accredited practitioners.

The Accredited Banders Scheme which follows strict guidelines and is strictly audited by the NZ Kennel Club to ensure compliance with agreed protocols and current Code of Animal Welfare.

Gundog breeds with long whippy tails historically docked would commonly injure their tails while hunting through vegetation and thick scrub or today in everyday life pursuits. Their fast tail action often leads to splitting or tearing and bleeding which is painful and extremely difficult to treat. Because of the long thin tail, the end has very poor circulation which makes healing difficult and prone to infection.

All Tails are not created equal. The GSP's tail like many of the Versatile Gundog breeds, is not covered with a long coat with which to pad the tail, and as it is very thin if left undocked, is an accident waiting to happen. So historically the fore fathers of the breeds were aware of this weakness and docked accordingly for the well being of their dogs. Undocked they would be very prone to damage in the dogs environment be this rural or urban. The only resolution for an undocked adult Versatile dog suffering from chronic tail damage is a painful and traumatic amputation which as an adult is major surgery to remove.

Undocked, the interaction of the tail conformation, breed activity and the environment causes increased risk of injury through the life of these breeds.

The Shortening of the weak portion of the tail humanely at a few days old eliminates the risk of injury. By shortening but still retaining a substantial tail occurs once and protects against chronic pain and discomfort for life, typically 12 to 15 years.

The amount of Boxers I have seen as adults with sores and lumps on their tails, Calluses and breaks and splits in their tails is heart breaking to see a happy breed of dog unhappy and sore, when all could have been avoided by a painless snip as a newborn. I can't believe that a human being would allow this torment to be inflicted on a dog!!!!

The NZVA research study that found little evidence of tail damage in dogs in New Zealand is totally flawed because the dogs prone to tail damage are to date docked as newborns.

They also failed to acknowledge that there are in excess of 170 countries in the world that DO NOT have a ban on the docking/shortening of dogs tails, and there are countries which have had the ban now looking at reversing that decision ie Scotland.

I view Tail removal in a new born in the Gundog breeds historically docked, as a preventative measure for the future health and well being of the pup. The same as I view Dew claw removal and vaccinations for the dog's future well being. So for the welfare of working gundog's breeds in NZ, I ask that you consider this practice to continue to be allowed.

Thank you for taking the time to read this submission.

With regards

Scott sandford

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Karen Budden

s 9(2)(a)

nathan.guy@national.org.nz

Animal Welfare Policy
Ministry for Primary Industries
PO Box 2526
Wellington 6140

18th May 2016

Submission on the Animal Welfare Act Review

Dear

Versatile Hunting Dog Assn member and owner of a gundog breed; I would like to put forward my submission on the following.

Item 61. Dogs - Dew claw removal I request that this continues to be allowed in NZ as is the current approved practice. By accredited practitioners.

Performed correctly there is no bone cut though, there is no bleeding. Breeders are scrupulously conscious of sterile conditions so there is very limited chance of infection.

Dew claw 's not removed and damaged or ripped as an adult cause excruciating pain and would require major surgery to remove. I view their removal as a new born a preventative for the future well being of the pup. The same as I view Tail Docking and vaccinations.

Item 62. Dogs - Tail docking I request that this continues to be allowed in NZ as is the current approved practice. By accredited practitioners.

The Accredited Banders Scheme which follows strict guidelines and is strictly audited by the NZ Kennel Club to ensure compliance with agreed protocols and current Code of Animal Welfare.

Gundog breeds with long whippy tails historically docked would commonly injure their tails while hunting through vegetation and thick scrub or today in everyday life pursuits. Their fast tail action often leads to splitting or tearing and bleeding which is painful and extremely difficult to treat. Because of the long thin tail, the end has very poor circulation which makes healing difficult and prone to infection.

All Tails are not created equal. The GSP's tail like many of the Versatile Gundog breeds, which is a man made breed which didn't get the tail right. Unlike the Labradors who have a thick well covered tail. So historically the fore fathers of the breeds where aware of this weakness and docked accordingly for the well being of their dogs. Undocked they would be very prone to damage in the dogs environment be this rural or urban. The only resolution for an undocked adult Versatile dog suffering from chronic tail damage is a painful and traumatic amputation which as an adult is major surgery to remove.

Undocked, the interaction of the tail conformation, breed activity and the environment causes increased risk of injury through the life of these breeds.

The Shortening of the weak portion of the tail humanely at a few days old eliminates the risk of injury. By shortening but still retaining a substantial tail occurs once and protects against chronic pain and discomfort for life, typically 12 to 15 years.

The NZVA research study that found little evidence of tail damage in dogs in New Zealand is totally flawed. Because the dogs prone to tail damage are to date docked as newborns. They also failed to acknowledge that there are in excess of 170 countries in the world that DO NOT have a ban on the docking/shortening of dogs tails, and there are countries which have had the ban now looking at reversing that decision ie Scotland.

I view Tail removal in a new born in the Gundog breeds historically docked, as a preventative measure for the future health and well being of the pup. The same as I view Dew claw removal and vaccinations for the dog's future well being. So for the welfare of working gundog's breeds in NZ, I ask that you consider this practice to continue to be allowed.

Thank you for taking the time to read this submission.

Yours sincerely

Karen Budden

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Lisa Larsen

s 9(2)(a)

Submission on Animal Welfare Regulations

4. Dogs – Pinch and prong collars

The negative impacts of this regulation is that you are restricting good owners who know how to use these collars correctly from using them. There are people that use prong/pinch collars for legitimate reasons, I am one of these people. We have tried every form of collar / harness and none have worked apart from the prong/pinch collar. This collar is also used as a training tool. No one should use a prong/pinch collar without proper training. We have had this training and use the collar in the correct manner it is intended to be used. When you have dogs that have either a high prey or play drive for example this is the only way to control them.

There are always people that use some form of collar incorrectly i.e. check chain, prong/pinch collars etc. Education and training is a way around this. If they can't use the collar correctly and is injuring the dog then it should be removed from them.

The only people who should sell prong/pinch collars are trainers who are registered. They should also have to show anyone wanting to use these collars the correct way to use them. It should be their responsibility to make sure they are happy that the people they have taught are capable to use these collars correctly.

If this regulation goes through you are punishing good dog owners who only want the best for their dog/s. There is no one collar works for all as all dogs have their own personality. It's like one shoe fits all – it doesn't.

I don't think this regulation will achieve its aim. The people who use these collars in the incorrect manner will continue to use them incorrectly. It's like if a person is going to be cruel to their dog they will be cruel and no regulation is going to stop them from doing it. Unfortunately that is a fact of life – which is pretty sad.

Regards

Lisa Larsen

s 9(2)(a)

From: Janet Wade <[REDACTED]>
Sent: Thursday, 19 May 2016 4:03 p.m.
To: Animal Welfare Submissions
Subject: Submission on Animal Welfare Regulations

Janet Wade

s 9(2)(a)

0274 886780

Tail Banding

I support the current state whereby banding can be carried out under the quality assurance scheme under the Dogs Code of welfare 2010. There have been no issues whatsoever with this scheme and MPI are going beyond their powers in attempting to prohibit a scheme that has raised no issues.

Research shows puppies under 4 days of age do not have a fully developed nervous system and so banding is not a painful procedure, nor is it a surgical procedure.

Having been involved in dogs for 32 years I have seen no evidence that banded dogs communicate less effectively than tailed dogs or suffer in any other way socially or physically and I have seen no scientific research to support this.

Dew claws

UK and Australia allow the removal of dew claws on puppies under 4 days of age. Research shows puppies under 4 days of age do not have a fully developed nervous system so pain is not significant.

Dew claw injury in older dogs is painful, expensive and distressing for dog and owner - all the proposed change is doing is penalizing those responsible breeders who remove dew claws to prevent injury to the puppy in the future (as an adult).

Correctly done there is no cutting through bone or stitches required - for this reason I support dew claw removal in puppies under 4 days of age either by a vet or an accredited person under a quality assurance scheme.

I believe MPI have gone beyond their regulatory power by attempting to capture a procedure that Parliament never intended to be included.

Compliance is an issue as well as how on earth can this be monitored. The only people that can be monitored are NZKC members who are responsible dog owners but easy targets - this is not addressing the bad dog owners and puppy farmers.

Janet Wade

Lawrence Hill

s 9(2)(a)

19th May 2016

Animal Welfare Policy
Ministry for Primary Industries
PO Box 2526
WELLINGTON 6140

By email: animal.welfaresubmissions@mpi.govt.nz

Submission on the Animal Welfare Act Review

I forward my submission on the above legislative review.

I am a dog owner. I own, what are referred to as, versatile hunting dogs. These dogs are multipurpose dogs and a specialist sub-group of dogs often referred to as gun dogs. I am a judge for the New Zealand Versatile Hunting Dog Trials Association. I also farm cattle.

I am experienced with working versatile hunting dogs and hunting with them. I am very concerned about injuries to working and hunting dogs. The injuries I refer to in this submission are accidental injuries to feet and tails.

Generally speaking, we, as animal owners, regularly modify animal confirmation for, amongst other things:

- The reduction of harm to humans.
- The reduction of the risk of disease/infection to the animal.
- Management convenience and for regulatory purposes.
- Economic reasons.

For example:

1. People regularly de-horn cattle for handling safety. As a matter of fact, cattle going to slaughter are required to have 'limited' horn.
2. There are probably close to 50 million lambs that have their tails docked annually. There is effectively no benefit for the farmer, or for the lamb, if the lamb is intended for slaughter at between 25 and 35 kilograms live weight. There may be long term benefits for the animal if it is intended to be kept in a flock for breeding or for wool production for the prevention of fly strike.

3. In my experience there are very limited examples where the docking of lambs tails have been correctly done. In nearly every example of tail docking of lambs I have witnessed, the tails have been docked too short. The length of lamb's tail should, as far as I am aware, be sufficiently long to cover a ewe lamb's vulva. This very rarely occurs.
4. The castration of ram lambs and bull calves are is not an animal welfare issue. That decision is made for human convenience, human taste, farm management, and rarely human safety. Often these processes include the 'surgical' removal of the testis without any anaesthesia or analgesic treatment let alone being performed in a sterile environment.
5. Farmers are required to ear tag stock and this is not an animal welfare issue. The methods of ear tagging is largely unmonitored and regularly animals have seriously damaged ears. The placement of large ear tags is now mandatory for deer and cattle and is also required for farmed goats (but not under the NAIT system). The tagging of goats' ears is a significant welfare issue because a goat's ear is particularly sensitive.
6. There is no economic benefit to castrate ram lambs or bull calves as entire animals grow faster and leaner. There is, often, a misconception that castrated animals have a milder taste.

Rarely do we consider the welfare of the animal in making these decisions. However, it is my view that the overall welfare of the animal should be the first consideration.

Item 61. Dogs - Dew claw removal

It is my submission that the removal of dew claws should be allowed to prevent harm to all dogs. This is a welfare issue for all dogs, but specifically working dogs and hunting dogs where injured dew claws can cause unnecessary chronic suffering to the dog and limit a dog's enjoyment of life.

It is my view that the removal of dew claws should be completed by either veterinary surgeons or by accredited practitioners. Performed correctly, there is no bone cut though, there is no or little bleeding, and little if any pain to the puppy.

Dew claws that are not removed will get damaged and ripped. In adult dogs this causes unnecessary pain and suffering and, in chronic cases, require major surgery, under general anaesthetic, to remove. It is my submission, that this is an animal welfare issue and that the current and established regulatory regime for the removal of dew claws be retained as it is.

Item 62. Dogs - Tail docking

It is my submission that limited tail docking of dogs should be allowed to prevent harm to hunting dogs. This is a welfare issue for hunting dogs where injured tails can cause unnecessary suffering to these dogs. I acknowledge that, through breeding, some dog breeds are more at risk than other dog breeds.

It is my view that the removal of part of a dog's tails should be completed by either veterinary surgeons or by accredited practitioners. Performed correctly, there is no bone cut though, there is no bleeding, and little if any pain to the puppy.

The shortening of the tail, when completed humanely, in the first few days of a puppy's life, significantly reduces the risk of injury and the consequential chronic pain and discomfort for remainder of the dog's life should injury occur. This pain and suffering could, for a hunting dog, remain for 12 to 15 years.

As part of the information provided by the Ministry it referred to *Survey of Tail Injuries Sustained by Working Gundogs and Terriers in Scotland* by R. Lederer, D. Bennett, T. Parkin (2014). The analysis of this paper concludes that docking the tails by one-third would significantly decrease the risk of tail injury in versatile hunting dogs (referred to in the paper as HPRs) and spaniels.

The paper recorded versatile hunting dogs (HPRs) suffer 56.6% of all annual tail injuries whilst spaniels suffer 38.5% of the annual total. In other words all versatile hunting dogs would suffer at least one tail injury every two years and all spaniels would suffer one injury every three years. The authors' noted that some dogs incurred multiple injuries annually from both repeated damage to a prior injury and/or multiple new tail injuries.

This is not acceptable from an animal welfare point of view. Certainly it is inconsistent with other species where the docking of tails is completed merely for economic or management purposes.

Simply put, dog tails that are not appropriately docked will get damaged. In adult dogs this causes unnecessary pain and suffering and, in acute and chronic cases, requires major surgery, under general anaesthetic, to remove the damaged part of the tail.

There are sound physiological reasons why tails docked in the first few days of a puppy's life is preferable to removal of at least part of a dog's tail in later life.

It is my submission, that tail docking of hunting dogs is an animal welfare issue and that the current and established regulatory regime for the removal of part of the tail be retained as it is.

Finally, it is my submission that extreme care should be exercised when considering the review of dew claws and tails docking of dogs. The review should be based on animal welfare grounds and not political grounds or ill-informed public sentiment. For example, inconsistencies in the application of tail docking between species, such as sheep and dogs, should be avoided. Allowing uncontrolled docking of lamb's tails and then banning a regulated tail docking regime for hunting dogs would be illogical, and in the legal sense of the word "unreasonable".

Yours sincerely



Lawrence Hill

Nikki Pirihi

From: Animal Welfare Policy
Sent: Monday, 18 April 2016 5:07 p.m.
To: 'Lawrence Hill'
Subject: RE: Question
Attachments: Survey of tail injuries sustained by working gundogs and terriers in Sco....pdf

Dear Lawrence

Thank you for your interest in the Ministry for Primary Industries' consultation documents. Please find a pdf copy of the article 'Survey of tail injuries sustained by working gundogs and terriers in Scotland', as requested.

Kind Regards
Animal Welfare Policy, MPI

From: Lawrence Hill [mailto:s 9(2)(a)]
Sent: Saturday, 16 April 2016 8:55 a.m.
To: Animal Welfare Policy <animalwelfarepolicy@mpi.govt.nz>
Subject: Question

In you document

"Proposed Animal Welfare Regulations (Care & Conduct and Surgical & Painful Procedures)" you refer, in footnote 43, to this research paper.

<http://veterinaryrecord.bmj.com/content/early/2014/03/27/vr.102041>

Please provide a full .pdf copy of this paper for review.

Regards

Lawrence Hill

[Redacted signature block]

From: S.A judd <[s.judd@animalwelfare.org.nz](#)>
Sent: Thursday, 19 May 2016 3:56 p.m.
To: Animal Welfare Submissions
Subject: Please stop the cruelty and disrespect

To the Ministry of Primary Industries,
This is my submission on the regulations released for consultation in April 2016.

I would like you to conduct a full and thorough review of factory farming as a whole, including all the animals trapped indoors in permanent confinement. We should not be regulating practices that breach NZ's own Animal Welfare Act, we should be looking into the future and creating a plan to ban them.

Please remove the regulations you have created regarding factory farmed animals, such as the ones that relate to farrowing crates and colony cages. Then set a date to review these and all other factory farming practices.

Factory farming is an abhorrent practice, and New Zealand needs a long term strategy for phasing it out. A factory farming review will send a message to industry to guide future investment, as well as give an opportunity to address the largest animal welfare issue facing New Zealand.

I also ask that you consider the evidence that rodeos are cruel, and ban them. The animals will not perform if not distressed by a variety of means, such as the flank strap.

Finally, I would like to you to ban the use of exotic animals in circuses. There is ample evidence that these animals suffer in captivity, and there is no reason to allow that suffering for entertainment purposes.

Get Outlook for Android

From: Vivien Dostine s 9(2)(a)
Sent: Thursday, 19 May 2016 3:55 p.m.
To: Animal Welfare Submissions
Subject: Submission on Animal Welfare Regulations

Question 7: Do you think there should be a wider use of non-regulatory mechanisms? If so, in what situation?

Only if backed up by regulation, and/or compliance mechanisms should the non-regulatory mechanisms not work, or at the end of the non-regulatory period.

For instance, if all dairy cow inductions have now stopped as of Jun 2015, then automatically regulation/compliance measures should have been brought in to ensure that this was formalised.

Q9 - Fees or infringements need to be on a sliding scale from \$300 up to \$1000 to allow for degrees of seriousness, and also allow for commercial operators to be punished more severely than perhaps private individuals (given that professionals may be 'unphased' by a small fine if it doesn't eat into profits sufficiently).

Repeated offences should also be capable of being escalated. i.e. warnings/education for a first minor offence, moving to a fine, and if the person/organisation continues to cause even 'low level' harms that would normally be fined, then it should move into areas with considerably higher penalties including convictions.

10.2

Electric Prodders - I do not support the use of electric prodders, and do not support any exception for circuses, rodeos or slaughter houses. 100kg is far too light. The use of electric goads or prodders should be phased out entirely. It is a lazy, modern replacement for stockmanship, training, and good infrastructure.

Providing exceptions enables these places to use the prods instead of good stockmanship, or upgrading infrastructure to allow for stress free loading/unloading/movement that all NZ facilities should be moving toward. Using goads is more likely to cause problems than solve them, and if they are used when the animal is in the slaughterhouse will create the release of stress hormones that taint meat. If for no other reason than improving the quality of meat produced, goads should be phased out in all circumstances. These are, after all, modern appliances - if stock handlers are not capable of moving stock without out them they need retraining, or the stock handling facilities need to be improved.

The exception "where the handler is at risk" should not be provided. Although this may seem harsh, it is illogical to allow this exception. The only way a prod can help a 'handler at risk' is if he/she already has it in his/her hand i.e. the situation should never have happened... but they have this nice 'out' meaning that training/infrastructure doesn't have to be addressed.

100kg is far too light. If this limit is accepted, then all people who use prods should have to go through a similar training std to the police for tasers, including being prodded themselves.

4 - I fully support the banning of prong collars, I don't know what a 'pinch' collar is, but it is time that New Zealand dog owners had much less access to coercive training 'aids', and were much better educated about learning theory.

5. I don't really see the difference in the 2 wordings (current vs proposed). If anything the current wording appears to allow for greater discretion i.e. "distress" vs specific injury. I would support the current wording being applied to any tethered animal. The wording should be wide enough to ensure that other methods of tethering such as halters, or harnesses, and tethering needs to include leg tying.

6. Muzzling wording may need to include that the materials should be 'suitable' - not stick to the dog's fur, or cause injury to ensure that people who tape a dogs muzzle shut etc as a punishment or to stop barking are also included.

9 Surely dogs should be secured on any vehicle on a public road. I recognise that the exception provided for working dogs while working is to allow dogs on farms, but under what circumstances is a dog both 'working' and on the back of a vehicle on a public road? I would prefer to see a speed restriction applied if this exception is permitted.

10 I totally support a ban on drowning of any animal, with no exceptions.

13 Goats - Goats are social animals, and any lone tethering of goats is a breach of the animal welfare act in that the animal does not have access to normal behaviours. An infringement of \$300 for repeat offenders is not enough to provide a deterrent. It should be deemed unacceptable to have a lone goat tethered beside a road (or anywhere) without social contact with other animals.

The regulation does not state anything about how long the tether should be, nor does it make it plain all that the animal welfare act requires.

14 The only reason to strike a horse or other equine on the head is to protect yourself from a head on attack (which does happen, particularly with colts, stallions, or jack donkeys). Self-preservation, or protection of another, should be a possible defence.

15 - refer back to comments on tethering

16 - Travelling on horseback may require tethering. The provision of shelter would be entirely dependent on where the travellers are e.g. DOC huts often don't have shelter for horses. If the travellers tether their horses overnight to a) ensure they don't run off, or b) don't graze on areas they aren't supposed to, then the horse may not have 'constant' access to water. The horse person would have to water (and possibly feed) the horse(s) before tethering, and again in the morning before setting off again.

The regulation on tethering needs to differentiate between ridden, pack, or transport animals (horses, donkeys, llama, oxen) that are being tethered during rest stops, vs animals tethered as a means of grazing an unfenced area.

29 - Fireworks must not be used at Rodeos.

Fireworks should be banned at any event within a 2km of a rural area housing equines, or deer.

30 Exotic animals should be prohibited in circuses.

Vivien Dostine (individual)

s 9(2)(a)

From: Neil Christensen s 9(2)(a)
Sent: Thursday, 19 May 2016 3:53 p.m.
To: Animal Welfare Submissions
Subject: Submission on Animal Welfare Regulations

This submission concerns Proposed Regulation 19, specifically clause vii, relating the access to litter at all times by layers in barns

19. Layer hens – Housing and equipment design Proposal

Barns

- (vii) All hens must have access to good quality friable litter at all times to allow them to forage and scratch.

Comment

A number of modern free range houses are slat-only inside. As birds have access to outside during daylight hours they have adequate access to litter to forage and scratch. During the night when the birds are roosting they do not need access to litter as they do not use it.

The proposed regulation is vague in that it fails to give any required area for the litter area (unlike the 2012 Code, which suggests in the example indicators for Min std 4 that 250 cm² of litter be provided per bird) or a required depth.

As the regulation stands, a 2m x 1m tray of litter would meet the letter of the regulation, irrespective of flock size. As a comparison, in enriched colony cages, in which scratch mats are provided, an approx A3-sized mat (0.42m x 0.3m or 0.125m²) is considered adequate for 60 birds i.e. 4800 birds per m² of scratch area or litter. These mats are supposed to be supplied with 2-3grams of feed per day as scratch substrate.

In barn operations where there is no outdoor access, the long-standing practise is to spread a tiny amount (a few buckets for a 5000 bird house) of sand on the concrete floor in the pit when birds are housed at POL. It builds up over a period of weeks into a mostly friable but thin floor covering as faeces accumulate amongst the tiny amount of sand.

As the regulation does not stipulate the depth of litter, this meets the letter of the regulation, but would struggle to meet the “good quality” and “at all times” tests in regulations.

Both 100% slat and the use of tiny amounts of sand designs/practises are used because they limit the numbers of floor eggs laid – i.e. they promote good egg hygiene. A similar goal (fewer floor eggs and better egg hygiene) is behind the long-standing practice of confining hens to slats in the first weeks after housing. This would also contravene the “at all times” requirement of the regulation. The confinement also ensures birds find the feed and water. If birds are given access to litter in a pit immediately on housing, some do not find the feed, and more importantly, the water, which results in adverse welfare outcomes.

I suggest that access to litter requirement be removed from the regulations because

- 1) Hens do not use scratch litter at night when roosting so they do not need it all the time.
- 2) The regulation has no numbers attached to it regarding area or depth of litter, and can be complied with in a manner that ticks the box, but does not add to the hen's environment.
- 3) There is no evidence that welfare of hens is compromised by the current arrangements.
- 4) If hens must have access to the litter pit from day 1 (i.e. “at all times”) there will losses from birds not finding feed and water.

As remedying all these deficiencies will make the regulation too complex to administer, the best course of action is to remove it from the regulations altogether.

N.H. Christensen
Registered specialist in avian medicine

s 9(2)(a)

www.avivet.co.nz

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From: Neil Christensen <§ 9(2)(a)>
Sent: Sunday, 15 May 2016 6:07 p.m.
To: Animal Welfare Submissions
Subject: Submission on Animal Welfare Regulations

This submission concerns Proposed Regulation 18 - Layer hen stocking densities, especially pertaining to barns

18. Layer hens – Stocking densities Proposal

(a) Stocking densities or space per pullet (7–18 weeks of age):

(i) must be a minimum of 370 cm² per pullet for those reared in cages or colony cages.

(ii) must not exceed 14 pullets per m² for those reared in barns.

(b) Stocking densities or space per layer hen (19 weeks of age or older):

Cages

(iii) must be a minimum of 550 cm² per hen for all cages Colony cages

(i) must be a minimum of 750 cm² per hen or 13 hens per m².

Barns

(i) must not exceed 7 hens per m² *for* barns with no access to an outdoor ranging area.

(ii) must not exceed 9 hens per m² *for within* barns with access to an outdoor ranging area.

Comment

The barn stocking density 9 hens/m² with outdoor access proposal is suitable for traditional barn operations where birds are fed and watered inside. There is a small minority of farms, including some of the country's most highly regarded organic farms, where the birds are fed

and watered outside, and use the shelters (“barns”) , which are invariably movable, only to roost in at night, and for access to nesting areas. Stocking densities in these shelters often exceed 20 birds per square metre. In the past when these proposals were part of the Code, and any observer could see that the welfare and behavioural needs of the birds in such systems were well-looked after, the situation would not have lead to an animal welfare complaint. Once these densities are set out in regulation, the situation changes. There is a need to accommodate these outside only operations by a change in the regulations.

I suggest that regulation be changed so that either

Barns (ii) stocking density must not exceed 9 hens per m² for within barns with access to an outdoor ranging area, **where all or the majority of feed and water available to the hens is located within the barn,**

Or

In movable barns where access to feed and water is available only outside or in the wintergarden the stocking density should not exceed 24 birds per square metre.

Clarification sought

(c) Stocking of the outdoor ranging area must not exceed 2,500 hens per hectare.

It should be clarified that this means to total area assigned to the flock over its laying life, and not the area to which a flock has access at any one time. This is to allow for rotation of grazing paddocks.

Additional query

Why the different wording (use of within) for regulation pertaining to barns with and without outdoor access - in italics above

7 birds/m² for barns vs 9 birds/m² for within barns

What is the intent of this different wording?

Neil Christensen

Avivet Ltd

Registered specialist in Avian Medicine

s 9(2)
(a)

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Out of Scope

From: Emil Murphy <§ 9(2)(a)>
Sent: Thursday, 19 May 2016 3:52 p.m.
To: Animal Welfare Submissions
Subject: Submission on Animal Welfare Regulations
Attachments: DINZ Animal Welfare Regulations submission FINAL.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

To whom it may concern,

Please find attached Deer Industry New Zealand's submission on the proposed Animal Welfare Regulations.

Regards
Emil Murphy

Emil Murphy
Acting Science and Policy Manager

§ 9(2)(a)

Deer Industry New Zealand
Level 5, 154 Featherston Street
PO Box 10702 | The Terrace | Wellington 6143 | New Zealand
www.deernz.org

RELEASED UNDER THE OFFICIAL INFORMATION ACT 1982

19 May 2016

Animal Welfare Policy
Ministry for Primary Industries
PO Box 2526
Wellington 6140

By online submission to: Animal.WelfareSubmissions@mpi.govt.nz

SUBMISSION ON ANIMAL WELFARE REGULATIONS

This is the submission of Deer Industry New Zealand ('DINZ') regarding the "Proposed Animal Welfare Regulations (Care & Conduct and Surgical & Painful Procedures)" (MPI Discussion Paper No: 2016/12). DINZ have also commented on the "Proposed regulations for the transport of live animals from New Zealand" (MPI Discussion paper No: 2016/13) in a separate submission.

DINZ's submission is in respect only of the specific parts that are applicable to the deer industry, working deer farms, deer transport and deer slaughter plants. DINZ has not considered, and neither supports nor objects to, clauses on which it does not comment.

The contact for this submission is
Emil Murphy
Acting Science and Policy Manager
Deer Industry NZ
PO Box 10702
Wellington 6143

Email: s 9(2)(a)

About DINZ

DINZ is a levy funded industry-good body established by the Deer Industry New Zealand Regulations 2004 under the Primary Products Marketing Act 1953.

DINZ's functions (under regulation 5(1)) include the following:

- to promote and assist the development of the deer industry in New Zealand; and
- to monitor, and from time to time report on, the economics and efficiency of all components of the deer industry.

DINZ represents producers of farmed deer, and processors, marketers and exporters of products from farmed deer, which are principally venison and velvet.

DINZ objectives

Animal welfare is an integral aspect of all livestock farming. This is especially true for farming deer due to their sensitive nature. Deer farmers are stewards not only of the land they farm, but also guardians of the animals they are responsible for. This is true morally as well as legally. From a business point of view, deer will be less productive if they are treated unwell, if they are exposed to stressful environments and if they are not managed to sustain their general wellbeing. DINZ and the New Zealand deer industry are proud of our high welfare standards, especially with regard to velvetting of stags. DINZ work to maintain good animal welfare as a fundamental part of sustainable deer farming.

The deer industry, in partnership with the veterinary profession, has voluntarily stepped up and committed to the highest welfare standards in the world for velvetting. The National Velvetting Standards Body (NVSBS) operates a training programme that covers the legal and ethical responsibilities of those involved in velvetting and all practical elements of velvet removal, starting with stag mustering to the monitoring of the velvetted stag after its return to the paddock. Successfully completing the programme is required to be certified to harvest velvet antler for eventual use in humans or animals.

General comments

1.1. DINZ notes that the timing around these proposal mean farmers and industry organisations are being asked within five weeks to provide feedback on 85 proposed regulations, accompanying enforcement regime and supporting material. The ambiguous and imprecise nature of the wording of the proposals, and their intended policy outcomes, severely increase the complexity of this task. DINZ is unclear why these important matters are dealt with in such rushed manner and believes the welfare outcome could be improved with more clearly defined policy outcomes before regulations are drafted.

1.2. The currently proposed definition of pain relief has two parts to it. It aims both at the use of a veterinary medicine, and the outcome of this use. DINZ consider the definition should focus on the outcome so not to preclude alternatives to pain relief that does not fit with the general understanding of 'anaesthetic'. The use of the NaturO ring system for removal of velvet spikes is such an example. DINZ propose that the definition of pain relief should be:

- **Pain relief is a practice that is sufficient to substantively prevent the animal from experiencing pain**

1.3. For Surgical and Painful Procedures (SPP) regulations, DINZ consider it's important to clearly define where a level of competence is required to undertake the procedure. DINZ

understand that the Government consider the requirement for pain relief, and the inferred authorisation by a veterinarian, to be sufficient controls for an operator's competence in carrying out SPPs. In DINZ opinion, it is not appropriate to delegate that decision to individual veterinarians for all procedures and DINZ have commented for the individual procedures where we consider a specified level of skill is necessary, noting the Governments concern that defining a required skill level for procedures that are currently undertaken without specific oversight is complicated.

1.4. As the decision to provide veterinary medicine under Veterinary Operating Instructions (VOI) rest with each individual veterinarian, DINZ submits the government must carefully consider the effects of mandating this use in sectors where there is limited visits by the veterinarian, or in areas where there is no ready access to veterinarians. While DINZ agrees that the use of pain relief is usually beneficial from an animal welfare perspective, there may be need for a prolonged transition period to allow for appropriate relationships and structures to be put in place.

1.5. DINZ submits that the use of electro-immobilisation during velvetting, and in general, should be prohibited through regulation. Electro-immobilisation is the process of passing a low level current through the animal, temporarily paralysing the muscles¹. This is sometimes also portrayed as providing analgesia, something that has been disproven but still may cause people to forgo the use of local anaesthetic. Electro-immobilisation has been shown to create much stronger aversion than mechanical immobilisation² and it is our view this technique should not be used for routine restraint, such as velvetting. DINZ consider routine use of electro-immobilisation for restraint during velvetting should be considered as "Prosecutable offence under regulation".

1.6. In the opinion of DINZ, it is reasonable that the defence provisions should recognise the best interest of the animal as well as animal life. Further, both farms and processing plant have obligations under the Health and Safety at Work Act 2015 (HSWA) to provide a healthy and safe work environment. Where possible, the intent of different pieces of legislation should be harmonised, thus DINZ submits that the defence should be expanded to include

- ***the defendant took all reasonable steps to comply with the relevant provision; or,***
- ***the act or omission constituting the offence took place in circumstances of stress or emergency and was necessary***
 - ***to ensure the health and safety of people was not put at risk,***
 - ***for the preservation, protection, or maintenance of animal life; or,***
 - ***otherwise in the best interest of the animal.***

¹ https://www.avma.org/KB/Resources/LiteratureReviews/Documents/electroimmobilization_bgnd.pdf
accessed 18/05/2016

² Electro-immobilization versus mechanical restraint in an avoid-avoid choice test for ewes, JAS, 1986, volume 62: 1469-1480

1.7. DINZ consider the infringement fees proposed for sections 156I and 36(3) appropriate, but notes that the principle for how a proposed offence is assigned to are not clearly articulated nor consistently applied.

Comments on proposals relating to Care and Conduct

1. All animals – Electric prodders

Electric prodders may only be used on:

- a) cattle over 100kg;*
- b) cattle over 100kg and other animals, in a circus where the safety of the handler is at risk; or,*
- c) cattle over 100kg, and other animals, in a commercial slaughter premises:*
 - i. where the safety of the handler is at risk; or*
 - ii. when loading a stunning pen*

DINZ agree that the use of electric prodders may cause pain and distress to all animals and support this to be a regulation. However, DINZ is unclear why circus animals have been singled out and would like to note that all work with stock comes with risk. For that reason DINZ consider it prudent to specifically keep a qualifier similar b). From a health and safety perspective, a livestock driver need to have the ability to carry an electric prod when unloading animals without risking a situation where merely possessing an electric prod could be construed as an offence. Noting the subjective judgment required, DINZ submits that b) should be amended to:

- **cattle over 100kg and other animals, where the safety of the handler is at risk.**

DINZ further submits that the use of electric prodders should be subject to the conditions that the animal:

- **is able to move; and,**
- **has the room to do so.**

2. All Animals – Use of goads

Prohibit using a goad to prod an animal in the udder, anus, vulva, scrotum or eyes

DINZ support the intention of this proposed regulation.

3. All Animals – Twisting an animal's tail

Prohibit twisting the tail of an animal in a manner that causes the animal pain

DINZ support the intent of this regulation. Unlike most other livestock, deer are very sensitive to injuries in the tail area and their tail should not be twisted in any manner. However, twisting, or indeed breaking, of the tail is not currently a behaviour that is commonly seen in the deer industry.

As the proposed threshold of 'causes the animal pain' is very subjective, DINZ consider that this is inappropriate for an infringement offence. DINZ note that better use of the current offences under the Act may help to deter behaviour that may lead to breaking of tails in all species.

DINZ submits that:

- a) The proposed regulation is at significant risk of not being enforceable due to the subjective decision, and should not be made a regulation; and,
- b) A specific regulation is put in place prohibiting grabbing or twisting the tail of any deer. DINZ suggest this should be an infringement offence with a \$500 penalty.

34. Stock transport – Cuts and abrasions

Transport of cattle, deer, sheep, goats, and pigs must not result in cuts or abrasions.

DINZ support the intent of this regulation. Noting that it is intended to relate to back-rub only, DINZ urge MPI to consider the wider implications of the current wording and what the relevant threshold would be for cuts and abrasions on the animals. To prevent ambiguities that would be inappropriate for an infringement offence, DINZ propose that this regulation is worded to be clearly limited to back-rub only.

DINZ notes that it is also important that the regulation makes it clear who is responsible at what stage during the transport chain. Where an animal has been loaded for transportation, it is expected that they are fit for transport, thus a farmer cannot be held responsible for cut and abrasions that a reasonable inspection prior to loading should have identified. DINZ question whether this uncertainty makes this unsuitable as an infringement offence.

36. Stock transport – Animals with bleeding horns or antlers

An animal with a bleeding or broken horn or antler must not be transported, except when certified fit for transport by a veterinarian.

DINZ support the intent of this proposed regulation but suggest that bleeding is a wide term that need to be clarified in the context of transporting deer. In recently velvetted spikers, where the NaturO system has been used and the ring is still in place, it is not uncommon to see a seeping, diffuse bleeding from the velvetting wound. Similar bleeding can be seen from the coronet more than a week after velvetting and also on stags that are allowed to cast their antlers naturally. These types of bleeding does not indicate compromised welfare, and it is DINZ firm opinion that this need to be recognised.

DINZ consider the proposed regulation should continue as a minimum standard. Any regulation put in place must be clear as to what constitutes bleeding and be only regulate these for scientifically justified welfare reasons.

37. Stock transport – Animals with long horns or antlers.

Transport of animals with horns or antlers greater than 110mm must not cause injury to themselves or other animals.

DINZ agrees with the intent of this proposed regulation to prevent injuries resulting from horns and antlers on animals but notes the proposal is somewhat ambiguous as to its application. DINZ disagree that the justification for a regulated maximum length of 110mm is sufficient and consider the focus should be on the welfare outcome. The current restriction for 110mm was intended as a preventative measure to prevent injury but DINZ strongly opposes that the specific measure should be enshrined in legislation. The size of the pedicle is variable and there are several examples of the pedicle itself exceeding 110mm, as measured from the centre of the skull.

DINZ submits that this is not appropriate as an infringement offence and should remain a minimum standard. The proposed regulation could seriously impact unfairly on livestock drivers e.g. a cattle beast with cropped horns is still very capable of inflicting damage to another animal at any time. The only way a regulation as such would work would be to ban the transport of any horned cattle beast. Should the government wish to proceed with this regulation, DINZ submits that it should be aimed at the intended outcome, e.g. "Animals with horns or antlers must be transported in a manner that prevent them to cause injury to themselves or other animals".

38. Stock transport – Lamé cattle, deer, pigs, and goats

A cattle beast, deer, pig, or goat that has a lameness score of two must not be transported, except when certified fit for transport by a veterinarian.

A cattle beast, deer, pig, or goat that has a lameness score of three must not be transported. DINZ agree with the intent of this proposed regulation to prevent animals that are unable to balance themselves, or otherwise at greater risk of injury during transport, should only be commercially transported after consultation with a veterinarian and in accordance with their directions.

DINZ agree with the intent. However, DINZ disagree that the scoring system, which was developed for dairy cattle, is appropriate to use for deer, and the application to all transport.

DINZ submits that the proposed regulation is worded so that an animal that cannot bear weight evenly on all four legs can only be transported after being certified fit for transport by a veterinarian, except for transport within the farm to enable effective treatment of the animal

39. Stock transport – Animals that cannot bear weight evenly due to injury

A cattle beast, sheep, deer, pig, or goat that has suffered a physical injury or defect that means it cannot bear weight evenly on all four legs should not be transported, except when certified fit for transport by a veterinarian.

DINZ disagree this regulation should be separate from 38 as the welfare risk is risk of injury due to not being able to support fully during transport. From a welfare perspective it makes very little difference if deer are unable to bear weight on all legs due to injury or disease. DINZ notes that the use of 'should' introduce ambiguity over enforceability and assumes the intention is to use 'must'

40. Stock transport – Pregnant animals

Prohibit transporting a cattle beast, sheep, deer, pig, or goat that is likely to give birth during transport, or within 24 hours of arrival at a commercial slaughter premises, except when certified fit for transport by a veterinarian.

DINZ disagree this should apply to deer and submit that transport of pregnant deer should be separate from other species. Deer should not be transported during the last 21 days of pregnancy as this significantly increases the likelihood of death of the dam. DINZ propose that a separate deer regulation read:

- **Pregnant hinds must not be transported within 21 days of estimated due date**

41. Stock transport – Animals with injured or diseased udders

An animal with a burst, distended, or necrotic udder or an animal with mastitis where there are signs of fever or the udder is hot, red, swollen, discharging, or necrotic must not be transported, except when certified fit for transport by a veterinarian.

DINZ agree with the intent of the proposed regulation.

Comments on proposals relating to Surgical and Painful procedures

51. All animals – Hot branding

Prohibit hot branding

DINZ support the proposed regulation.

52. All animals – Embryo collection via exteriorised uterus (surgical embryo transfer)

May be performed by any person.

Pain relief must be used at the time of the procedure

DINZ support the intent of the proposed regulation. However, DINZ consider this is a major procedure with potential for damage and should only be performed by a suitably skilled person, as previously discussed in General Comments.

53. All animals – Laparoscopic artificial insemination (Laparoscopic A.I.)

May be performed by any person. Pain relief must be used at the time of the procedure.

DINZ support the intent of the proposed regulation. However, DINZ consider this is a major procedure with potential for damage and should only be performed by a suitably skilled person, as previously discussed in General Comments.

54. All animals – Liver biopsy

Must be performed by a veterinarian or a veterinary student under the direct supervision of a veterinarian.

Pain relief must be used at the time of the procedure.

DINZ support this becoming a regulation noting that it can be a painful procedure with potential for severe damages.

55. All animals – Dental work

Any power tool used on an animal for dental work must be designed for the purpose of dentistry.

DINZ support this to become a regulation and consider the penalty appropriate.

72. Deer – Develvetting

The person undertaking the procedure must be either:

- *a veterinarian or veterinary student under direct veterinarian supervision; or*
- *have veterinary approval.*

Veterinary approval must be in writing before the procedure occurs. Before veterinary approval can be issued, the veterinarian must be satisfied that the person has the relevant expertise, practical experience, drugs, equipment and accommodation to perform the surgical procedure competently. Pain relief must be used at the time of the procedure

DINZ agree with the intent of the proposed regulation. However, due to the specialised procedure, and anecdotal evidence of veterinarian carrying out the procedure without the necessary skills, DINZ would like to word the regulation to clarify that the requirement for relevant expertise is the key consideration.

The velvetting sector, through NVSB, already have a mature framework to ensure the welfare of stags before, during and after removal of the antler and includes a comprehensive training, certification and auditing programme of both supervising veterinarians and velvetters. NVSB has equal representation from the deer industry and the veterinary profession. Through their programmes, they ensure that the "Code of recommendations and minimum standards for the welfare of deer during the removal of antlers" is adhered to. DINZ would prefer that this work

was recognised as the regulatory framework under which routine velvetting was carried out and would be happy to work with MPI to achieve this. If MPI declines this, DINZ submits the regulation should be according to the following outline:

- The person undertaking develvetting must have the relevant expertise, practical experience, drugs, equipment and accommodation to perform the procedure competently; and,
- be either,
 - a veterinarian with appropriate training in velvet removal or veterinary student under direct veterinarian supervision of a veterinarian with appropriate training in velvet removal; or
 - have prior written veterinary approval by a veterinarian with appropriate training in velvet removal.

18 May 2016

This Submission is to:

Animal Welfare Policy
Ministry for Primary Industries
Po Box 2526
Wellington 6140
animal.welfaresubmissions@mpi.govt.nz

Re: Animal Welfare Regulations Submission

The contact person for this submission is:

Wendy O' Callaghan
Kawera Kennels

s 9(2)(a)

Introduction

The purpose of this submission is to comment on proposed Animal Welfare Regulations. The Ministry for Primary Industries (MPI) seeks feedback on proposed regulations intended to improve the current animal welfare system.

I am a dog breeder, registered with the New Zealand Kennel Club, and I own both docked and undocked dogs.

General Comments:

62. Tail Docking

Proposed Animal Welfare Regulations Page 88 (quote):

"Dog's tails have a function in terms of balance and a means of communication with other dogs and humans".

I dispute this for the following reasons:

In my observations of these dogs in full flight across my paddocks there is no difference in balance, speed or turning ability between an undocked Cardigan corgi and a docked Pembroke Corgi, in fact, more often than not, my Pembroke is quicker to turn and faster to

find its feet as it comes out of a turn and more balanced when running down a hillside at speed. Balance comes from the structure of the complete dog's skeleton not just because it has a tail. Pembroke's can be born with a natural bob, a half or full length tail. Cardigan and Pembroke Corgis compete well in dog sports such as agility, tailed or not.

My sheep do not fall over on a hill because they have no tail!

I wish to add my support to the NZCDB by pointing out that the neurological system of a canine at birth is markedly different to most other species, including cattle, sheep and pigs. To band a tail on a neonate puppy at less than 4 days old, by carefully placing the ligature between two vertebrae, causes much less distress (if any), than a band on a lamb even of the same age and yet MPI are planning to allow a lay person with no experience and usually no guidance (i.e. lifestyle farmers) to band lamb or calves of up to 6 months of age. Now that is a double standard.

With apparent disregard to the previous NAWAC committee and its recommendations, this committee along with NZVA and SPCA have:

- a) Ignored a successful accredited banding programme
- b) Failed to acknowledge the practical experience breed specific knowledge of owners and breeders of traditionally docked dogs.
- c) Failed to acknowledge or recognize any variations in the tail structure/form and function between dog breeds.
- d) Failed to acknowledge that in excess of 170 countries in the world **DO NOT** have a ban on the docking/shortening of dog's tails.

This can be remedied by aligning the banding with the exemption the committee has been prepared to give to Production Animals, or to the establishment of an association similar to the NZCDB.

61. Dogs - Dew Claws

The proposed regulation states:

Front limb dew claw removal and articulated (jointed) hind limb dew claw removal:

Must be performed by a veterinarian or a veterinary student under the direct supervision of a veterinarian; must only be performed for therapeutic reasons;

Pain relief must be used at the time of the procedure.

I disagree with this proposal in its entirety and advocate for the status quo, below are my reasons.

When performing or assisting with the removal of a dew claw, I do so when the neonate puppy is under 4 days old. If done correctly the dew claw and its nail bed are removed from the tip of the toe without going near the bone or joint. There should be little or no bleeding and neither dam nor whelp is distressed. This is done in a controlled way with cleanliness a priority. I have not seen an infection or any excessive bleeding resulting from this procedure.

I wish to raise the question of why the New Zealand Kennel Club were not approached to be part of this regulatory process and also why SPCA and NZVA, had such a large part to play in the drafting of the proposals when the NZKC as the largest representative group of dog owners were largely ignored.

Conclusion

I, along with other members of the **NZKC** seek to maintain appropriate care and welfare standards for all animals including dogs. I have a policy in my kennel that all due care and possible health testing on my breeding stock is maintained.

I consider that the proposals as set out may have other unintended implications which do not meet the intent or care standards proposed. I would suggest that as dedicated Pedigree dog breeders that I and the other members are well placed to assist officials and would welcome the opportunity to do so.

Wendy O'Callaghan

Kawera Cardigan and Pembroke Corgis

Brownrigg Agriculture Group Ltd
PO Box 1142
First Floor, Farming House, 211 Market St South,
Hastings, New Zealand
Telephone: (06) 878 7189
Facsimile: (06) 878 1534

**BROWNRIGG
AGRICULTURE**

www.brownrigg.co.nz

19 May 2016

Ministry for Primary Industries
PO Box 2526
WELLINGTON 6140

RE: Submission on proposed regulations for the export of live animals

Brownrigg Agriculture welcomes the opportunity to submit on the proposed regulations for the export of live animals.

About Brownrigg Agriculture

We are a Hawkes Bay based family business with 25 years' experience in livestock management, breeding, finishing and live exports to Japan, China and the Middle East.

We currently own 12 livestock farms in Hawkes Bay and partner with other farmers in the North Island to supply our markets. Our herd of Wagyu cattle is one of the largest herds outside of Japan.

We are co-investors in Grassfed Wagyu Ltd, along with MPI and Firstlight Foods, which is focused on research to produce and supply international markets with New Zealand grass fed Wagyu beef.

Brownrigg Agriculture submission on new regulations

The Government has repeatedly signalled that it supports a live export trade from New Zealand but our assessment is that some of the new provisions in the Animal Welfare Act will prevent expansion of exports.

Our main concern is that the purpose statement for Part 3 of the Act (Animal exports) will be changed to explicitly include *the protection of New Zealand's reputation as a responsible exporter of animals and animal products*. The changes to the Act also provides that the Director General must have regard to *New Zealand's reputation* when considering an application for an Animal Welfare Export Certificate (section 43).

The current Act and Animal Welfare Export Certificate system already explicitly protects the welfare of animals so this inclusion is unnecessary. It does nothing to improve animal welfare and it makes it harder for local exporters to export.

Furthermore, the consultation document offers no explanation or proof that there is even a reputation problem that needs to be fixed.

We believe the section as written will encourage attempts by animal welfare activists to impugn New Zealand's reputation as a way of stopping practices they don't like, and the application of a reputation test by people without skills or measures will discourage or reject welfare-compliant and valuable export applications.

Specifically:

They signal there is a problem with New Zealand's reputation as a responsible exporter of agricultural products.

We have long standing relationships with international players throughout the global agriculture supply chain. New Zealand's live animal export sector has an excellent reputation for the safe, reliable transport of healthy livestock. Because of this our expertise is sought after globally.

New Zealand's good reputation for the safe transport of animals has never been at question. The livestock export sector has never had a conviction for mistreating animals.

Mandating the Director General to make a 'reputation assessment' is saying that MPI thinks that New Zealand's live animal export practices aren't currently good enough to earn a positive international reputation. Why else would it be included?

They do not define what the reputation threshold is or how the Director General will assess it. International customers want to use New Zealand for livestock export because of our expertise in safely transporting healthy animals.

Legislating for reputation is problematic because reputational risks can occur through a number of ways. It can come directly as the result of actions of New Zealand exporters; indirectly from actions of importers; or it can erupt out of nowhere from the actions of others like activists who have nothing to do with the trade.

For example, the international actions of animal welfare activists against an existing welfare-code compliant practice could mean that the practice is interpreted to harm the nation's reputation.

It is not clear what skills the Director General has or how he / she would go about assessing this. What evidence will be used to support his / her determination? Will it require a qualitative or quantitative survey on public attitudes?

Without specifics, we can only assume that the reputational threshold will be set at its broadest and most abstract context. This is an extremely poor basis for decision-making, and likely to give ground for disputes and contested decisions. The work involved in defending such concerns via the certification application will discourage farmers from exporting livestock.

They unfairly penalise the live animal export trade at the expense of other sectors.

We are not aware of legislation mandating a 'reputational' test for export of products in any other sector in New Zealand. There is no local or international precedent for such a test. This unfairly puts the live animal export trade at a disadvantage not only against international competitors but in contrast to our New Zealand peers.

In the interests of all other New Zealand exporters we strongly oppose this clause to prevent a precedent which could infect other export rules. The application of the rule on this occasion is bound to cause considerable consternation and disagreement in other export sectors.

They harm the international competitiveness New Zealand's live animal export trade.

The New Zealand live animal export trade has been in decline for the past decade. For example, live cattle exports have declined from a peak of 85,000 in 2014 to just 20,000 in 2015. Other countries don't require exporters to meet a reputational threshold so requiring New Zealand farmers to do so will place us at a further competitive disadvantage.

They will empower activists to increase their attacks

Broad or even narrow application of a reputation test in the Act will incentivise activists to attack the live animal export trade. It gives them a means to attack New Zealand practices on the basis of reputation they themselves sour through complaint rather than the actual welfare of the animals.

Conclusion

The above changes to the Act are unnecessary and will damage the live animal export trade.

It is not clear why a reputation clause is even needed when the current Act already protects the welfare of animals before, during and immediately after live export.

These changes are not about safeguarding animal welfare. They're intended to address a vague notion of second-guessing how New Zealand's reputation may be affected.

Reputation is built on actions, not inference or words. The application of welfare rules is the best protection of reputation.

We recommend the purpose statement for Part 3 of the Act (Animal exports) remain as it is currently stated.

We also recommend removing the new provision for the Director General to consider New Zealand's reputation when assessing AWEC applications.

Yours sincerely



David Brownrigg
Co-owner – Brownrigg Agriculture

Brownrigg Agriculture Group Ltd
PO Box 1142
First Floor, Farming House, 211 Market St South,
Hastings, New Zealand
Telephone: (06) 878 7189
Facsimile: (06) 878 1534

**BROWNRIGG
AGRICULTURE**
www.brownrigg.co.nz

19 May 2016

Ministry for Primary Industries
PO Box 2526
WELLINGTON 6140

RE: Submission on proposed regulations for the export of live animals

Brownrigg Agriculture welcomes the opportunity to submit on the proposed regulations for the export of live animals.

About Brownrigg Agriculture

We are a Hawkes Bay based family business with 25 years' experience in livestock management, breeding, finishing and live exports to Japan, China and the Middle East.

We currently own 12 livestock farms in Hawkes Bay and partner with other farmers in the North Island to supply our markets. Our herd of Wagyu cattle is one of the largest herds outside of Japan.

We are co-investors in Grassfed Wagyu Ltd, along with MPI and Firstlight Foods, which is focused on research to produce and supply international markets with New Zealand grass fed Wagyu beef.

Brownrigg Agriculture submission on new regulations

The Government has repeatedly signalled that it supports a live export trade from New Zealand but our assessment is that some of the new provisions in the Animal Welfare Act will prevent expansion of exports.

Our main concern is that the purpose statement for Part 3 of the Act (Animal exports) will be changed to explicitly include *the protection of New Zealand's reputation as a responsible exporter of animals and animal products*. The changes to the Act also provides that the Director General must have regard to *New Zealand's reputation* when considering an application for an Animal Welfare Export Certificate (section 43).

The current Act and Animal Welfare Export Certificate system already explicitly protects the welfare of animals so this inclusion is unnecessary. It does nothing to improve animal welfare and it makes it harder for local exporters to export.

Furthermore, the consultation document offers no explanation or proof that there is even a reputation problem that needs to be fixed.

We believe the section as written will encourage attempts by animal welfare activists to impugn New Zealand's reputation as a way of stopping practices they don't like, and the application of a reputation test by people without skills or measures will discourage or reject welfare-compliant and valuable export applications.

Specifically:

They signal there is a problem with New Zealand's reputation as a responsible exporter of agricultural products.

We have long standing relationships with international players throughout the global agriculture supply chain. New Zealand's live animal export sector has an excellent reputation for the safe, reliable transport of healthy livestock. Because of this our expertise is sought after globally.

New Zealand's good reputation for the safe transport of animals has never been at question. The livestock export sector has never had a conviction for mistreating animals.

Mandating the Director General to make a 'reputation assessment' is saying that MPI thinks that New Zealand's live animal export practices aren't currently good enough to earn a positive international reputation. Why else would it be included?

They do not define what the reputation threshold is or how the Director General will assess it.

International customers want to use New Zealand for livestock export because of our expertise in safely transporting healthy animals.

Legislating for reputation is problematic because reputational risks can occur through a number of ways. It can come directly as the result of actions of New Zealand exporters; indirectly from actions of importers; or it can erupt out of nowhere from the actions of others like activists who have nothing to do with the trade.

For example, the international actions of animal welfare activists against an existing welfare-code compliant practice could mean that the practice is interpreted to harm the nation's reputation.

It is not clear what skills the Director General has or how he / she would go about assessing this. What evidence will be used to support his / her determination? Will it require a qualitative or quantitative survey on public attitudes?

Without specifics, we can only assume that the reputational threshold will be set at its broadest and most abstract context. This is an extremely poor basis for decision-making, and likely to give ground for disputes and contested decisions. The work involved in defending such concerns via the certification application will discourage farmers from exporting livestock.

They unfairly penalise the live animal export trade at the expense of other sectors.

We are not aware of legislation mandating a 'reputational' test for export of products in any other sector in New Zealand. There is no local or international precedent for such a test. This unfairly puts the live animal export trade at a disadvantage not only against international competitors but in contrast to our New Zealand peers.

In the interests of all other New Zealand exporters we strongly oppose this clause to prevent a precedent which could infect other export rules. The application of the rule on this occasion is bound to cause considerable consternation and disagreement in other export sectors.

They harm the international competitiveness New Zealand's live animal export trade.

The New Zealand live animal export trade has been in decline for the past decade. For example, live cattle exports have declined from a peak of 85,000 in 2014 to just 20,000 in 2015. Other countries don't require exporters to meet a reputational threshold so requiring New Zealand farmers to do so will place us at a further competitive disadvantage.

They will empower activists to increase their attacks

Broad or even narrow application of a reputation test in the Act will incentivise activists to attack the live animal export trade. It gives them a means to attack New Zealand practices on the basis of reputation they themselves sour through complaint rather than the actual welfare of the animals.

Conclusion

The above changes to the Act are unnecessary and will damage the live animal export trade.

It is not clear why a reputation clause is even needed when the current Act already protects the welfare of animals before, during and immediately after live export.

These changes are not about safeguarding animal welfare. They're intended to address a vague notion of second-guessing how New Zealand's reputation may be affected.

Reputation is built on actions, not inference or words. The application of welfare rules is the best protection of reputation.

We recommend the purpose statement for Part 3 of the Act (Animal exports) remain as it is currently stated.

We also recommend removing the new provision for the Director General to consider New Zealand's reputation when assessing AWEC applications.

Yours sincerely



David Brownrigg
Co-owner – Brownrigg Agriculture

Out of Scope

From: Fiona Scott s 9(2)(a) >
Sent: Thursday, 19 May 2016 3:49 p.m.
To: Animal Welfare Submissions
Subject: Submission on the Animal Welfare Regulations

Re Proposed Animal Welfare Regulations
MPI Discussion Paper No 2016/12

Fiona Scott

s 9(2)(a)

19th May 2016

Submission on the Animal Welfare Act Review

To whom it may concern

As an avid dog lover, and owner of a working gundog breed (Pointer), I would like to put forward my submission on the following.

Item 61. Dogs - Dew claw removal I request that this continues to be allowed in NZ as is the current approved practice. By accredited practitioners.

As having a working breed that is sort after for recreational Hunting and Working in NZ bush and scrub conditions, Dew Claws can get easily caught and ripped and in the bush where these accidents happen are along way from veterinary assistance, depending on the severity, blood poisoning, permanent tendon damage or death from bleeding if arteries are torn, can occur quite quickly.

Performed correctly up to 72 hours old there is no bone cut though, there is no bleeding. Breeders are scrupulously conscious of sterile conditions so there is very limited chance of infection.

Dew claw's not removed and damaged or ripped as an adult cause excruciating pain and would require major surgery to remove. I view their removal as a new born a preventative for the future well being of the pup.

The same as I view Tail Docking and vaccinations.

Item 62. Dogs - Tail docking I request that this continues to be allowed in NZ as is the current approved practice. By accredited practitioners.

The Accredited Banders Scheme which follows strict guidelines and is strictly audited by the NZ Kennel Club to ensure compliance with agreed protocols and current Code of Animal Welfare. Gundog breeds with long whippy tails historically docked would commonly injure their tails while hunting through vegetation and thick scrub or today in everyday life pursuits. Their fast tail action often leads to splitting or tearing and bleeding which is painful and extremely difficult to treat. Because of the long thin tail, the end has very poor circulation which makes healing difficult and prone to infection.

All Tails are not created equal. The Weimaraners's tail like many of the Versatile Gundog breeds, is not covered with a long coat with which to pad the tail, and as it is very long and thin if left undocked, is an accident waiting to happen. So historically the old timers of the breeds where aware of this weakness and docked accordingly for the well being of their dogs.

Undocked they would be very prone to damage in the dogs environment be this rural or urban. The only resolution for an undocked adult Versatile dog suffering from chronic tail damage is a painful and traumatic amputation which as an adult is major surgery to remove. Even Pointers (English) which are an undocked breed due to their tail being somewhat shorter than there Continental cousins suffer tail damage at times throughout their life, some to the extent that they have to be surgically repaired or removed. So for the versatile dogs with longer overall tail lengths there is a need for being docked.

Undocked, the interaction of the tail conformation, breed activity and the environment causes increased risk of injury through the life of these breeds.

The Shortening of the weak portion of the tail humanely at a few days old eliminates the risk of injury. By shortening but still retaining a substantial tail occurs once and protects against chronic pain and discomfort for life, typically 12 to 15 years.

The NZVA research study that found little evidence of tail damage in dogs in New Zealand is totally flawed because the dogs prone to tail damage are to date docked as newborns.

They also failed to acknowledge that there are in excess of 170 countries in the world that DO NOT have a ban on the docking/shortening of dogs tails, and there are countries which have had the ban now looking at reversing that decision ie Scotland.

I view Tail removal in a new born in the Gundog breeds historically docked, as a preventative measure for the future health and well being of the pup. The same as I view Dew claw removal and vaccinations for the dog's future well being. So for the welfare of working gundog breeds in NZ, I ask that you consider this practice to continue to be allowed.

Thank you for taking the time to read this submission.

With regards

Fiona Scott

Out of Scope

From: Bronwyn Braven <s 9(2)(a)>
Sent: Thursday, 19 May 2016 3:49 p.m.
To: Animal Welfare Submissions
Subject: Submission on Animal Welfare Regulations

To Whom it may concern

We have been an Ultra-Scan franchise owner in southland for 8 years and we disbud around 15000 calves annually.

Our preferred method is to use local anaesthetic and as such are in favour of this change in the Painful Animal Husbandry Act for the use of local anaesthetic for pain relief for disbudding and dehorning.

Our concern is that current access barriers to VOI's and product need to be addressed here in southland currently is only available to our farmer clients and not to us as certified users of local anaesthetic.

Best practice in our experience of disbudding to avoid infection as a negative welfare consequence is to use a topical antibiotic spray such as tetra-vet or aerotet forte this another product which we cannot source directly ourselves.

We also address supernumerary teat removal our clients use this service in conjunction with disbudding and 6 weeks would be too tight of time frame. We would like it to be considered that the age for this procedure be extended to 10 weeks that would be more a lot more practical, due to sick calves or calves brought in etc. Our experience of treating calves up to 10 week of age has seen no complications.

Regards

Murray & Bronwyn Braven
Ultra-Scan Western Southland Ltd

s 9(2)(a)

Out of Scope

From: Sarah Asher s 9(2)(a)
Sent: Thursday, 19 May 2016 3:48 p.m.
To: Animal Welfare Submissions
Subject: Submission on the Animal Welfare Act Review

Name: Sarah Asher
 s 9(2)(a)

Submission on the Animal Welfare Act Review

As an owner/breeder of a traditionally docked breed; I would like to put forward my submission on the following.

Item 61. Dogs - Dew claw removal I request that this continues to be allowed in NZ as is the current approved practice. By accredited practitioners.

Performed correctly there is no bone cut though, there is no bleeding. Breeders are scrupulously conscious of sterile conditions so there is very limited chance of infection. Dew claw's not removed and damaged or ripped as an adult cause excruciating pain and would require major surgery to remove. I view their removal as a new born a preventative for the future well being of the pup.

Item 62. Dogs - Tail docking I request that this continues to be allowed in NZ as is the current approved practice. By accredited practitioners.

The Accredited Banders Scheme which follows strict guidelines and is strictly audited by the NZ Kennel Club to ensure compliance with agreed protocols and current Code of Animal Welfare.

Gundog breeds with long whippy tails historically docked would commonly injure their tails while hunting through vegetation and thick scrub or today in everyday life pursuits. Their fast tail action often leads to splitting or tearing and bleeding which is painful and extremely difficult to treat. Because of the long thin tail, the end has very poor circulation which makes healing difficult and prone to infection.

All Tails are not created equal. The GSP's tail like many of the Versatile Gundog breeds, which is a man made breed which didn't get the tail right. Unlike the Labradors who have a thick well covered tail. So historically the fore fathers of the breeds were aware of this weakness and docked accordingly for the well being of their dogs. Undocked they would be very prone to damage in the dogs environment be this rural or urban. The only resolution for an undocked adult Versatile dog suffering from chronic tail damage is a painful and traumatic amputation which as an adult is major surgery to remove.

Undocked, the interaction of the tail conformation, breed activity and the environment causes increased risk of injury through the life of these breeds.

The shortening of the weak portion of the tail humanely at a few days old eliminates the risk of injury. By shortening but still retaining a substantial tail occurs once and protects against chronic pain and discomfort for life, typically 12 to 15 years.

The NZVA research study that found little evidence of tail damage in dogs in New Zealand is totally flawed. Because the dogs prone to tail damage are to date docked as newborns.

They also failed to acknowledge that there are in excess of 170 countries in the world that DO NOT have a ban on the docking/shortening of dogs tails, and there are countries which have had the ban now looking at reversing that decision ie Scotland.

I view Tail removal in a new born in the Gundog breeds historically docked, as a preventative measure for the future health and well being of the pup. The same as I view Dew claw removal and vaccinations for the dog's future well being. So for the welfare of working gundog's breeds in NZ, I ask that you consider this practice to continue to be allowed.

Thank you for taking the time to read this submission.

Yours sincerely

Sarah Asher

Out of Scope

From: Pet Lodge <petlodge@xtra.co.nz>
Sent: Thursday, 19 May 2016 3:31 p.m.
To: Animal Welfare Submissions
Cc: K Lord; § 9(2)(a)
Subject: Submission docking and dewclaws

Animal Welfare proposed regulations feedback submission form

Kaye Lord

§ 9(2)(a)

My feedback:

62. The proposed regulation states: Must be performed by a veterinarian or a veterinary student under the direct supervision of a veterinarian.
Must only be performed for therapeutic reasons
Pain relief must be used at the time of the procedure.

I disagree with this proposal in its entirety and advocate for the status quo and these are my reasons:

I am a veterinary nurse, member of the New Zealand Kennel Club (NZKC) a registered breeder of pedigree dogs.

I am an accredited member of the New Zealand Council of Docked Breeds (NZCDB) and have had my animal husbandry skills signed off by a veterinarian, who must complete my application for accreditation by either witnessing neonate puppies being banded or being in the presence of another accredited bander to enable me to perform tail shortening.

The NZCDB as an organisation was established in 2004 and our membership is focussed on the welfare of tail shortened breeds. We operate as a fully audited and regulated group under the umbrella of the NZKC with the approval of the National Animal Welfare Advisory Committee (NAWAC).

I have never had a complaint or issue arise from any litter that I have completed banding on and to the best of my knowledge I understand that as an accredited group, we have performed tail shortening on over 10 500 neonate puppies without incident since 2005.

I am of the understanding that the procedure of tail banding (described by the NAWAC approved scheme) is vastly different from the process of tail amputation and as an accredited bander I only perform the tail banding procedure under the Animal Welfare Act (No2) 2015 and this is not a surgical procedure.

The breeds that I am associated with and that are banded by me are traditionally docked dogs that still perform their duties that they were designed for.

I understand that in 2012 NAWAC agreed and suggested a study should be completed to dispel any myths around the process of tail banding, yet to date, this has not been carried out by NAWAC so I am surprised that this proposal has taken shape.

I understand that MPI partly funds both the RSPCA and NAWAC, yet they are both major stakeholders in writing this proposal which I see as being extremely one sided and is not factual. I also understand that the governing body of the professional dog world Namely the NZKC has over 6000 members, but NZKC were not included as a major stakeholder when writing these proposals and nor are they funded by the Ministry.

I understand that over 170 countries do not ban the tail shortening procedure however these countries are not spoken about in any documentation produced by MPI.

I understand that breed specifics are not taken into account when this proposal was documented and the groups largely involved in writing these have dealings mainly with crossbred non-pedigree (no registration with the NZKC) dogs. I would sincerely question the stakeholder's ability to answer such detailed questions around form and function of a specific breed for the purposes of this proposal.

I understand that another major stakeholder is an offshoot of the RSPCA namely HUHA. This group also deals with crossbred non-pedigree dogs yet they felt qualified to once again offer their opinion on pedigree dogs and the reasons for tail shortening.

I understand that there is currently a process in place for the SPCA to act on individual cases that perform a tail shortening procedure illegally on a litter of non-registered NZKC members neonate puppies, however in the last 4 years apparently there were only 2 cases where the SPCA has acted on this information.

61. The proposed regulations states: Front limb dew claw removal and articulated (jointed) hind limb dew claw removal:

Must be performed by a veterinarian or a veterinary student under the direct supervision of a veterinarian;

Must only be performed for therapeutic reasons; and

Pain relief must be used at the time of the procedure

Hind limb dew claws: non-articulated (greater than or equal to four days of age)

Must be performed by a veterinarian or veterinary student under supervisions; and

Pain relief must be used at the time of the procedure.

I disagree with this proposal in its entirety and advocate for the status quo and these are my reasons:

When performing a dew claw removal, I complete this process in a neonate puppy 4 days of age or under. At this time it is a well-recognised fact that the toes and tail are the last part of the neonate puppy to calcify and develop into bone. The neonate dewclaw is removed

without cutting through bone (has not calcified) and does not bleed when performed correctly.

No other country in the world has proposed this procedure should not be practiced as the health and welfare of the dog will be compromised.

As a Veterinary Nurse for almost 40yrs, professional dog breeder and caretaker of my chosen breed, I am fully versed in the damage that a dew claw can cause to the dog if left on. In my occupation, I have seen many injuries to dog due to their dewclaws being left on.

I understand that breed specifics are not taken into account when this proposal was documented and the groups largely involved in writing these have dealings mainly with crossbred non-pedigree (no registration with the NZKC) dogs. I would sincerely question the stakeholder's ability to answer such detailed questions around form and function of a specific breed for the purposes of this proposal.

I understand that another major stakeholder is an offshoot of the RSPCA namely HUHA. This group also deals with crossbred non-pedigree dogs yet they felt qualified to once again offer their opinion on pedigree dogs and the reasons for dew claw removal.

I understand that MPI partly funds both the RSPCA and NAWAC, yet they are both major stakeholders in writing this proposal which I see as being extremely one sided and is not factual. I also understand that the governing body of the professional dog world Namely the NZKC has over 6000 members, but NZKC were not included as a major stakeholder when writing these proposals and nor are they funded by the Ministry.

In my profession as a Veterinary Nurse/Groomer/Boarding Kennel owner and operator, as well as injuries, I have witnessed many incidents of dew claws growing back into the skin of the dog as the pet owner doesn't understand how to trim the nails and often as the dog is of a coated variety, they are not aware of a dew claw being present.

I understand that not all front dew claws are articulated and once again the breed specifics have been ignored in this instance and MPI have been advised incorrectly.

I have been told that the Groomers Association have not been contacted for information from their large membership to dispel the myths displayed in the proposed regulation and I further understand that the largest governing body (and only – NZKC) have also not been included in the proposal to not allow this process to remain as is.

Kaye Lord

Sent from my iPhone

Out of Scope

From: Gerry Booth <s 9(2)(a)>
Sent: Thursday, 19 May 2016 3:34 p.m.
To: Animal Welfare Submissions
Subject: SUBMISSION ON ANIMAL WELFARE REGULATIONS
Attachments: submission to mpi litter in sheds FINAL COPY.docx

Please find attached my submission on the animal welfare act

Matthew J Quested

WHANGARIPO EGGS LIMITED

1239 Whangaripo Valley Road
RD2, Wellsford, 0972

s 9(2)(a)

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WHANGARIPO EGGS LTD

1239 WHANGARIPO VALLEY RD

RD2 WELLSFORD

18/5/2016

Dear Sir/Madam

Submission on animal welfare regulations

I am the owner /operator of a free range layer farm located in the Wellsford district.

My submission relates to the proposed Animal Welfare Regulations section 19 'Layer Hens-Housing and equipment design subsection Barns [vii]

In this section the code requires that the hens must have access to friable litter 'at all times' for them to be able to forage, dustbathe and scratch. This should be amended to 'During daylight hours' as chickens do not scratch, dust bathe or forage in the dark.

There has been a great deal of scientific research into the behaviour of chickens. The research into dust bathing shows conclusively that chickens will dust bathe by choice around the middle of the day and prefer to carry out this activity in the natural sunlight.

." Hens kept in free range or deep litter show dust bathing behaviour every other day the whole year round with a mean dust bathing duration of 20 min (Fölsch, 1981, Vestergaard, 1982, van Niekerk and Reuvekamp, 2000) to 27 min (Engelmann, 1983, Petermann, 2006). This behaviour usually is performed in the middle of the day with a peak between 12:00 p.m. and 1:00 p.m. (Vestergaard, 1982) and therefore shows some kind of diurnal rhythm. Hens often dust bathe together at the same time (Abrahamsson et al., 1996, Sewerin, 2002) and are highly motivated (Lindberg and Nicol, 1997). Dust bathing can therefore be seen as a social behaviour (van Rooijen, 2005)."

Free range farms allow the birds access to an outside range. The range allows them to scratch, forage and dustbathe in a more natural environment than litter inside a shed, which is in a large part made up of their own excrement and can present a far higher health hazard than the range. When the weather is inclement the Hens can use the winter garden which is a sheltered area with litter which they also have access to daily.

Therefore there is no need for the hens to have litter inside the sheds as in a free range situation, they have access to it on a daily basis and at all times that they require it.

The location of the litter outside of the shed allows the environment inside the shed to be more pleasant for the Hens as they will not be exposed to the dust and disease from faecal material. This is one of the arguments used by NAWAC to justify the use of cages in the 2005 Layer hen welfare code.

To sum up, my submission is that the wording in section 19 of the Layer welfare code should be amended. "At all times" should be replaced with "During daylight hours" as Hens do not use litter at night time as they are sleeping, and this amendment would in some systems allow for an improvement of the Hens welfare without lowering their physiological and ethological wellbeing.

Yours faithfully

Matthew J Quested

Whangaripo Eggs limited

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Out of Scope

From: Daryl Sykes <s 9(2)(a)>
Sent: Thursday, 19 May 2016 3:41 p.m.
To: Animal Welfare Submissions
Subject: NZ Rock Lobster Industry Council Submission
Attachments: Animal Welfare2016.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

Please find attached the NZ RLIC submission on *Proposed Animal Welfare Regulations*.

Daryl Sykes

Executive Officer
NZ Rock Lobster Industry Council
Private Bag 24-901
Wellington 6142
New Zealand

s 9(2)(a)
www.nzrocklobster.co.nz

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NZ ROCK LOBSTER INDUSTRY COUNCIL

Ka whakapai te kai o te moana

PRIVATE BAG 24-901 WELLINGTON 6142
64 4 385 4005 PHONE
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lobster@seafood.co.nz

Proposed Animal Welfare Regulations (Care and Conduct and Painful Procedures)

18th May 2016

Summary

The NZ RLIC recommends that:

Generally

- (1) That regulations pertaining to rock lobsters (*Jasus edwardsii* and *Sagmariasus verreauxi*) do not impede or compromise industry best practice in relation to the catching, handling and transportation of live rock lobsters to domestic and/or export markets.
- (2) That the Section 12 Regulatory Proposal referenced to the current Commercial Slaughter Code of Welfare 2010 be amended as follows:
Crabs, rock lobsters, and crayfish that are not immediately destroyed at time of capture must be rendered insensible before being killed.
- (3) That the proposed references to ways in which crabs, rock lobsters and crayfish can be rendered insensible be removed from regulation.
- (4) That clarity be given to the species description in regulations. Rock lobsters are not 'crayfish' and nor are 'crayfish' rock lobsters. It is not clear that the Code or the proposed regulations distinguish between them. If the reference is to freshwater crayfish (koura/marron) then that should be clarified.

Introduction

1. The NZ Rock Lobster Industry Council (NZ RLIC) welcomes the opportunity to submit on the *Proposed Animal Welfare Regulations (Care and Conduct and Painful Procedures)*.
2. The NZ RLIC is an umbrella organisation for the nine commercial stakeholder organisations, known as CRAMACs, operating in each of the nine rock lobster (CRA) management areas of New Zealand. CRAMAC membership comprises CRA quota owners, processors, exporters, and fishermen in each region. All nine CRAMACs hold a significant majority mandate of CRA quota shares owned.

3. New Zealand produces 2800 tonnes and exports approximately 2600 tonnes of rock lobsters in every season. Currently, annual export receipts are valued in excess of \$300 million.
4. The rock lobster industry has a strong interest in animal welfare – the value of the industry is based on producing the highest quality product for domestic and export markets. It is important to the industry that regulations replacing the long established Welfare Codes do not impede or compromise industry best practice in the capture, handling, holding and transportation of rock lobsters.
5. The NZ RLIC has constrained this submission to Part B of the MPI Discussion Paper 2016/12, specifically the proposed wording:

10.2(12) Crabs, rock lobster, and crayfish – Insensible before being killed.

“Crabs, rock lobster, and crayfish that are captured but not imminently destroyed, must be chilled to 4 deg. C or less, or be electrically stunned, or be otherwise rendered insensible before being killed”.


6. Given that the proposal in the Discussion Paper is only a description of the intent of the regulation and not necessarily the final text, the NZ RLIC considers that the wording can be simplified in order to best achieve the intended welfare objective. The current Code of Welfare provides specific guidance as to how the primary objective might be achieved but it is not necessary in our view for the regulation to specify the means by which lobsters can be rendered insensible.
7. We request that in drafting the final regulation that the scope and intent is clear and unambiguous – that the regulation should only apply to crabs, rock lobsters, and crayfish that have been held alive in captivity prior to being killed for further processing or consumption.
8. Our recommended wording for 10.2(12) is as follows:

Crabs, rock lobsters, and crayfish that are not immediately destroyed at time of capture must be rendered insensible before being killed.

9. That wording gets to the heart of the welfare issue. It does not matter what means are used, the baseline requirement is that subsequent to being landed, lobsters are rendered insensible before being killed. The inherent flexibility as to method ensures that already-established slaughter protocols can be maintained and that deviation from industry best practice can be prosecuted if required.

Yours sincerely

NZ Rock Lobster Industry Council



Executive Officer

Out of Scope

From: Barry Helem <s 9(2)(a)>
Sent: Thursday, 19 May 2016 3:42 p.m.
To: Animal Welfare Submissions
Cc: Ross Blanks s 9(2)(a)
Subject: NZCAC submission on MPI proposed regulations
Attachments: NZCAC submission MPI Animal Welfare Regulations May 16.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

Submission from the New Zealand Companion Animal Council attached.

Regards

Barry Helem Chair

s 9(2)(a)



THE NEW ZEALAND
COMPANION ANIMAL
COUNCIL INC.

www.nzcac.org.nz



Submission on the Proposal for Animal Welfare Regulations

The New Zealand Companion Animal Council (NZCAC) submission is from a position that aligns to one of our core objectives to; *"facilitate a harmonious relationship between companion animals, people and the environment"*. In that regard our comments are limited to those relevant areas of the proposed regulations.

It is the NZCAC's view that the proposed regulations must fit clearly and seamlessly within all of the recommendations and minimum standards. All potential for contradiction between the two must be eliminated. There must be a clear delineation between the educational and informative aspects of the Codes and the regulatory aspects of the Codes. Where the regulations are to be enforceable there must be absolute clarity from infringement to prosecution level.

These regulations should also ensure that Cat Colony carers must have the same responsibilities of ownership as Private Owners.

Item 4.1.1 Infringement.

In reality the area where infringement notices are most wielded is where harm or suffering has already been part of the landscape. NZCAC's view is that there should be more flexibility with the fines to enable 'significant' fines. This would add a level of future-proofing for inflation. Suggestion on infringement tiers; \$300, \$500, \$1000 & \$2000.

These can be used for lower level offending, but by the time infringement fines are issued, often many warnings have already been issued. There is a significant hurdle (both in resource & finance) to bring prosecutions for SPCAs and this will help bridge that gap.

Page 20: Question 15-17

The simpler and clearer the codes are and the more time spent on ensuring they fit around the regulations with clarity, the less often the Codes will need to be revisited. In each case the regulatory aspects must fit within the codes or at least ensure that there is no room for contradiction or confusion (i.e. is the use of 'MUST', 'SHOULD', 'SHALL' the best model for this?). The main question to answer within the codes and regulations is that if a care giver of animals is not following a recommendation, is it a prosecution, an infringement or a warning? Maybe everything outside of this should be separately delineated as 'Information only' to avoid confusion. NZCAC accepts that the codes have to date been intended as informative and educational documents as well.



Question 4. Dogs – Pinch and prong collars

We support the proposal to prohibit pinch and prong collars.

5. Dogs – injuries from collars or tethers

We support the proposal, but we think the wording of the regulation should be changed to also reflect that dogs should not be chained or tethered unsupervised without water or shelter.

6. Dogs – Muzzling a dog

We support the proposal, but the regulation should state that a dog must be able to drink unless under direct human supervision at the time when deploying a muzzle for safety reasons. The proposed restrictions are fine if a dog is left unsupervised. There may be short periods where such muzzles are warranted for reasons of safety, conservation or other.

7. Dogs – Dry and shaded shelter

We support the proposal but the punishment (infringement) is not enough for non-compliance. It is an animal's core right. This should be enforced (species by species) with the options of a prosecutable regulation offence that can include a criminal conviction.

8. Dogs – Left in vehicles

We support the proposal.

9. Dogs – Secured on moving vehicles

We support the proposal, but think that the wording of this regulation should be amended to include dogs being secured inside a moving vehicle.

10. Dogs and Cats – Drowning dogs & cats

We support the proposal, but this regulation should apply to all species.



SECTION 12: Surgical and Painful Procedures Regulatory Proposals

The NZCAC supports the proposals.

We do not support veterinary nurses carrying out significant procedures in veterinary clinics (such as castrations), even under the supervision of a veterinarian. This should be stated in the regulations for surgical procedures.

Pain relief (Pages 75 – 76)

It is understood that providing veterinary oversight enables any new knowledge emerging in the field of post procedural pain relief can be instituted as it comes to hand. It is a complex area where there is a fine line between mitigating pain in animals whilst ensuring there is sufficient residual discomfort for the animal to restrict its movements a little where it is important for healing and recovery. The issue of providing pain relief to other persons to administer is also best left to Veterinarians who have overarching audit by the Veterinary Council to ensure that they are using best practice stewardship of the medications and transferring the knowledge and information required to the administer of pain mitigation.

RELEASED UNDER THE OFFICIAL INFORMATION ACT 1982

Out of Scope

From: Michael Brooks <§ 9(2)(a)>
Sent: Thursday, 19 May 2016 3:39 p.m.
To: Animal Welfare Submissions
Subject: Submission on Animal Welfare Regulations
Attachments: animal welfare regs submission - 19 May 2016 FINAL.docx

Importance: High

Follow Up Flag: Follow up
Flag Status: Flagged

Please find attached a copy of the EPFNZ / PIANZ submission on the Proposed Animal Welfare Regulations (Care & Conduct and Surgical & Painful Procedures)

Cheers

Michael Brooks
Executive Director
Poultry Industry Association of New Zealand
96D Carlton Gore Road
Newmarket, AUCKLAND 1023
www.pianz.org.nz
Egg Producers Federation of New Zealand www.eggfarmers.org.nz
New Zealand Feed Manufacturers Association www.nzfma.org.nz

§ 9(2)(a)

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**Submission on the
Proposed Animal Welfare Regulations
(Care & Conduct and Surgical and Painful Procedures)**

MPI Discussion document - Paper No: 2016/12

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2. Background
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1. **Poultry industry Association of New Zealand Inc. (PIANZ) and Egg Producers Federation of New Zealand Inc. (EPFNZ)**

PIANZ is the voluntary trade association representing New Zealand poultry meat producers and processors. Poultry meat production covers all species including chicken, duck, turkey, pheasant, quail and poussin. Approximately 99% of industry participants, as measured by volume of production, are members of PIANZ.

The New Zealand poultry meat industry is vertically integrated. Poultry birds are owned by processing companies and are raised by farmers who are contracted to the poultry meat companies. Over 111 million poultry meat birds are raised each year on 168 farms. Currently New Zealanders eat over 40 kg of poultry meat per person per year and chicken meat is New Zealand's number one meat protein.

The Egg Producers Federation of New Zealand Inc. (EPFNZ) is the trade association representing commercial egg farmers in the barn, cage, free-range and colony production systems. The EPFNZ is funded under the Commodity Levies Act with 61% of its funds being used for the generic promotion of egg consumption.

Egg consumption by New Zealanders is high by world standards at 227 eggs per person per year. There are 150 egg farms from Invercargill to Kaitia and a current flock of 3.6 million birds.

The poultry meat industry and egg industry are primarily domestic-focused but there is a growing export market, particularly for poultry meat. The export sector has grown by 166% in the last three years to a current value of over NZ\$100,000,000 (year ending December 2015), with projections for substantial further growth.

Hatchery companies based in South Auckland, Taranaki and Horowhenua provide the birds for both the layer and meat industries. They are also the primary source of exports of day-old chicks for both the poultry meat and egg industries in the Pacific Islands and increasingly to Asia, with major plans in place for expansion of this trade. The hatcheries have an exemplary record in their commitment to, and compliance with, welfare regulations for export.

PIANZ and EPFNZ:

- Provide a collective voice for New Zealand's poultry meat and egg farmers and processors
- Provide expertise on technical issues facing the industry
- Act as a conduit between regulators and industry.

2. Background

Animal welfare is a critical issue to the members of PIANZ and EPFNZ.

PIANZ ensures its members have all possible information on the relevant Codes of Welfare, i.e. the Animal Welfare (Meat Chickens) Code of Welfare 2012 and the Commercial Slaughter Code of Welfare 2010. This includes supplying hard copies and online copies of the Code of Welfare plus laminated posters of the Minimum Standards of the Meat Chicken Code of Welfare for use on-farm.

PIANZ has established Level 2, 3 and 4 NZQA qualifications for industry training with a major focus on animal welfare. PIANZ member companies have made attainment of the Level 2

qualification a compulsory requirement for supplier contracts with processing companies, and there is currently close to 100% attainment of the Level 2 qualification by New Zealand poultry meat farmers.

PIANZ has contracted international welfare training organisations to provide training courses that raise standards and expertise in animal welfare.

PIANZ has produced a video for use by MPI verifiers and PIANZ company staff at processing plants to assist in ensuring compliance with the Commercial Slaughter Code of Welfare. Company livestock managers and veterinarians regularly audit farms for on-farm welfare compliance.

Regular audits from customer companies are also a feature of both industries, with some customer companies having standards more stringent than the Codes of Welfare.

EPFNZ also ensures that its members have all possible information on the relevant Code of Welfare, i.e. the Animal Welfare (Layer Hens) Code of Welfare 2012. All members have a hard copy of the Code of Welfare plus access to online copies and laminated posters of the Minimum Standards of the Code. The EPFNZ also encourages its members to obtain Level 2, 3 and 4 NZQA qualifications. A recent change in the flexibility of service provision by training providers has seen an increased uptake in egg farmer training. The EPFNZ has helped fund and promote training days throughout New Zealand for members in 2015. Animal welfare was a feature of these training days.

The egg industry is unique in New Zealand in that Risk Management Programme (RMP) inspections under the Animal Products Act are conducted on-farm. All egg farms are thus inspected for compliance to the RMP by MPI verification staff at least once a year and, if involved in further processing or export, on a number of occasions during the year. MPI verifiers are accredited animal welfare inspectors, and animal welfare checks on animal welfare oversight are also a feature of these visits.

Once again, as with the poultry meat industry, a number of customer companies also conduct audits on egg farmers that include stringent animal welfare audits.

A survey undertaken by MPI on the knowledge of animal welfare requirements across all agricultural sectors saw the poultry meat and egg industries as being the leaders in this area.

Compliance activity by MPI demonstrates an extremely low level of animal welfare breaches by the poultry meat and eggs sectors.

3. Proposals

The proposals set out under Section 10.0 - Care and Conduct Regulatory Proposals that are relevant to layer hens are:

- 17 - Opportunity to express normal behaviours in housing systems
- 18 - Stocking densities
- 19 - Housing and equipment design
- 20 - Induced moulting.

Further comment will be made on those proposals.

There are three proposals set out under section 12 that relate to birds/poultry/roosters but are not, and have not been, a feature of the New Zealand commercial poultry industry. They are:

- 82 - Pinioning or otherwise de-fighting a bird
- 83 - Dubbing
- 85 - Caponising (rooster castration).

PIANZ and EPFENZ support the proposals 82, 83 and 85 and believe that the regulations will help in addressing these matters and that the proposed penalties are appropriate. The objective and clear wording of the proposals means that strict liability is appropriate for these matters. There is clarity as to the prohibited conduct.

4. Compliance and enforcement regime

The above-mentioned Proposals 17, 18, 19 and 20 are seen as prosecutable offences under the regulations, with fines up to \$5,000 per individual and \$25,000 per body corporate and a criminal conviction.

The Discussion document proposes that a prosecutable offence is more serious than an infringement offence and may result in criminal conviction. Furthermore it is an activity that

has caused moderate harm to an animal or group of animals and therefore differs from an infringement, which is about the potential harm an activity could cause. The EPFNZ and PIANZ agree with this summary and therefore support the proposal for prosecutable offences subject to comments made later in this submission.

The key issue for EPFNZ and PIANZ is that the paper proposes that both infringements and prosecutable offences are to be deemed strict liability offences, and thus there is no requirement for the mental element, e.g. intention, knowledge or recklessness, generally required in an offence. The prosecution is only required to prove the prohibited conduct. This is a major issue to take into consideration where a criminal conviction may arise and substantial fines are involved.

The paper does note that for some of the proposed offences a mental element could be included in some of the proposed offences.

Proposal 17 - Layer hens – Opportunity to express normal behaviours in a housing system is based on Minimum Standard No. 12 in the Layer Hen Code of Welfare 2012 and the amendment notice dated 2013. The wording is clear and objective. There is clarity as to the prohibited conduct. Therefore the EPFNZ has no issues with Proposal 17 and regulations arising from it being a strict liability offence.

Non-compliance is likely to compromise the welfare of thousands of birds and the regulation will mean that transition is directly enforceable. Therefore Proposal 17 provides a level playing field for all egg producers in that all farmers will have to meet the same standards and has been actively sought by the EPFNZ. The EPFNZ therefore supports Proposal 17.

Proposal 18 - Layer hens – Stocking densities has wording that is clear and objective. It is based on Minimum Standard No. 6 in the Layer Hen Code of Welfare. The regulation will enable enforceability and provide a level playing field for egg producers, and it is an outcome that has been actively sought by the EPFNZ. There is clarity as to the prohibited conduct. Proposal 18 is therefore appropriate for a strict liability offence. The EPFNZ supports Proposal 18.

Proposal 19 - Layer hens – Housing and equipment design is based on Minimum Standard No. 4 in the Layer Hen Code of Welfare. The EPFNZ submits that Proposal 18 raises issues in

respect of it being deemed a strict liability offence. This is due to the wording under the subheading of Barns in the Minimum Standard.

Barns - (i), (ii), (iv), and (ix) are subheadings in Minimum Standard No. 4 where words and phrases such as "adequate", "undue competition", "suitable", "easily" and "minimise" are used. These are not clear and objective and therefore do not provide clarity as to the prohibited conduct. Such subjective phrases are not appropriate where strict liability offences apply. Either the words must be made clear and objective or it would be appropriate to incorporate a mental element into the offences that relate to this Proposal.

Subject to these issues being addressed the EPFNZ supports Proposal 19.

Proposal 20 - Layer hens – Induced moulting is based on Minimum Standard No. 15 in the Layer Hen Code of Welfare. The wording is clear and objective. There is clarity as to the prohibited conduct. Proposal 20 is therefore appropriate for a strict liability offence.

The EPFNZ supports Proposal 20.

5. Questions

Question 1 - EPFNZ and PIANZ see no reason why changes to the Act should not be brought in to force at the same time as the regulations.

Question 2 – Yes.

Question 3 - not at this time although transport matters could be considered.

Question 4 - EPF and PIANZ believe this is a matter that needs more thought and consideration.

Question 5 - not in the areas relevant to commercial poultry.

Question 6 - see above.

Question 7 - PIANZ and EPFNZ think there could be wider use of non-regulatory mechanisms as shown by the example of the New Zealand Veterinary Association and the dairy industry.

Question 8 - the proposed regulations will not change the way the industry is currently operated, but will give confidence to the wider poultry sector that all participants are meeting the same standards.

Question 9 - strict liability requires certainty and clarity and therefore the wording of the regulations must be truly objective.

Proposal 19 re housing equipment and design for laying hens has a series of subjective phrases and words, and these must be addressed before a strict liability offence is put in place. This is commented on earlier in the submission.

Question 10 - see above.

Question 11 - the inclusion of a mental element is a matter that needs consideration in the view of PIANZ and EPFNZ, particularly in relation to Proposal 19.

Questions 12 and 13 - relate back to the comments already raised in relation to proposal 19.

Question 14 - no lead-in time is required for relevant Layer hen Proposals, i.e. 17, 18, 19 and 20.

Question 15 - the subjective wording needs to be addressed, in particular for Proposal 19.

Question 16 - see above.

Question 17 – see above.

Question 18 - the areas relevant to the layer hen industry, in particular Proposals 17 and 18 are best addressed by good compliance action undertaken by MPI Compliance. Proposals 82, 83 and 85 are not practised in the New Zealand commercial poultry industry, but are matters that should be addressed by regulators with the fancy breed poultry sector.

Michael Brooks
Executive Director

Egg Producers Federation of New Zealand (EPFNZ) / Poultry Industry Association of New Zealand (PIANZ)

Alison Kollenberg

Email: s 9(2)(a)

Web: www.nordenstamm.org

Submission on Animal Welfare Regulations

I am writing to you as I wish to make a submission about the proposed legislation covering prong collars.

I have 40 years experience in dog behaviour with considerable practical experience in training working dog breeds. Therefore, my qualifications and experience place me in a strong position to have a valid opinion, based on facts, about the use of this training tool.

My qualifications and experience

My relevant background and experience is as follows:

- 40 years as a professional dog trainer and international competitor in 3 countries
- 3 x Australian National Sporting Dog Champion, amongst many other top canine competition titles and awards in different countries including a Gold Medal Winner. Between the years 1986-2014 I titled 22 working dogs from 4 different breeds (Dobermanns, German Shepherd Dogs, Rottweiler and Malinois) in German and Australian club trials with multiple National, State, and H.O.T. (Handler/Owner/Trainer) Championships to my name, including numerous High in Trial, High Tracking, High Obedience and High Protection Dog awards in 2 countries.
- Certified as a Preferred Breeder to the RAAF (Royal Australian Air Force) military working dog program.
- Supplier for Australian Federal Police and Rapid Response Police Service Dog Squads.
- Former Secretary, Executive and Training Officer in multiple chapter clubs as well as two National Sportdog Organizations. (Gold Coast Sportdog Club Inc., Queensland Dobermann Club (ANKC), DV.eV Kiel (Germany), SV.eV Steinburg, United Dobermann Club - of the American Working Dog Association, Australian United Sportdog Clubs, Schutzhund Australia Inc.) Decades of experience in instructing obedience classes and giving private consultations for training and behaviour problems
- Given training seminars in 3 countries and attended numerous training seminars in Australia and Germany held by canine experts. Plus the former production editor of Dogsport Australia as well as the Schutzhund Australia webmaster.
- Since 1985 I've written numerous breed articles and articles on canine character testing and evaluation/or related working dog topics, published in several (in Britain, South Africa, Germany, Holland, Australia, the USA and Russia) international magazines as well as contributing the bulk of the original material used in the two Dutch breed books, " *In the Beginning...* " and, " *100 Dobermann Dogs and Bitches.* "

Why corrections are necessary in dog training

I believe that prong collars are useful, effective and humane training tools when used appropriately as all training tools should be used.

Training a dog effectively so that it is genuinely under control under any circumstance should ideally be done by all responsible dog owners in modern society. In order to achieve this

control it is necessary to both reward desired behaviours of the dog, as well as correcting or suppressing undesirable behaviour. It is a fallacy to think that no type of corrections could ever be given and still have a dog completely under control in all circumstances.

The principles of how to apply appropriate schedules and types of rewards and corrections are part of psychological learning theory, which have been established through many years of scientific research and experimentation. These principles clearly show that both rewards and corrections/punishments have a valid role in training animals to be reliable, under control and safe, and that it is possible to do this humanely and without damaging the animal in any way if done correctly (consistent with learning theory principles).

Why prong collars are useful tools

Individual dogs vary as to how sensitive they are. This has important implications for training. A dog only needs the level of correction necessary for its temperament and situation in order to make the behaviour under question undesirable (e.g. running away when called). A very sensitive dog (e.g. border collie) may be sufficiently corrected by a harsh word and a short tug on a leash. However, some individual dogs (in all breeds, but most frequently in the large, powerful, highly motivated working breeds) can be physically insensitive and less responsive generally. And being large, active breeds it is even more important that these types of animals are under the complete control of the owner in all circumstances.

Corrections from the use of prong collars can be useful with powerful or insensitive dogs. These collars do not require the strong force and physical impact that is frequently given by the use of the choker chain (the standard training collar in Australia). By comparison, using a prong collar is similar to using a bit and bridle on a horse rather than just a head halter. The correct use of prong is humane and effective, enabling trainers to avoid harsh, physically traumatic corrections and over corrections that is common with less effective collars.

Who uses these collars?

Prong collars are widely used and accepted in North America and Europe by all types of people, ranging from simple owners of household pets to highly experienced professional trainers. In fact, in European training clubs and within the mainstream populations generally the prong collar is more often than not the standard training collar rather than the choker chain.

These collars are also used by police, military and service dog trainers all around the world. For example, the Los Angeles Police Department conducts its training with the use of prong collars and deploys all its police dogs into operational situations while wearing these collars. Many animal behaviourists will also use prong for the treatment of certain dog behaviour problems including eliminating inappropriate aggression. Even assistance dogs for the handicapped are frequently trained with the use of prong collars.

Many different people in Australia are now utilising the benefits of these collars to improve and reform their dog training practices. For example, a number of police dog squads in Australia and New Zealand use prong collars.

Potential for abuse?

Sometimes training tools can be abused by the wrong people or by the use of incorrect techniques. Training tools themselves are not the cause of training abuses. Abuse can occur

with any training tool, or even with no tools. For example, a few years ago a police dog handler in England was jailed for kicking his police dog to death when it was disobedient.

Abuse is no more likely with prong collars than abuse that can result from using other training tools, such as choke collars which are commonly accepted training collars. In fact choke collars are more likely to result in physical trauma from strong corrections than prong collars. One of the main benefits of both prong collars is that an aversive stimulus can be applied to correct a dog for unacceptable behaviour *without* the possibility of physical trauma such as is routinely applied with repetitive choke collar corrections.

Who should train with prong collars?

The specific techniques for using prong collars are no different to that of choke collars, which are commonly accepted and in use in this country. The prong collar is more likely to be effective and less likely to result in physical trauma than choke collars. Therefore there should be no restrictions on prong collars.

Veterinarians are not dog trainers and to expect them to have the skill and knowledge to safely and effectively use a prong collar is not realistic. The training to become a vet does not give these people sufficient knowledge and skill in dog training. There are many people in our country far more skilled at dog training and the application of corrections or aversive stimuli when training dogs than vets. As well, many of these trainers are not necessarily members of the standard kennel club associations.

Conclusion

Prong collars are useful, effective and humane training tools when used appropriately and should be readily available to enable people to have the best options for training their dogs. It is very important that all dogs are appropriately trained and effectively under the control of their owners in today's society.

Yours sincerely,

Alison Kollenberg
Chief Training Officer
Working Malinois Australia Inc.
www.workingmalinoisaustralia.com

From: Neil & Kathryn Debenham s 9(2)(a) >
Sent: Thursday, 19 May 2016 3:22 p.m.
To: Animal Welfare Submissions
Subject: Submission on the Animal Welfare Regulations

Re Proposed Animal Welfare Regulations
MPI Discussion Paper No 2016/12

Kathryn Debenham

s 9(2)(a)

19th May 2016

Submission on the Animal Welfare Act Review

To whom it may concern

As a dog lover, and owner of a long coated breed; I would like to put forward my submission on the following.

Item 61. Dogs - Dew claw removal I request that this continues to be allowed in NZ as is the current approved practice. By accredited practitioners.
Performed correctly there is no bone cut though, there is no bleeding. Breeders are scrupulously conscious of sterile conditions so there is very limited chance of infection.
Dew claw's not removed and damaged or ripped as an adult cause excruciating pain and would require major surgery to remove. I view their removal as a new born a preventative for the future well-being of the pup.
In a long coated breed, many dew claws are forgotten by pet owners and if left can end up causing horrific injury to the dog. They can tangle in coat very easily and cause discomfort to the dogs if left unchecked. I have seen quite a few of my breed where the dew claws have been forgotten about and have grown long enough to dig into the leg of the dog and need surgery for removal.

Item 62. Dogs - Tail docking I request that this continues to be allowed in NZ as is the current approved practice. By accredited practitioners.
The Accredited Banders Scheme which follows strict guidelines and is strictly audited by the NZ Kennel Club to ensure compliance with agreed protocols and current Code of Animal Welfare.
Gundog breeds with long whippy tails historically docked would commonly injure their tails while hunting through vegetation and thick scrub or today in everyday life pursuits. Their fast tail action often leads to splitting or tearing and bleeding which is painful and extremely difficult to treat. Because of the long thin tail, the end has very poor circulation which makes healing difficult and prone to infection.
All Tails are not created equal. E.G. the GSP's tail like many of the Versatile Gundog breeds, is not covered with a long coat with which to pad the tail, and as it is very thin if left undocked, is an accident waiting to happen. So historically the fore fathers of the breeds where aware of this weakness and docked accordingly for the well being of their dogs. Undocked they would be very

prone to damage in the dogs environment be this rural or urban. The only resolution for an undocked adult Versatile dog suffering from chronic tail damage is a painful and traumatic amputation which as an adult is major surgery to remove.

Undocked, the interaction of the tail conformation, breed activity and the environment causes increased risk of injury through the life of these breeds.

The Shortening of the weak portion of the tail humanely at a few days old eliminates the risk of injury. By shortening but still retaining a substantial tail occurs once and protects against chronic pain and discomfort for life, typically 12 to 15 years.

The NZVA research study that found little evidence of tail damage in dogs in New Zealand is totally flawed because the dogs prone to tail damage are to date docked as newborns.

They also failed to acknowledge that there are in excess of 170 countries in the world that DO NOT have a ban on the docking/shortening of dogs tails, and there are countries which have had the ban now looking at reversing that decision ie Scotland.

I view Tail removal in a new born in the Gundog breeds historically docked, as a preventative measure for the future health and well being of the pup. The same as I view Dew claw removal and vaccinations for the dog's future well being. So for the welfare of working gundog's breeds in NZ, I ask that you consider this practice to continue to be allowed.

Thank you for taking the time to read this submission.

Regards,

Kathryn Debenham

291

Out of Scope

From: Maurice Olnier s 9(2)(a)
Sent: Thursday, 19 May 2016 2:55 p.m.
To: Animal Welfare Submissions
Subject: Submission on Animal Welfare Regulations

I am in full support of docking certain breeds of dogs, as I have been witness to 2 dogs of different breeds that are usually docked actually breaking their tails. I know that this caused more pain than being professionally docked as a pup.

I also am aware that if docking is going to be outlawed, then you will start to get certain people doing it illegally which will cause more pain and distress to the dogs than getting it done properly.

Yours

Sincerely

Maurice Olnier

s 9(2)(a)
[Redacted]
[Redacted]
[Redacted]
[Redacted]

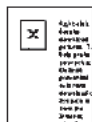
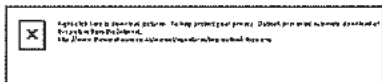
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Out of Scope

From: Maurice Olnier <s 9(2)(a)>
Sent: Thursday, 19 May 2016 3:10 p.m.
To: Animal Welfare Submissions
Subject: FW: Submission for Animal Welfare Regulations
Attachments: 18th May 2016.docx

From: s 9(2)(a)
To: s 9(2)(a)
Subject:
Date: Thu, 19 May 2016 03:08:26 +0000

Maurice Olnier | s 9(2)(a)



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18th May 2016

Animal Welfare: Proposed Regulations

Maurice Olnier

§ 9(2)(a)

My feedback:

62. The proposed regulation states: Must be performed by a veterinarian or a veterinary student under the direct supervision of a veterinarian.

Must only be performed for therapeutic reasons

Pain relief must be used at the time of the procedure.

I think the proposal is totally one-sided and I am very surprised that it could be written and circulated for discussion with such obvious and extreme bias.

I disagree with this proposal in its entirety and strongly advocate for the status quo and these are my reasons:

I am a member of the New Zealand Kennel Club (NZKC) and I am a registered owner of pedigree Dobermanns.

I support the New Zealand Council of Docked Breeds (NZCDB) and breeders using their services of NZCDB accredited members to shorten the tails on Dobermann litters.

The NZCDB as an organisation was established in 2004 and their membership is focussed on the welfare of tail shortened breeds. It operates as a fully audited and regulated group under the umbrella of the NZKC with the approval of the National Animal Welfare Advisory Committee (NAWAC).

I believe the current practice using accredited tail banders is far superior to previous methods, is not a surgical procedure, is performed in the home with no undue stress to the mother or to the puppies. MPI via this proposed regulation document acknowledges that there is considerable accredited and quality research that finds that the 'animal finds no pain at the time of the procedure'.

I am of the understanding that the procedure of tail banding (described by the NAWAC approved scheme) is vastly different from the process of tail amputation and I 100% advocate for tail banding by an accredited bander performing the tail banding procedure under the Animal Welfare Act (No2) 2015 and this is not a surgical procedure.

The Dobermann breed that I love and have been associated with for xxx years, are traditionally docked dogs that still perform their protection duties which is what they were originally bred for. In fact the Dobermann breed has a long and proud history that dates back to 1890 – pictures of Dobermann's date to 1909 with docked tails, so the breed in its current form is over a 100 years old.

In the current environment of home invasions and opportunist crimes of attack when out walking or jogging, the Dobermann as the protector is highly valued. A Dobermann is sleek and has nothing

that a would-be attacker can gain a hold of. It is clear that breed specifics were not taken into account when this proposal was documented. I was walking my Dobermann this morning at 5:10am and I had 2 people on bikes hoods up just riding around in circles on the road. I bent down and let the altie off him and he must have sensed something because he just stayed by my side and as we approached the 2 people they rode off down a bridleway. I believe that they recognised his breed by the fact that his tail was docked and his colouring and fled. If it hadn't been for him I think my morning walk could have had a bad ending.

I also have significant concerns about what will happen to the Dobermann Breed should the current proposal be adopted. The vast majority of current registered Dobermann breeders – who abide by all laws and regulations (Local & NZKC), ie: they register their dogs (with both local authorities & NZKC), they microchip their dogs, ensure they have the appropriate and necessary veterinary/medical attention in a timely manner and carefully plan mating's and litters to ensure the betterment of the breed (and follow NZKC's accredited breeder programs, guidelines and regulations) – have indicated that they will not continue with the breed if Dobermanns are to have tails. My breeder is certainly one of those breeders, and with 35+ years in the breed they do not know of another Dobermann breeder in NZ who has openly stated that they will continue with Dobermann's with tails. So who will be left? The "backyard breeder" or "puppy farmer" who will step in to fill the gap. These deplorable individuals do not follow the rules and regulations now!! They don't register their dogs, they don't microchip them, they show no care for planning litters to better the breed, they don't seek appropriate veterinary/medical attention for their dogs/puppies (that's a cost!) they show no care for whom they sell puppies to, or that person's fitness to own a dog. In fact for these individuals the proposal would be a windfall benefit as they will make more money not removing tails and dew claws. New Zealand currently is battling a problem with dangerous dogs and dog attacks, one doesn't have to look far to see that inevitably the dogs at the centre of these problems are crossbreeds, often unregistered and often brought into the world not by someone thinking about temperament but someone looking to make a quick dollar.

If the current proposal is implemented then how on earth could this scenario be better for the breed, dog owners and all in the community than the current situation? This proposal has the very real potential to make matters far worse.

I also note that the proposal cites "Australia, Scotland, parts of Canada and Switzerland have banned tail docking"- I would implore you to look at what has actually happened to the numbers of dogs in traditionally docked breeds. The numbers have been decimated with some breeds close to 'dying out'. Other Dobermann breeders internationally are saying that they are lobbying their authorities to reverse the ban decision to encourage and enable the affected breeds to re-establish.

I also note that the proposal cites that a dog uses its tail for balance and communication from my long association with the Dobermann breed, I can confirm that a Dobermann with a docked tail has no difficulty in communicating with either humans or other dogs. Equally there is no effect regarding balance – the Dobermann is a strong agile breed.

To reiterate I disagree with the proposal in its entirety and strongly advocate for the status quo.

61. The proposed regulations states: Front limb dew claw removal and articulated (jointed) hind limb dew claw removal:

Must be performed by a veterinarian or a veterinary student under the direct supervision of a veterinarian;

Must only be performed for therapeutic reasons; and

Pain relief must be used at the time of the procedure

Hind limb dew claws: non-articulated (greater than or equal to four days of age)

Must be performed by a veterinarian or veterinary student under supervisions; and

Pain relief must be used at the time of the procedure.

I disagree with this proposal in its entirety and advocate for the status quo and these are my reasons:

I support Dobermann puppies having their front dew claw removal performed as a neonate puppy 4 days of age or under. The neonate dewclaw is removed without cutting through bone (has not calcified) and does not bleed when performed correctly.

Finally I appreciate the process and ability to be able to make my views known. I implore you to retain the status quo and allow the banding of tails using an NZCDB Accredited Bander and to remove dew claws on my beloved Dobermann breed.

I consider myself to be a caretaker of a dog breed that I love and admire for the purpose it was originally bred for and one that has a strong and proud history which to date is 126 years long. To leave this breed with a tail is to go against the very reason for its being, and is highly likely to cause more harm than good.

18th May 2016

Animal Welfare: Proposed Regulations

Maurice Olnier

s 9(2)(a)

My feedback:

62. The proposed regulation states: Must be performed by a veterinarian or a veterinary student under the direct supervision of a veterinarian.

Must only be performed for therapeutic reasons

Pain relief must be used at the time of the procedure.

I think the proposal is totally one-sided and I am very surprised that it could be written and circulated for discussion with such obvious and extreme bias.

I disagree with this proposal in its entirety and strongly advocate for the status quo and these are my reasons:

I am a member of the New Zealand Kennel Club (NZKC) and I am a registered owner of pedigree Dobermanns.

I support the New Zealand Council of Docked Breeds (NZCDB) and breeders using their services of NZCDB accredited members to shorten the tails on Dobermann litters.

The NZCDB as an organisation was established in 2004 and their membership is focussed on the welfare of tail shortened breeds. It operates as a fully audited and regulated group under the umbrella of the NZKC with the approval of the National Animal Welfare Advisory Committee (NAWAC).

I believe the current practice using accredited tail banders is far superior to previous methods, is not a surgical procedure, is performed in the home with no undue stress to the mother or to the puppies. MPI via this proposed regulation document acknowledges that there is considerable accredited and quality research that finds that the 'animal finds no pain at the time of the procedure'.

I am of the understanding that the procedure of tail banding (described by the NAWAC approved scheme) is vastly different from the process of tail amputation and I 100% advocate for tail banding by an accredited bander performing the tail banding procedure under the Animal Welfare Act (No2) 2015 and this is not a surgical procedure.

The Dobermann breed that I love and have been associated with for xxx years, are traditionally docked dogs that still perform their protection duties which is what they were originally bred for. In fact the Dobermann breed has a long and proud history that dates back to 1890 – pictures of Dobermann's date to 1909 with docked tails, so the breed in its current form is over a 100 years old.

In the current environment of home invasions and opportunist crimes of attack when out walking or jogging, the Dobermann as the protector is highly valued. A Dobermann is sleek and has nothing

that a would-be attacker can gain a hold of. It is clear that breed specifics were not taken into account when this proposal was documented. I was walking my Dobermann this morning at 5:10am and I had 2 people on bikes hoods up just riding around in circles on the road. I bent down and let the altie off him and he must have sensed something because he just stayed by my side and as we approached the 2 people they rode off down a bridleway. I believe that they recognised his breed by the fact that his tail was docked and his colouring and fled. If it hadn't been for him I think my morning walk could have had a bad ending.

I also have significant concerns about what will happen to the Dobermann Breed should the current proposal be adopted. The vast majority of current registered Dobermann breeders – who abide by all laws and regulations (Local & NZKC), ie: they register their dogs (with both local authorities & NZKC), they microchip their dogs, ensure they have the appropriate and necessary veterinary/medical attention in a timely manner and carefully plan mating's and litters to ensure the betterment of the breed (and follow NZKC's accredited breeder programs, guidelines and regulations) – have indicated that they will not continue with the breed if Dobermanns are to have tails. My breeder is certainly one of those breeders, and with 35+ years in the breed they do not know of another Dobermann breeder in NZ who has openly stated that they will continue with Dobermann's with tails. So who will be left? The "backyard breeder" or "puppy farmer" who will step in to fill the gap. These deplorable individuals do not follow the rules and regulations now!! They don't register their dogs, they don't microchip them, they show no care for planning litters to better the breed, they don't seek appropriate veterinary/medical attention for their dogs/puppies (that's a cost!) they show no care for whom they sell puppies to, or that person's fitness to own a dog. In fact for these individuals the proposal would be a windfall benefit as they will make more money not removing tails and dew claws. New Zealand currently is battling a problem with dangerous dogs and dog attacks, one doesn't have to look far to see that inevitably the dogs at the centre of these problems are crossbreds, often unregistered and often brought into the world not by someone thinking about temperament but someone looking to make a quick dollar.

If the current proposal is implemented then how on earth could this scenario be better for the breed, dog owners and all in the community than the current situation? This proposal has the very real potential to make matters far worse.

I also note that the proposal cites "Australia, Scotland, parts of Canada and Switzerland have banned tail docking"- I would implore you to look at what has actually happened to the numbers of dogs in traditionally docked breeds. The numbers have been decimated with some breeds close to 'dying out'. Other Dobermann breeders internationally are saying that they are lobbying their authorities to reverse the ban decision to encourage and enable the affected breeds to re-establish.

I also note that the proposal cites that a dog uses its tail for balance and communication from my long association with the Dobermann breed, I can confirm that a Dobermann with a docked tail has no difficulty in communicating with either humans or other dogs. Equally there is no effect regarding balance – the Dobermann is a strong agile breed.

To reiterate I disagree with the proposal in its entirety and strongly advocate for the status quo.

61. The proposed regulations states: Front limb dew claw removal and articulated (jointed) hind limb dew claw removal:

Must be performed by a veterinarian or a veterinary student under the direct supervision of a veterinarian;

Must only be performed for therapeutic reasons; and

Pain relief must be used at the time of the procedure

Hind limb dew claws: non-articulated (greater than or equal to four days of age)

Must be performed by a veterinarian or veterinary student under supervisions; and

Pain relief must be used at the time of the procedure.

I disagree with this proposal in its entirety and advocate for the status quo and these are my reasons:

I support Dobermann puppies having their front dew claw removal performed as a neonate puppy 4 days of age or under. The neonate dewclaw is removed without cutting through bone (has not calcified) and does not bleed when performed correctly.

Finally I appreciate the process and ability to be able to make my views known. I implore you to retain the status quo and allow the banding of tails using an NZCDB Accredited Bander and to remove dew claws on my beloved Dobermann breed.

I consider myself to be a caretaker of a dog breed that I love and admire for the purpose it was originally bred for and one that has a strong and proud history which to date is 126 years long. To leave this breed with a tail is to go against the very reason for its being, and is highly likely to cause more harm than good.

Animal Welfare proposed regulations feedback submission:

Name: The Weimaraner Club Inc.

s 9(2)(a)

Our Views and Responses as Below.

62. The proposed regulation states: Must be performed by a veterinarian or a veterinary student under the direct supervision of a veterinarian.

Must only be performed for therapeutic reasons

Pain relief must be used at the time of the procedure.

We disagree with this proposal in its entirety and advocate for the status quo and these are my reasons:

We are an Associative Club of the New Zealand Kennel Club (NZKC).

Within the NZKC is the NZ Council of Docked Breeds who operate as a fully audited and regulated group under the umbrella of the NZKC with the approval of the National Animal Welfare Advisory Committee (NAWAC). There accredited Members carry out the Banding and Dew Claw removal under strict and Measured Standards.

We are of the understanding that the procedure of tail banding (described by the NAWAC approved scheme) is vastly different from the process of tail amputation and an accredited bander will only perform the tail banding procedure under the Animal Welfare Act (No2) 2015 and this is not a surgical procedure.

The breed that we are associated with and that are banded are traditionally docked dogs that still perform their duties that they were designed for.

We understand that in 2012 NAWAC agreed and suggested a study should be completed to dispel any myths around the process of tail banding, yet to date, this has not been carried out by NAWAC so we are surprised that this proposal has taken shape.

We understand that MPI partly funds both the RSPCA and NAWAC, yet they are both major stakeholders in writing this proposal which I see as being extremely one sided and is not factual. We also understand that the governing body of the professional dog world Namely the NZKC has over 6000 members, but NZKC were not included as a major stakeholder when writing these proposals and nor are they funded by the Ministry.

We understand that over 170 countries do not ban the tail shortening procedure however these countries are not spoken about in any documentation produced by MPI.

We understand that breed specifics are not taken into account when this proposal was documented and the groups largely involved in writing these have dealings mainly with crossbred non-pedigree (no registration with the NZKC) dogs. We would sincerely question the stakeholder's ability to answer such detailed questions around form and function of a specific breed for the purposes of this proposal.

We understand that another major stakeholder is an offshoot of the RSPCA namely HUHA. This group also deals with crossbred non-pedigree dogs yet they felt qualified to once again offer their opinion on pedigree dogs and the reasons for tail shortening.

We are of the belief that there is currently a process in place for the SPCA to act on individual cases that perform a tail shortening procedure illegally on a litter of non-registered NZKC members neonate puppies, however in the last 4 years only know of 2 cases where the SPCA has acted on this information.

We believe the Shortening of a Dogs Tail has Absolutely no effect on their ability to Communicate, Swim or Run and is purely an emotive argument which is impossible to base on fact as the overwhelming evidence proves otherwise.

Currently Tail injuries are only a small percentage of why Dogs are presented to a Veterinary Clinic and this is because a lot are shortened and if they were left long there will be a huge increase in this issue which can be a very drawn out and painful experience for the Dog.

61. The proposed regulations states: Front limb dew claw removal and articulated (jointed) hind limb dew claw removal:

Must be performed by a veterinarian or a veterinary student under the direct supervision of a veterinarian;

Must only be performed for therapeutic reasons; and

Pain relief must be used at the time of the procedure

Hind limb dew claws: non-articulated (greater than or equal to four days of age)

Must be performed by a veterinarian or veterinary student under supervisions; and

Pain relief must be used at the time of the procedure.

We disagree with this proposal in its entirety and advocate for the status quo and these are our reasons:

When performing a dew claw removal, the process is completed in a neonate puppy 4 days of age or under. At this time it is a well-recognised fact that the toes and tail are the last part of the neonate puppy to calcify and develop into bone. The neonate dewclaw is removed without cutting through bone (has not calcified) and does not bleed when performed correctly.

No other country in the world has proposed this procedure should not be practiced as the health and welfare of the dog will be compromised.

As caretakers of our chosen breed, we are fully versed in the damage that a dew claw can cause to the dog if left on. Our chosen breed has been bred to be used in its traditional purpose and the dew claw if left on would result in significant pain and suffering to the dog.

We understand that breed specifics are not taken into account when this proposal was documented and the groups largely involved in writing these have dealings mainly with crossbred non-pedigree (no registration with the NZKC) dogs. We would sincerely question the stakeholder's ability to answer such detailed questions around form and function of a specific breed for the purposes of this proposal.

We understand that another major stakeholder is an offshoot of the RSPCA namely HUHA. This group also deals with crossbred non-pedigree dogs yet they felt qualified to once again offer their opinion on pedigree dogs and the reasons for dew claw removal.

We understand that MPI partly funds both the RSPCA and NAWAC, yet they are both major stakeholders in writing this proposal which we see as being extremely one sided and is not factual. We also understand that the governing body of the professional dog world Namely the NZKC has over 6000 members, but NZKC were not included as a major stakeholder when writing these proposals and nor are they funded by the Ministry.

There have been many incidents of dew claws growing back into the skin of the dog as the pet owner doesn't understand how to trim the nails and often as the dog is of a coated variety, they are not aware of a dew claw being present.

We understand that not all front dew claws are articulated and once again the breed specifics have been ignored in this instance and MPI have been advised incorrectly.

We understand that the Groomers Association have not been contacted for information from their large membership to dispel the myths displayed in the proposed regulation and further understand that the largest governing body (and only – NZKC) have also not been included in the proposal to not allow this process to remain as is.

Ironically both the Shortening of Tails and Removal of Dew Claws are done at Birth for the Dogs best interest and long term Health. WE care for our dogs more than any Vet or Government Agency and would never do anything to them we didn't believe was in there best interest.

Thank You,

✓ (293)

From: Claire McBride s 9(2)(a)
Sent: Thursday, 19 May 2016 3:08 p.m.
To: Animal Welfare Submissions
Subject: Submission On Animal Welfare Regulations
Attachments: Submission on Animal Welfare Regulations.docx

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Submission on Animal Welfare Regulations

Re Tail Docking

Not all dog breeds have a tail of appropriate length and strength for their size and activity level, many being full of vim but being too fine in bone for the length of tail leaving them prone to tail injury as an adult. Many would say that breeders should therefore breed for a shorter tail but that path is not without its own perils - one need only look at the Manx cat and the gene it carries for spina bifida.

Having seen how well the present system of banding worked for my own bitch and pups I submit that the present legislation works well in this respect; certainly neither the bitch nor her pups ever showed any awareness of the procedure taking place or the bands and miniscule tail drop thereafter.

Re Dewclaw Removal

Over the years my in-laws have had many dogs from the pounds and of those several have not had their dewclaws removed. These last have invariably worried at the nail causing nail bed infections, a couple have managed to damage the dewclaw badly by snagging it and one caused itself serious eye damage by catching itself in the eye with the dewclaw whilst attempting to rub something out of its eyes. I have yet to see a dog actually utilise a dewclaw for anything.

Quite when dewclaws evolved I cannot say but as human experience of dogs over the last many millennia makes clear they are an evolutionary dead end and present such a clear danger to the long term health and well-being of a dog that they are best removed within the first five days of whelping at a stage when it is incredibly simple (a single snip with the surgical snippers) and the immature nervous system of the whelp makes it nigh on painless - that is what an experienced caring pragmatic dog owner would do (or have done).

Conceivably snipping off the dewclaw of a big boned dog (such as a St Bernard) may be less simple and in that instance a veterinarian may be required.

In any event dewclaw removal must remain as a practice for the wellbeing of all our canine citizens.

Thank you,

Claire McBride

s 9(2)(a)

✓ (294)

From: Claire Trevelyan^{s 9(2)(a)}
Sent: Thursday, 19 May 2016 3:03 p.m.
To: Animal Welfare Submissions
Subject: Submission on the Animal Welfare Act Review
Attachments: MPI Submission.doc

Please find attached a Submission from Tasman Districts Gundog Society.

With regards
Claire Trevelyan
Sec TDGS.

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Animal Welfare Policy
Ministry for Primary Industries
PO Box 2526
Wellington 6140

18th May 2016

Submission on the Animal Welfare Act Review

To Whom It May Concern

The Tasman Districts Gundog Society wish to put forward a submission on the following.

Item 61. Dogs - Dew claw removal We request that this continues to be allowed in NZ as is the current approved practice. By accredited practitioners.

Performed correctly there is no bone cut though, there is no bleeding. Breeders are scrupulously conscious of sterile conditions so there is very limited chance of infection.

Dew claw's not removed and damaged or ripped as an adult cause excruciating pain and would require major surgery to remove. We view their removal as a new born a preventative for the future well being of the pup. The same as we view Tail Docking and vaccinations.

Item 62. Dogs - Tail docking We request that this continues to be allowed in NZ as is the current approved practice. By accredited practitioners.

The Accredited Banders Scheme which follows strict guidelines and is strictly audited by the NZ Kennel Club to ensure compliance with agreed protocols and current Code of Animal Welfare.

Gundog breeds with long whippy tails historically docked would commonly injure their tails while hunting through vegetation and thick scrub or today in everyday life pursuits. Their fast tail action often leads to splitting or tearing and bleeding which is painful and extremely difficult to treat. Because of the long thin tail, the end has very poor circulation which makes healing difficult and prone to infection.

All Tails are not created equal. The GSP's tail like many of the Versatile Gundog breeds, which is a man made breed which didn't get the tail right. Unlike the Labradors who have a thick well covered tail. So historically the fore fathers of the breeds were aware of this weakness and docked accordingly for the well being of their dogs. Undocked they would be very prone to damage in the dogs environment be this rural or urban. The only resolution for an undocked adult Versatile dog suffering from chronic tail damage is a painful and traumatic amputation which as an adult is major surgery to remove.

Undocked, the interaction of the tail conformation, breed activity and the environment causes increased risk of injury through the life of these breeds.

The Shortening of the weak portion of the tail humanely at a few days old eliminates the risk of injury. By shortening but still retaining a substantial tail occurs once and protects against chronic pain and discomfort for life, typically 12 to 15 years.

The NZVA research study that found little evidence of tail damage in dogs in New Zealand is totally flawed. Because the dogs prone to tail damage are to date docked as newborns. They also failed to acknowledge that there are in excess of 170 countries in the world that DO NOT have a ban on the docking/shortening of dogs tails, and there are countries which have had the ban now looking at reversing that decision i.e. Scotland.

We view tail removal in a new born in the Gundog breeds historically docked, as a preventative measure for the future health and well being of the pup. The same as we view Dew claw removal and vaccinations for the dog's future well being. So for the welfare of working gundog's breeds in NZ, we ask that you consider this practice to continue to be allowed.

Thank you for taking the time to read this submission.

Yours sincerely

Claire Trevelyan

Sec Tasman Districts Gundog Society

From: Jane Bennett s 9(2)(a)
Sent: Thursday, 19 May 2016 2:57 p.m.
To: Animal Welfare Submissions; info@mtalbertlabour.co.nz;
nathan.guy@national.org.nz
Subject: Animal Welfare Act Review Submission
Attachments: MPI Submission - Richard Tyson.pdf

Dear Sir/Madam, Hon David Shearer, Hon Nathan Guy

Attached please find my submission on the Animal Welfare Act Review

Yours faithfully

Richard Tyson

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Email sent to

animal.welfaresubmissions@mpi.govt.nz

Hon David Shearer info@mtalbertlabour.co.nz

Hon Nathan Guy nathan.guy@national.org.nz

19th May 2016



Animal Welfare Policy
Ministry for Primary Industries
PO Box 2526
Wellington 6140

Submission on the Animal Welfare Act Review

Dear Sirs

As an Auckland & Regions German Shorthaired Pointer Club member and owner of a gundog breed; I would like to put forward my submission on the following.

Item 61. Dogs - Dew claw removal I request that this continues to be allowed in NZ as is the current approved practice. By accredited practitioners.

Performed correctly there is no bone cut though, there is no bleeding. Breeders are scrupulously conscious of sterile conditions so there is very limited chance of infection.

Dew claw 's not removed and damaged or ripped as an adult cause excruciating pain and would require major surgery to remove. I view their removal as a new born preventative for the future well being of the pup. The same as I view Tail Docking and vaccinations.

Item 62. Dogs - Tail docking I request that this continues to be allowed in NZ as is the current approved practice. By accredited practitioners.

The Accredited Banders Scheme which follows strict guidelines and is strictly audited by the NZ Kennel Club to ensure compliance with agreed protocols and current Code of Animal Welfare.

Gundog breeds with long whippy tails historically docked would commonly injure their tails while hunting through vegetation and thick scrub or today in everyday life pursuits. Their fast tail action often leads to splitting or tearing and bleeding which is painful and extremely difficult to treat. Because of the long thin tail, the end has very poor circulation which makes healing difficult and prone to infection.

All Tails are not created equal. The GSP's tail like many of the Versatile Gundog breeds, which is a man made breed which didn't get the tail right. Unlike the Labradors who have a thick well covered tail. So historically the fore fathers of the breeds where aware of this weakness and docked accordingly for the well being of their dogs. Undocked they would be very prone to damage in the dogs environment be this rural or urban. The only resolution for an undocked adult Versatile dog suffering from chronic tail damage is a painful and traumatic amputation which as an adult is major surgery to remove.

Undocked, the interaction of the tail conformation, breed activity and the environment causes increased risk of injury through the life of these breeds.

The Shortening of the weak portion of the tail humanely at a few days old eliminates the risk of injury. By shortening but still retaining a substantial tail occurs once and protects against chronic pain and discomfort for life, typically 12 to 15 years.

The NZVA research study that found little evidence of tail damage in dogs in New Zealand is totally flawed. Because the dogs prone to tail damage are to date docked as newborns. They also failed to acknowledge that there are in excess of 170 countries in the world that DO NOT have a ban on the docking/shortening of dogs tails, and there are countries which have had the ban now looking at reversing that decision ie Scotland.

I view Tail removal in a new born in the Gundog breeds historically docked, as a preventative measure for the future health and well being of the pup. The same as I view Dew claw removal and vaccinations for the dog's future well being. So for the welfare of working gundog's breeds in NZ, I ask that you consider this practice to continue to be allowed.

Thank you for taking the time to read this submission.

Yours sincerely

Richard Tyson

From: Janet Ritchie § 9(2)(a)
Sent: Thursday, 19 May 2016 2:56 p.m.
To: Animal Welfare Submissions
Subject: Submission on Animal Welfare Regulations

To Who it May Concern

I am writing to support the submission presented by The Griffon Bruxellois Club. I am particularly concerned about the matter of dew claws on dogs. As a professional dog groomer I regularly see dew claws on which the nail has grown in a complete circle and has become embedded into the pad. They are also very easily torn causing great pain. As a dog breeder with over 40 years experience I routinely have dew claws removed from newborn pups and wish to retain the choice to continue doing this.

Janet Ritchie § 9(2)(a)

[REDACTED]

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From: Megan Chalecki § 9(2)(a)
Sent: Thursday, 19 May 2016 2:56 p.m.
To: Animal Welfare Submissions
Subject: 'Submission on Animal Welfare Regulations'

Hi there,

I would like to make a submission against the banning of prong collars.

My name is Megan Chalecki and I currently use a prong collar on my 3 year old German shepherd named Odin. I am a vet nurse and have worked in the veterinary industry for 8 years. Prior to that I have worked as a dog groomer and kennel manager for a German shepherd breeding facility. I teach dog obedience classes, routinely foster and rehome stray animals and take every opportunity to learn and better understand how these animals learn and behave.

I walk and train my dogs on a very regular basis (6 or 7 days a week) and they are treated with the best food and in the most loving environment possible! He has always been very thoroughly socialised with other animals and people. Odin is extremely affectionate and at home is surrounded by a small terrier and two cats. He is an extremely valued member of our family and we love him to death!

I purchased Odin from a breeder at 8 weeks of age and had difficulty with his temperament around other dogs from very early on. He was a very independent animal who preferred watching other animals to giving me attention. This type of behavior can be quickly escalated by either party; obviously cats do not like being chased and other dogs can become aggressive in self defense when charged at.

Walking Odie off a lead became nearly impossible and on lead was tiring and embarrassing!

BEFORE RESORTING TO A PRONG COLLAR I USED POSITIVE ONLY METHODS OF CORRECTION FOR TWO YEARS.

Odie's quality of life was beginning to suffer. I was anxious of taking him to certain parks and putting ourselves in situations where I may not be able to control him. A dog can put substantial force into a normal collar. I was determined that he was to lead an interesting and healthy life so other methods had to be considered.

Using the prong collar has completely changed our lives.

I still carry treats with me at all times (to get his attention and help with recall) and I very rarely have to consciously use the prong collar. He has had to learn that if he does not divert attention from another animal to ME then I will give the lead a tug and the prongs will become uncomfortable. NEVER have the prongs pierced his skin and never have I needed to apply anywhere near enough force for this to be even a remote concern.

People who are against prong collars often need to simply hold a collar and keep an open mind. They do look barbaric but the prongs have smooth rounded ends and there are enough fingers to ensure that total prong surface area against the throat is actually quite large. You will find (by placing a collar on your arm) that they slightly PINCH the skin rather than stab or pierce as many assume.

It works brilliantly and he's perhaps only had up to five real corrections on it. He ONLY wears this collar while on lead in public.

I do realize that although it is a brilliant tool it will never 100% fix his issues but it certainly has made me able to control him in what would normally be an out of control situation.

I would happily train to be a registered user of a prong collar or pay for training etc.

It is also worth noting that in the past 8 years as a vet nurse I have seen many terrible things but NEVER an animal injured by a prong collar. Although I do not doubt that they can cause harm when used to permanently restrain an animal- the same can be said for ANY type of collar when used incorrectly.

Please contact me if necessary. I am more than happy for anyone to meet Odie and to show how the collars can be a great tool.

Kind regards
Megan Chalecki

§ 9(2)(a)

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NEW ZEALAND COUNCIL OF DOCKED BREEDS

SECRETARY - Betty Parker

s 9(2)(a)

CHAIR - Martyn Slade

s 9(2)(a)

Council of Docked Breeds UK - www.cdb.org
NZCDB - www.nzcdb.co

19 May 2016

Animal Welfare Policy
Ministry for Primary Industries
PO Box 2526
Wellington 6140
Email: Animal.WelfareSubmissions@mpi.govt.nz

Re: Animal Welfare Regulations Submission

Introduction

1. The purpose of this submission is to comment on proposed Animal Welfare Regulations. The Ministry for Primary Industries ("MPI") seeks feedback on proposed regulations intended to improve the current animal welfare system.
2. This submission is made by the New Zealand Council of Docked Breeds ("NZCDB").
3. A number of organisation's and people assisted and supported this submission. Their names and contacts are **attached** as appendix A to this submission.
4. The contact person for this submission is:

Name: Martyn Slade

s 9(2)(a)

5. NZCDB have reviewed and refer to the following submissions, which we support. They are:
 - a. The NZ Groomers Association of New Zealand;
 - b. The New Zealand Kennel Club; and
 - c. Advocateship of Purebred Dog Breeders.
6. This submission is set out in three sections:
 - a. General Comments section setting out the overarching themes of our submission;
 - b. Attached as Appendix A a Table of Parties supporting this submission
 - c. **Attached** as Appendix B a Table of Specific Comments responding to the questions posed by MPI in their consultation document and where relevant providing possible solutions to issues raised for consideration; and
 - d. **Attached** as Appendix C a Table providing comments to the matters discussed at the Workshop including the wording related to dogs placed in vehicles.
 - e. **Attached** as Appendix D Protocols for appointment to and continuation on the NZCDB ABS
 - f. **Attached** as Appendix E a Table showing the breeds and purpose of tail shortened dogs
7. The two specific issues that the NZCDB wish to submit upon are:
 - a. Tail docking and
 - b. Dew claw removal.
8. The NZCDB attended the MPI workshop in Wellington on the 11th of May 2016. Members also attended other consultation meetings in other parts of the country.

Executive Summary

9. The NZCDB submit that:
 - a. It does not support any attempt by MPI to prevent appropriately undertaken tail banding and dew claw removal in puppies less than 4 days old.
 - b. It is the only National Animal Welfare Advisory Committee ("NAWAC") approved providers of an Accredited Banding Scheme ("ABS").

- c. It retains 230 accredited banders across the country who have banded more than 10,500 dogs since the commencement of the ABS without complaint or issue.
 - d. It is willing to undertake a similar scheme under the supervision of NAWAC and the New Zealand Kennel Club ("NZKC") for dewclaw removal.
 - e. MPI in seeking to remove in effect the ABS for tail banding and dew claw removals as surgical procedures for other than therapeutic purposes and to be completed by veterinarians or veterinary students is acting contrary to the Minister's and Parliament's intent when they amended the Animal Welfare Act ("Act").
 - f. MPI is required to meet a duty of consistency when making decisions and in this instance they are not applying consistency between animal husbandry practices for dogs or for other species of animals. MPI is therefore not meeting its duty at law by seeking the proposed amendments relating to tail banding and dew claw removal.
 - g. MPI's suggestion that tail banding and dewclaw removal at 4 days old is for non-therapeutic reasons is false and both are preventative not cosmetic measures.
 - h. It disputes the evidence proposed with respect to tail banding and have been unable to identify any scientific evidence reinforcing the MPI position with respect to dew claw removal.
10. All of the above points reinforce and support the NZCDB's position that the status quo with respect to tail banding undertaken by accredited banders should be retained as should the option of dew claw removal through a further accredited scheme. The NZCDB strongly oppose the changes proposed and consider that as a matter of administrative law, proper process and in compliance with current research and processes both here and overseas, the changes should not proceed as proposed. Rather:
- a. The ABS scheme and its provider the NZCDB should be exempted from the ban on tail docking as proposed as it relates to the banding of puppies under the age of 4 days old.
 - b. As with the code of welfare 2010, which sets out the framework for an accredited scheme for tail banding, a similar mechanism should be established for dewclaw removal, approved by NAWAC and provided in the first instance by the NZCDB or thereafter such other party that can meet the accreditation standards. The approved accreditation schemes and their providers should be exempt from the ban on dewclaw removal as proposed as it relates to the removal of the dewclaws of puppies under the age of 4 days old.
 - c. The NZCDB seek a transition period to allow for the completion of the accreditation process and approvals for dewclaw removal and to train accredited dewclaw removers. We propose a transition period of 12 months from the commencement of the regulations.

- d. The NZCDB suggest that the accreditation scheme framework be amended to allow for pain relief to be given via Veterinary Operating Instruction ("VOI").
- e. The NZCDB submit that for all other parties who choose to dock tails or remove dewclaws outside of the accredited schemes or veterinary care the penalties remain regulatory rather than infringement based.

General Comments

Organisation Information

- 11. The NZCDB as an organization was established in 2004 to respond to the introduction of a Private Members Bill into New Zealand Parliament ~ The Animal Welfare (Restriction on Docking of Dogs' Tails) Bill. The culmination of which was the establishment of the current regime of the ABS.
- 12. The NZCDB is focused on the welfare of the docked breeds in an appropriate and responsible manner. They provide the ABS nationally under the Code of Welfare 2010 and with the approval of the NAWAC. The ABS is regulated by the NZKC. The process for tail banding under the ABS is provided for under Minimum Standard No 17 – Tail Docking which states:
 - (a) Tails may only be shortened or removed by using a tail band -*
 - (i) in puppies that are less than four days old in which the eyes have not started to open; and*
 - (ii) by a person who possesses the appropriate knowledge, training and competency necessary to do so effectively, and who is acting under a documented quality assurance scheme that assures compliance with this minimum standard; and*
 - (ii) the remaining length of the tail must be sufficient to avoid compromising health and welfare when the dog is mature.*
 - (b) Tails that need to be shortened or removed to manage existing injury or disease, must only be shortened or removed by a veterinarian using appropriate pain relief.*
- 13. The specific process for appointment as an Accredited Bander and the auditing system undertaken by the NZKC is **attached** as Appendix D.

Defining Tail Docking

14. While we do not accept that there is a basis or need for the inclusion of either tail docking or dewclaw removal in the regulations we note that the regulations as drafted are not clear. We therefore make the following general observations with respect to tail docking:
15. The proposed new regulation defines "tail docking" as the shortening or removal of the tail of a dog by any means¹.
16. This definition obfuscates the important distinction between:
- a. the therapeutic amputation of a dog's tail by surgical means (a painful procedure) and
 - b. the prophylactic shortening of a neonate pups immature tail via the ABS for pedigree dogs at less than four days of age.
17. The two procedures differ substantially in both their justification and harmful consequences and should be handled separately in welfare regulations. Surgical tail amputation performed for therapeutic reasons on any breed of dog at any age should be described as "Tail Docking", is a painful surgical procedure and has substantial risk of harmful consequences.
18. The breed-appropriate and non-surgical prophylactic shortening of neonate pup tails within the NAWAC ABS should be described as "Tail Banding". Tail banding is not a surgical procedure under the Animal Welfare Amendment Act (No. 2) 2015, does not induce pain in neonate pups less than four days of age, and has been demonstrated to have negligible risk of harmful consequences after more than 10,500 procedures have been performed within the current ABS since its establishment. We note that of that number only one complaint has been raised with any of those procedures. That matter was reviewed and the Accredited Bander was found not to be at fault.

Distinction between Tail Docking and Tail Banding

19. The NZCDB supports the development of a new animal welfare regulation specific to the surgical amputation of dogs tails for therapeutic reasons, defined as "Tail Docking". This procedure should only be performed by a veterinarian or a veterinary student under the direct supervision of a veterinarian. Pain relief must be used at the time of the procedure.
20. The NZCDB submits that "Minimum Standard 17 – Tail Docking should be retained in a modified form retaining the following:

¹ Proposed Animal Welfare Regulations pg. 87

Tails that need to be shortened or removed to manage existing injury or disease, must only be shortened or removed by a veterinarian using appropriate pain relief.

21. The NZCDB has demonstrated that the status quo should be maintained with respect to the NAWAC approved NZKC tail banding scheme. The competent and audited national panel of tail banders who belong to the NZCDB have demonstrated the success of this scheme having performed more than 10,500 procedures without any harmful consequences.
22. The NZCDB submits that "Minimum Standard 17 – Tail docking" should be re-named as "Tail Banding" and retained under that description in the proposed Animal Welfare Regulations as follows:

"Tail Banding

*Tails may only be shortened or removed by using a tail band-
In puppies that are less than four days old in which the eyes have not started to open; and*

By a person who possesses the appropriate knowledge, training and competency necessary to do so effectively, and who is acting under a documented quality assurance scheme that assures compliance with this minimum standard; and

The remaining length of the tail must be sufficient to avoid compromising health and welfare when the dog is mature".

23. The NZCDB submits that the NAWAC approved prophylactic procedure of tail banding as currently defined under "Minimum Standard 17 – Tail docking" is not a significant surgical procedure because it does not meet the criteria to determine whether a procedure is a significant surgical procedure under the Animal Welfare Amendment Act (No. 2) 2015 ("**Amendment Act**");
 - a. Tail banding at less than four days of age does not cause significant pain or distress.
 - b. Tail banding at less than four days of age does not cause serious or lasting harm, or loss of function and does not require to be carried out by a veterinarian.
 - c. Tail banding at less than four days of age is not a surgical or operative procedure below the surface of the skin.
 - d. Tail banding at less than four days of age is not a physical interference with sensitive soft tissue or bone structure, as neither the nervous system or bone have developed in the neonate tail at this stage of development in dogs which are an altricial species.
 - e. Tail banding at less than four days of age does not involve the significant loss of tissue or loss of significant tissue, as tail banding removes a small amount of tissue from the immature neonate tail.

24. The NZCDB submits that the NAWAC approved prophylactic procedure of tail banding must not be re-classified to restrict the procedure to veterinarians.
- a. The New Zealand Veterinary Association ("NZVA") opposes the prophylactic shortening of dog's tails (Policy 9c Tail docking of dogs February 2011) and does not allow practicing veterinarians to exercise freedom of choice to tail band puppies for their clients. Hence any restriction of the procedure to the New Zealand Veterinary profession would effectively prevent access to the procedure in New Zealand.
 - b. In this regard New Zealand differs from most other countries, where the veterinary profession continue to provide prophylactic tail shortening services to clients with pedigree dogs that require the procedure. It is necessary to consider why such a difference in professional positions exists between New Zealand and many foreign veterinary professional bodies. In New Zealand approximately 2000 puppies have their tails shortened annually. Therefore it is estimated that tail shortening only occurs in approximately 4% of the New Zealand dog population. Hence clients of docked breeds represent a much smaller priority for the New Zealand pet services industry than in many other countries. Finally we note that notwithstanding MPI's position on the countries that have banned tail banding there are over 170 countries that continue to allow this husbandry procedure.
25. Note that on the basis of the above we refer to the process by which prophylactic tail shortening is performed as "Tail Banding" for the remainder of this submission except where citing research which itself refers to docking.

Questions of Public Policy

Parliamentary Intent

26. The NZCDB submits that in respect to both tail banding and dewclaw removal the approach taken by MPI within the proposed regulations, is inappropriate and non-compliant with the intent of the Minister and Parliament when Amendment Act was passed. Specifically:
- a. A complete prohibition of tail banding and dewclaw removal other than by veterinarians or a veterinary student for therapeutic reasons is unreasonable. While the Minister has been given the power to prohibit under the Animal Welfare Act with respect to regulations, it is, we would suggest a last resort. The preference must be to regulate and control the activities in the first instance. The existing framework is working. The ABS is approved by NAWAC and is effective. It is proposed that dewclaw removal could also operate under a similar regime if

required. The level of penalty afforded to both reinforces this position.

- b. In respect to the ABS as stated it is provided for under the Code of Welfare 2010. We note that the Hon Nathan Guy stated when introducing the Animal Welfare Amendment Bill that the Bill would:

*"provide for new regulations that will complement codes of welfare by establishing specific and enforceable mandatory standards"*². (emphasis added)

Given this intent why now is MPI trying to move beyond the Code of Welfare 2010 that allows for dog tail banding by accredited providers.

- c. Parliament through the Act has set the definition of surgical procedures. The Primary Production Select Committee in reporting back on the Bill were clear that it was not the select committee's intent to define the term of significant surgical procedure:

*"...too narrowly could result in some procedures routinely carried out by farmers becoming unnecessarily restricted to vets"*³.

In the case of tail banding the ABS provides a regulated process provided under a Code of Welfare. If the Select Committee considered a narrow definition unwarranted in some instances which in themselves may not be regulated, then surely a process should not be changed unless that process is ineffective? In the case of prophylactic dewclaw removal, as discussed at the MPI workshop, the NZCDB would be willing to provide an equivalent service to that of the ABS for the purpose of removing dew claws of puppies under 4 days old. In both cases NZCDB submit that it is unnecessary to restrict such activities to vets.

- d. Parliament chose not to specifically refer to tail banding as a restricted or controlled surgical procedure. The NZCDB has defended their position more than once prior to the introduction of the Bill so cannot accept that it wasn't a matter that officials or select committee weren't at least aware of in some way. The Act provides for the Minister to declare activities to be surgical procedures or to be restricted or controlled procedure. Tail banding is not a restricted or controlled activity. Comparatively

² Sitting date: 27 August 2013. Volume: 693;Page: 13053. Text is incorporated into the Bound Volume

³ Animal Welfare Amendment Bill (107-2) (26 June 2014) as reported by the Primary Production Committee at page 2

currently the Act states that deer de-velveting is a controlled surgical procedure. Restricted procedures include debarking, declawing a cat and docking of a horsetail.

- e. The NZCDB is not saying that all dog owners should have the ability to dock tails. The ABS is in place for NZKC members only. Non-NZKC members or those members who choose not to use the ABS should be required to go to their veterinarians to ensure that the procedure is completed appropriately. However given veterinarian members of the NZVA are not allowed to dock unless for serious disease or injury there will in effect be no one available if the ABS is removed. The consequence of which is that the purpose of the Act will not be adhered too. The ABS provides a means for owners of animals and persons in charge of animals to attend properly to the welfare of those animals. It is contrary to the Act to prohibit an effective mechanism and alternative without valid reason.
27. Therefore the NZCDB submits that there is a clear process by which Parliament considered those matters to be covered by the amendments and the manner by which they would be dealt with. It is the NZCDB's perspective that MPI are attempting to narrow these criteria through the proposed s16 definition of a significant surgical procedure, thus encapsulating banding. The NZCDB would argue Parliament would have turned its mind to tail banding and dewclaw removal as common issues and did not include either. Rather the Minister contemplated regulations complimenting the existing codes of welfare. We take the view that there is already a regulated scheme for tail banding that manages the process well in accordance with a code of welfare. Tail banding is therefore sufficiently regulated. With respect to dewclaw removal the NZCDB propose a similar accredited scheme be established to that of the ABS.

Duty to Act Consistently: Between Procedures

28. The NZCDB submits that it is an accepted administrative law principle that when making a decision a government agency must provide equal treatment for those equally placed: apples compared with apples, like with like. In undertaking their approach to tail banding and dew claw removal upon the basis that both are undertaken for owner convenience and other non-therapeutic reasons, we submit that MPI is at risk of breaching this fundamental tenant of law. New Zealand animal welfare regulations must equally balance the welfare benefit of husbandry procedures against costs, harmful consequences and the frequency of unintended side effects caused by the procedure. Sound welfare regulations cannot be developed if emotive or fashionable opinion is allowed to influence policy simply because a particular husbandry procedure, in this case prophylactic tail shortening or dew claw removal, are misunderstood or considered unfashionable by the

lay public or those not personally responsible for the welfare of the animals concerned.⁴

29. The NZCDB submits that NAWAC and MPI must be consistent in their approach to tail banding and dew claw removal as they are comparatively with the widespread practice of surgical ovariohysterectomy, ovariectomy and castration of a large proportion of the national dog population. Practically if tail banding and dew claw removal are to be prohibited unless undertaken for therapeutic reasons then it could be argued that de sexing should also be prohibited unless required for the therapeutic treatment of a pre-existing disease.
30. At face value this suggestion may appear unreasonable, after all the lay public of New Zealand have no emotive problem with the desexing of pet animals. However closer examination reveals that given the prevalence of surgical desexing as presumably the most common significant surgical procedure performed on dogs in New Zealand, desexing could be considered to be a radical mutilation performed as the fashion of the day and for largely non therapeutic reasons.
31. Objective consideration of the significant surgical procedures of ovariohysterectomy, ovariectomy and castration reveals that these surgical procedures involve the unnecessary removal of organs from healthy animals for the sole purpose of making the animal easier to manage. While farmers and purebred dog breeders, such as NZKC members, are able to exercise species appropriate management of their entire dogs to prevent unplanned mating, the lay public prefer the easy option of desexing which frees them from the requirement to exercise proper management of entire female dogs during their bi-annual oestrus. The primary justification and customer demand for expensive desexing surgery is to prevent unwanted breeding. Quite simply the desexing of dogs is acceptable to the lay public because it makes their life easier, not because it is in the best interest of a dog. In fact the significant surgical procedures required to desex otherwise healthy dogs exposes them to substantial pain, suffering, risk of complications such as infection and urinary incontinence and life-long health effects such as the predisposition to obesity due to an unnatural lack of reproductive hormones. In short, the negative consequences are substantial for the dog involved. It can be argued that these welfare costs can be offset by the prophylactic benefit of removing sex organs that might otherwise become diseased. However this argument is obviously weak because;
 - a. the sole reason most owners pay for desexing surgery is not to reduce the minor risk of future disease and
 - b. because therapeutic surgery for treatment of disease in the uterus, ovaries or testes can easily be performed, with no greater welfare cost to the animal, when and if required in dogs that develop disease. Therefore a prophylactic argument is not

⁴ (Refer: Animal Welfare Act 1999, P1, 9 Purpose (2a); 10 Obligations).

logical as a justification for the widespread removal of organs from healthy young dogs.

32. The NZCDB submits that of the current NAWAC approved prophylactic procedure of tail banding and the procedure for dewclaw removal are both breed-specific prophylactic husbandry procedures required to provide an overwhelmingly positive net welfare benefit to dogs requiring these procedures. The welfare cost of neonatal tail banding is negligible and it confers lifelong protection from clinical and subclinical painful tail injury. Dew claw removal, equally prevents the risk of injury through accident or ignorance of owners in the care of dewclaws. Dew claw injury result in the distal interphalangeal joint being ripped from the leg, therapeutic treatment requires significant surgery that can be expensive and long healing involving stitches and often the wearing of a cone (Elizabethan collar) to prevent the dog interfering with their stitches. The net welfare benefits of tail banding and neonatal dew claw removal are both considered to be substantially greater than that of surgical removal of sex organs from healthy dogs to make them easier to manage at a population level. Therefore, prohibition of breed specific tail shortening and neonate dew claw removal without prohibition of non-therapeutic desexing would be inconsistent.
33. The NZCDB submits that the husbandry procedures of tail banding and dewclaw removal should be retained just as de sexing is as they all confer a net benefit to the welfare of dogs. We ask MPI to comply with their duty to be consistent.

Duty to Act Consistently: Between Species

34. Just as with procedures undertaken on dogs the NZCDB submit that MPI must consider consistencies or lack thereof between regulated and unregulated procedures between species. Therefore in considering the proposal to prohibit tail banding and dew claw removal it is necessary for MPI to contrast this proposal with other accepted husbandry procedures performed on other species that are permitted due to the net welfare benefit they confer to the animals involved. In contrast to tail banding and dew claw removal which affects less than 4% of the dog population farmers manage approximately 29 million sheep that are tail docked to minimize the risk of fly-strike caused by an interaction between the sheep's physical conformation, pattern of wool growth, dietary effects on fecal consistency and the nature of extensive outdoor farming practices in the presence of flies. Hence, the welfare benefit and justification for tail removal in lambs is well understood in New Zealand as it is a common practice, whilst the welfare benefit and justification of tail shortening of dogs is relatively uncommon, often misunderstood, misrepresented and prone to emotive opposition.
35. The welfare cost of tail banding of dogs at less than four days of age via the banding method is substantially less than the welfare cost of tail

docking of sheep at any age (performed at any age less than six months). This is because dogs are an altricial species and give birth to immature young into a nest, prior to their full development. Dogs at less than four days of age are blind, their nervous system is not fully developed and their tails remain soft and lack bone structure. It is considered that at this age neonate pups have very little feeling of pain. However this is not the case in young sheep. Sheep are a precocial species and are born fully developed. Lambs are considered to consciously feel pain in the same manner as an adult sheep, having evolved to respond to painful stimulus to avoid predation from birth. The shortening of tails of specific dog breeds and sheep is considered to confer lifelong protection from tail injury and fly strike, however these husbandry procedures cannot be considered to carry the same welfare cost given the fundamental difference in the developmental state of the two species at the time tail banding is performed. For this reason the NZCDB submits that prohibition of breed specific tail shortening of pup tails via the current NAWAC approved scheme whilst continuing to permit the tail docking of approximately 29 million sheep in New Zealand, would be an inconsistent application of the Act that cannot be justified.

Prophylactic husbandry

36. The NZCDB submits that the sole purpose of breed-specific tail shortening via the NAWAC approved ABS is to promote the health and welfare of adult dogs of these breeds, whilst ensuring that they are fit-for-purpose for the wide variety of work they are bred and trained to perform.
37. The length of the shortened tail varies substantially by breed as the tail-shortening procedure is performed only to remove that portion of the tail that is vulnerable to injury. As a consequence some breeds have short tails to prevent working injury, while others retain up to 50% of their natural tail length. Hence tail shortening of dogs does not equate to tail removal, and many breeds retain a shortened tail that is longer than the natural tail length of smaller breeds.
38. Consequently the NZCDB strongly rejects the misconception that tail shortening is undertaken for cosmetic or aesthetic purposes, as commonly stated by groups not responsible for the health and welfare of tail-shortened breeds.
39. With respect to prophylactic dew claw removal we are aware that the New Zealand Groomers Association of New Zealand is making a submission on the range of injuries they see as a result of misadventure or the failure to appropriately manage dew claws. We refer to their submission with respect to the obvious need for a removal procedure in line with the current ABS.

Tail Banding: Evidence

40. MPI have stated that one of the bases for proposing the current regulations is the existence of new evidence supporting them. While there have been surveys undertaken that seek to describe the prevalence of tail injuries of dogs in New Zealand, the United Kingdom and Scottish dog populations the NZCDB urges MPI and NAWAC to exercise caution in the interpretation of these studies.
41. The ABS allows for the breed-specific prophylactic tail shortening of those dogs that benefit from this procedure. Hence the docked purebred dogs most in need of tail shortening to prevent injury are docked, and comprise approximately 4% of the New Zealand dog population. Given that these dogs are such a minority, and have shortened tails it is not possible to study the prevalence of tail injury in 'docked breeds' in New Zealand, or any other country where tail shortening is undertaken, via the use of a population level survey. This is because any such study (e.g. Diesel et al. 2010⁵, by A. Wells 2013⁶; cannot provide relevant data a) the vast majority of the population investigated are undocked breeds irrelevant to the study, and b) the majority of dogs of the 'docked breeds' within these populations have shortened tails and therefore cannot be used to determine the prevalence of injury had they been undocked. In short the experimental design of these studies contain serious flaws and render them ineffective in generating useful data on the prevalence of tail injury in docked breeds.
42. The effect of a tail shortening ban in German Shorthaired Pointers in Sweden was examined by Strejffert (1992)⁷. Strejffert reports a survey undertaken of 44 litters of undocked German Shorthaired Pointers comprising 299 individual dogs born in 1989 at a time that a blanket all-breed ban of tail 'docking' was introduced in that country. Strejffert (1992) reports that by the time these dogs were 2 to 2.5 years of age 35% of these dogs had suffered from tail injury, in other words, 1 in every three adult dogs had experienced a painful condition that could have been avoided had the managers of these animals been permitted to undertake breed-specific tail shortening. The Ministry of Primary Industries is directed to the survey report of Strejffert (1992), which is available in English from the Council of Docked Breeds (United Kingdom).

⁵ DIESEL, G., PFEIFFER, D., CRISPIN, S. & BRODBELT, D. (2010) Risk factors for tail injuries in dogs in Great Britain. *Veterinary Record* 166, 812-817.

⁶ Wells A (2013) Canine tail injuries in New Zealand: Causes, treatments and risk factors and the prophylactic justification for canine tail docking. MSc Thesis, Massey University, Palmerston North, New Zealand (NB. Research unpublished in peer-reviewed form)

⁷ STREJFFERT, G. (1992) Tail injuries of Shorthaired German Pointer dogs born in Sweden 1989. www.cdb.org/countries/sweden.htm. Accessed March 25, 2009.



Figure 1. An adult German shorthaired pointer, a European hunt-point-retrieve (HPR) breed, in Auckland New Zealand. This photo displays the natural tail length common to many European docked breeds. These dogs are predisposed to painful tail injuries and chronic pain during the healing process due to the vulnerable conformation of their tail tip, their high tail carriage, their activity, and interaction with obstacles in their living and working environment.

Available research clearly demonstrates that tail shortening significantly reduces the risk of tail injury in docked dog breeds (Lederer et al. 2014; Diesel et al. 2010; Houlton 2008) while the risk of tail injury was significantly increased when tail shortening was not permitted (Strejffert 1992).

43. The tail docking of dogs policy developed by the NZVA seems to discredit the above mentioned Swedish data of Strejffert (1992), stating that NZVA are unaware of credible evidence to demonstrate that dogs welfare is compromised if they are left undocked, however NZCDB submits that the findings of Strejffert (1992) are entirely relevant and expect any ban on breed-appropriate tail shortening in New Zealand will lead to a large number of clinical and subclinical painful tail injuries in breeds that are currently protected for life by neonatal tail shortening.
44. More recently researchers from the College of Medical Veterinary and Life Sciences, University of Glasgow conducted a survey of tail injuries sustained by working gundogs and terriers in Scotland (Lederer⁸ et al. 2014). The NZCDB submits the abstract of this paper to support the extensive and self-evident knowledge that exists within breed clubs. This study provides data that supports breed-specific tail shortening of those breeds prone to painful adult tail injuries. However it is important to note that this study assessed the prevalence of tail injury during just

⁸ LEDERER, R., BENNETT, D. & PARKIN, T. (2014) Survey of tail injuries sustained by working gundogs and terriers in Scotland. *Veterinary Record* **174**, 451-456.

part of one year (the hunting season), however when assessing the cost/benefit of tail shortening it is necessary to consider the lifetime prevalence of tail injury, hence the annual injury rate must be multiplied by the number of years each dog is exposed to this risk, as neonatal tail-shortening confers life-long protection from painful tail injury and chronic pain during the treatment and healing of tail injuries that sometimes result in tail amputation:

"Working dog owners in Scotland were invited to take part in an internet survey regarding the 2010/2011 shooting season, which was designed to estimate the prevalence of tail injuries to assess the risk of tail injuries in docked and undocked working dogs and identify risk factors for owner-reported tail injuries. Of 2860 working dogs, 13.5 per cent sustained at least one tail injury during the 2010/2011 shooting season. Undocked spaniels and hunt point retrievers (HPRs) were at greatest risk of tail injury with 56.6 per cent of undocked spaniels and 38.5 per cent of undocked HPRs sustaining at least one tail injury during the season. There was no statistically significant difference in the risk of tail injury in dogs with tails docked by one-third, half or shorter. To prevent one tail injury in one shooting season, between two and 18 spaniels or HPRs would need to be docked as puppies. The authors believe that this work provides the best available evidence on which to base a consultation for changes to the legislation on tail docking in working dogs in Scotland. Docking the tails of HPRs and spaniels by one-third would significantly decrease the risk of tail injury sustained while working in these breeds" (Lederer⁹ et al. 2014).

45. The NZVA policy 9c (2011) to oppose prophylactic tail shortening cites Diesel et al. (2010) in support of the position. The paper by Diesel et al. "Risk factors for tail injuries in dogs in Great Britain" is a United Kingdom based survey conducted using a random sample of 52 participating veterinary practices throughout Great Britain, the rate of response to the survey was only 35%. The survey was undertaken for the entire population of dogs in Great Britain, i.e. all breeds in all types of home, and thus by design the results reported by Diesel et al. (2010) are expected to be representative of the Great British domestic dog population as a whole. It is to be expected that the results obtained will be biased based upon the proportion of dog types that make up this population. Specifically it will be biased towards pet breeds rather than working breeds, towards all-breeds rather than docked dogs and due to the country it is conducted in, it is also likely to include a majority of breeds that have never been docked (and do not require tail docking due to their physical conformation) and/or are never worked in a manner or environment that would induce tail injury.

⁹ LEDERER, R., BENNETT, D. & PARKIN, T. (2014) Survey of tail injuries sustained by working gundogs and terriers in Scotland. *Veterinary Record* **174**, 451-456.

46. Of the ten most common pedigree registered breeds in Great Britain, most are irrelevant to the subject under investigation i.e. Labrador and Golden Retrievers, German Sheppard Dog and Staffordshire Bull Terrier. It is clear that the study of Diesel et al. (2010), adds very little relevant data and certainly none to support an all-breed ban of tail docking in New Zealand. No one is suggesting that tail docking be permitted for breeds that have never been tail shortened and would not benefit from this practice.
47. In fact Diesel et al. (2010) conclude that within their subset of the UK dog population;
- a. "Dogs with docked tails were significantly less likely to sustain tail injury"
 - b. "That specific breeds including spaniels, greyhounds and lurchers were at substantially higher odds of (tail) injury"
 - c. "Docking appeared to have a protective effect against (tail) injury, as expected; however, it was calculated that 500 dogs would need to be docked in order to prevent one tail injury. Further studies focusing on what appear to be the highest-risk groups of dogs would be valuable".
48. The NZCDB, point out that this conclusion pertains to the population investigated, i.e. all dogs of all breeds. The vast majority of dogs with this study would not qualify for the ABS because they are not considered to benefit from tail shortening. Hence it is expected that most of these dogs would not suffer tail injury because their risk is relatively low compared to the docked-breeds.



Figure 2. An adult Huntaway, an undocked breed common on New Zealand farms. This breed is not docked because its tail conformation is thick and robust and not

prone to injury due to its muscularity and thick hair covering. The breed's activity and low tail carriage also serve to protect the tail from injury, hence this breed does not have its tail shortened as a neonate.

Inclusion of a large majority of undocked breeds, such as the Huntaway and Golden Retriever, in population surveys seeking to determine the prevalence of tail injury in docked breeds seriously confounds the research of Diesel et al. 2010 and Wells 2013.

49. Research published by Houlton (2008) "A survey of gundog lameness and injuries in Great Britain in the shooting seasons 2005/2006 and 2006/2007" recorded injuries to working gundogs at English driven shooting estates. The survey included over 1312 dogs for the two hunting seasons and was dominated by undocked breed types.

50. Houlton (2008)¹⁰ concluded:

"The relationship between the type of work (beating, picking up, peg dog, setting dog) was very significant for both seasons with dogs working in the beating line being at greatest risk".

"There was a highly significant association between tail injuries and undocked Springer and Cocker Spaniels".

51. Finally, during the MPI workshop it was suggested that that dogs with shortened tails (and presumably also naturally short or bob tails) might experience communication or behavioral problems due to their reduced tail length. The NZCDB rejects this claim entirely and points to the lack of evidence of any socialisation or behavioral problem in any of the tail shortened breeds attributable to tail length. As tail shortened breeds retain tails of different lengths, up to 2/3 of their natural length, many tail-shortened adult dogs actually have tails that are much longer than many undocked breeds. Still other breeds are born without tails or very short bob tails.

52. The experiment of Leaver and Reimchen (2008)¹¹ is cited by MPI. Having reviewed this research the NZCDB submit that the experiment, utilising a motionless artificial replica dog with motorised tail fails to provide any convincing evidence to support a hypothesis that dog welfare or communication is positively correlated with tail length.

53. Leaver and Reimchen (2008).state:

"Evaluating the effect of tail length in encounters between dogs is challenging because of the tremendous complexity and variability present in dog interactions. Ideally, a comparison among dogs of the

¹⁰ HOULTON, J. E. (2008) A survey of gundog lameness and injuries in Great Britain in the shooting seasons 2005/2006 and 2006/2007. *Veterinary and Comparative Orthopaedics and Traumatology* 21, 231-237.

¹¹ Leaver, S.D.A. & Reimchen, T.E. (2008) Behavioural responses of Canis familiaris to different tail lengths of a remotely-controlled life-size dog replica. *Behaviour* 145, 377-390

same breed but with, and without, a docked tail would be most informative. However, in traditionally docked breeds there are few instances of full-tailed individuals. Even if sufficient numbers of the latter could be identified, the interpretations on tail length would remain ambiguous given the social history and individual differences that exist among dogs".

The NZCDB agrees.

54. Leaver and Reimchen (2008) go on to conclude that the length of tail deployed on their decoy dog induced significant differences in the manner of approach of various size classes of dogs exposed to the static decoy. The NZCDB considers the conclusions drawn from this experiment to be speculative and anthropomorphic in nature. In order to consider that the length of the decoy dog's artificial tail represented a natural response by the subject dogs, rather than their response to an unfamiliar artificial object, it is necessary to accept that the dogs perceived the model to be a live dog. This critical assumption is highly improbable, hence the experiment can be considered to have explored the behavioral response of dogs to an artificial material structure with a static or moving flag in the I shape of a four legged animal.
55. Therefore, whilst the published literature examining tail shortening is sparse and lags behind the self-evident knowledge within breed clubs responsible for the management of docked dog breeds, those study's that are available and authoritative illustrate the benefit of tail shortening in reducing the prevalence of tail injury in docked dog breeds.

Dew Claw Removal: Evidence

56. By way of explanation removal of dewclaws is undertaken in the first 2-4 days after birth. It is a very quick procedure with the primary intention of removing the toenail and its bed. There is no need to remove bony tissue apart from the first section up to the end of the distal phalanx that has the nail bed. Bones at this stage are still largely cartilaginous and so when the transection is made across the distal interphalangeal joint first phalanx then any discomfort is minimal. Studies to date have been unequivocal in providing evidence of the pain response in puppies of this age. There is no need to disarticulate the joint at this age. By removing only the distal (end) portion of the digit, the risk of hemorrhage and pain is minimal.

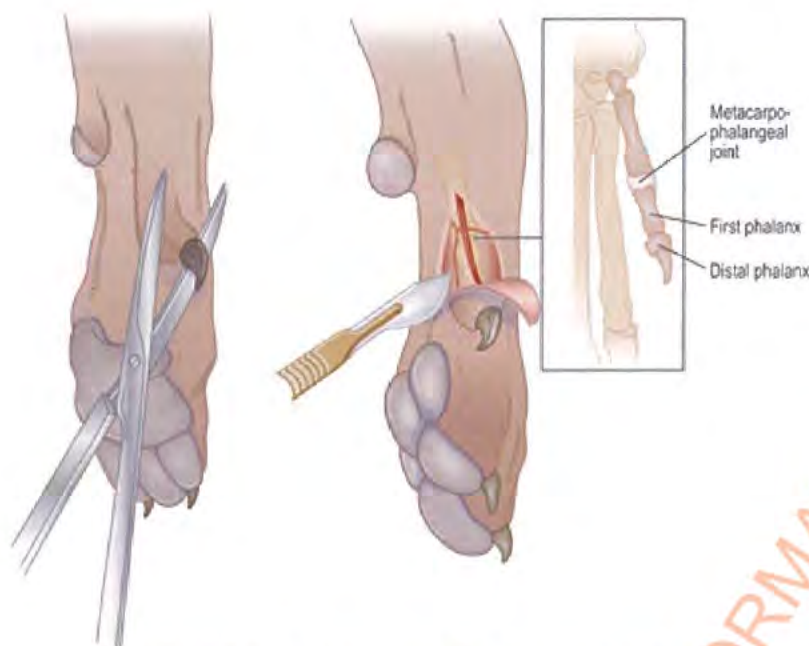


Figure 3 Adult dewclaw image. Left side shows location of transection to remove dewclaw on puppy less than 4 days old. Right side shows surgical removal of dewclaw in an older animal. <http://cmapspublic.ihmc.us/rid=1M7MKNTWQ-V06NCT-29207/dew%20claw%20removal.jpg>

57. In older dogs, a surgical incision is necessary prior to disarticulation of the carpometacarpal or tarsometatarsal joint. This is considered an amputation and is a significant surgical procedure.

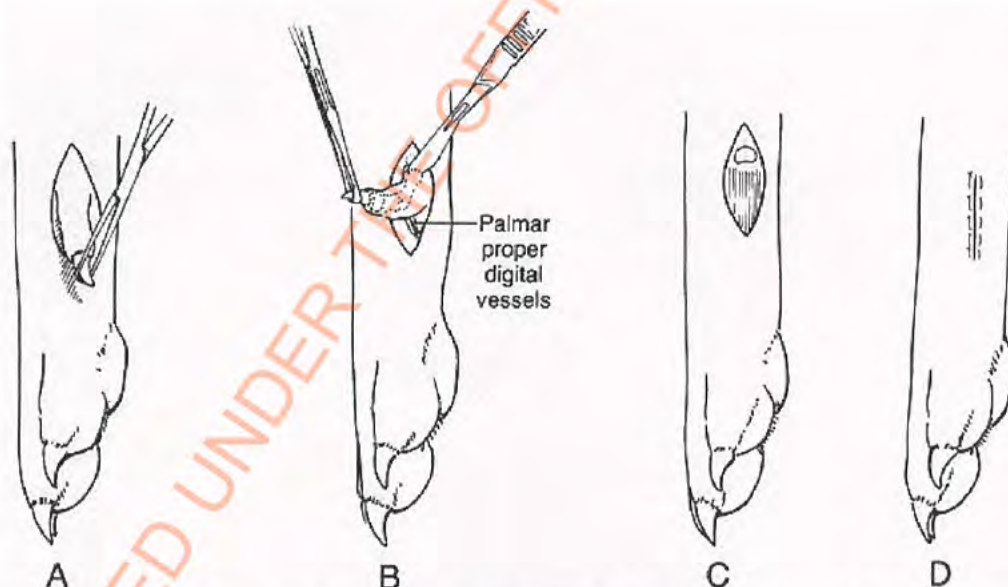


FIG. 48-31 (A) An elliptical incision is made at the base of the digit and extended distal to the carpometacarpal (or tarsometatarsal) joint. (B & C) The tissues between the dewclaw and the second metacarpal bone are severed. The palmar proper digital artery and vein are ligated individually and severed. The carpometacarpal (or tarsometatarsal) joint is disarticulated and the dewclaw is removed. (D) Skin closure is routine.

58. The NZCDB have undertaken a review of available systems and have been unable to identify any scientific evidence to support a ban on the prophylactic removal of dew claws of dogs as discussed in the

diagrams above. In the absence of such evidence we submit that MPI have failed to meet all of their own bases for requiring regulation of dewclaw removal.



Pictures showing what a dew claw looks like when left untrimmed and growing back into the dogs leg. This is extremely painful for the dog and is usually not known by the owner of the dog until they present at their vet clinic/groomer or boarding kennel.

Unfairness and enforcement of regulations

59. The NZCDB submit that notwithstanding the statements made repeatedly during the workshop that the intent of the regulations and enforcement therein was to deal with the extreme dog owners and not the ones who care for their dogs. We suggest that as for non-compliance with current micro chipping and registration regulations those that are at the extreme end of the scale will not comply with the proposed welfare regulations. NZKC members, as with other law-abiding persons are the most likely to be affected by the regulations. To move a sound and proven mechanism for the proper management of these procedures is patently unfair. Further while we acknowledge that the intent is not to persecute NZKC members, they are, an easy target, easily identifiable and found at agility, obedience, gundog events and public displays.
60. Further the NZCDB raise the question of proportionality with respect to the penalties which will be incurred should the ABS be removed. Both tail banding or docking and dewclaw removal without veterinary care will be criminal offences. Again given that veterinarians will not undertake to dock tails or potentially remove dewclaws the need for a regulated alternative accredited scheme for both tail banding and dewclaw removal is clear. The penalties are proportionately too high not to allow for a process, which is approved and is working.

Future regulation and consultation

61. The NZCDB submit that there should be greater consultation by NAWAC and MPI with the pedigree dog owners and specifically with the NZKC and its member clubs. NAWAC and MPI do not include a significant proportion of the dog world until policy has been set. It includes farming and other groups but not the NZKC an entity with over 6000 members and representative of 250 clubs.
62. While it is understood that NAWAC considers issues relating to all animals, not just dogs, NZCDB submit that NAWAC and MPI could draw together a subcommittee specific to dogs where policies and regulations which are species specific as is the case in the current proposals are in development. Better-informed policy is more likely to face less opposition. This seems to be a greater imperative if as we heard regulations would in future largely proceed through NAWAC rather than MPI.

Conclusion

63. Our organisation seeks both appropriate care and welfare standards for all animals including dogs. However we consider that the proposals as set out will cause other unintended outcomes, which will not meet the intent or care standards proposed. We suggest that as knowledgeable and experienced dog breeders our members and well placed to assist MPI and NAWAC and at the very least should not be ignored.
64. We welcome any questions the Ministry may have with respect to this submission. We are available also to meet should this be helpful.

Yours faithfully

Martyn L. Slade
Chair
New Zealand Council of Docked Breeds

Appendix A

Parties supporting this submission

Linda Alloo	Janice Goodin	June Parkinson
Viv Attwell	Paul Goodwill	Janice 128 Parr
Karen Baker	Karen Graham	James Patchett
Virginia Barlow	Sylvia Gosse	William (Bill) Patterson
Michael Bell	Rita Grenyer	David Pattilo
Gail Blankley	Helen Harris	Theresa Peacock
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Maureen Boyd	Lloyd Hatton	Dionne Pugh
Colin Bradley	Barbara Hawker	Michele Reichmuth
Jim Broadbent	Jenny Hawthorn	Anne-Marie Reid
Vicky Brodeur-Muir	Denise Heays	Lucy Sandford-Read
Brian Brogan	Paul Hellings	Wendy Schwalger
Joan Brooker	Gwynne Hocking	Margaret (Peggy) Scott
Davida Brown	Carolyn Hogg	Peter Sharp
Wendy Bugden	Helen Horlemann	Christine Sigvertson
Sharan Byrne	Rosem Hulme	Pip Simmons
Amanda Calman	Valerie Hutton	Leslie Skipworth
Glenis Candy	Barbara Hyde	Lisa Slade
Lesley Chalmers	Jeanette Jack	Martyn Slade
Shirley Cheshir	Kirsten Jardine	Bridget Smeeton
Julie Clarke	Wendy Jellyman	Denise Smith
Marlene Cooney	Joce Morten-Styles	Yvonne Smith
Roz Cooper	Carol Kerr	John Stanton
Lisa Couling	Phillip Kersey	Christine Speden
Deborah Craigen	Nikki Knowles	Barbara Stronach
Barbara Crocker	Anne Lacey	Linda Strongman
Lindy Dawkins	Sue Lancaster	Linda Swan
Erik de Boer	Sue Lawless	Andrea Tansey
Diane Dickinson	Kaye Lord	Anne Taylor
Aynsley Downie	Maureen Manning	Claire Taylor
Maureen Duncan	Tony Marsh	Kay Taylor
Alison Eagle	Caroline Matheson	Flora Thirkettle
Sheree East	Kathy McCarthy	Jon Truscott
Jullia Ernshaw	Karen McIntyre	Ray Udy
Peter Farmer	Debbie Meyrick	April Udy
Jason Farrow	Jude Mitchell	Dianne Wallace
Daniel Filipovic	Paula Mitchener	Jill Watson
Natalie Fitzsimmons	Sheila Morris	Beth Warman
Carol Fleet	Bob Morten-Styles	Jennifer Warman
Ian Geddes-Cook	Maria Nailer	Alison Warnerford
Gina Voglar	Helen McAuley-Grant	David Fifield

Alan Cowden
 Alan Frank Deighton
 Andrew McArthur
 Ann McSweeney
 Anne Doel
 Brian Herlihy
 Bruce Timperly
 Bryan Wood
 Chris Riley
 Chris Rotzel
 Chris Stewart
 Corinne Reid
 Darrell John Young
 Darren Clark
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 David Walsh
 Deb Docherty
 Gail Blankley
 George Doel
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 James Johnstone
 Jane Bennett
 Jared Banks
 Jared Graeme Lyne
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 Jennifer Blankley
 Jenny Hawthorn
 Jonathon Filipou
 Kevin Hewitt
 Krystal Riley
 Lynne Lea
 Margaret Cotton
 Marion McArthur
 Martin Reid
 Matthew Hervey Deighton
 Nathan Palmer
 Paul Johannes Schilt
 Pauline Walsh
 Phil Durham
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 Robert Docherty
 Norm Phillips

Steven Raoul Lea
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 Wayne Matthew Hogan
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 Margaret Anne Lacey
 Wendy Jane O'Callaghan
 Margaret Claire Hippolite
 Susan Mary Pinnow
 Carolyn Anne Cederman
 Debra Maree Sheddan
 Leanne Maree McTear
 Pamela Mary Norman
 Valda Marie Colwill
 Allan Wayne Chalmers
 Thelma McIntyre
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 Cassidy Slade
 Cameron Mercer
 Auckland and Region
 GSP Club
 NZ Versatile Hunting
 Dog Test Association
 Shirley Maguigan
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 Teresa Lawrence
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 Paul Hannibal
 Ryen Carlson
 Nichole White
 Darryl White
 Shaun Ireland
 Cyd Welch
 Bruce Goodall
 Wayne Mathew Hogan
 Fiona Constantine
 Jennifer Allen
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 Philip Campbell
 Robyn Campbell
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Alan Baker
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 Brenda Ashley Wilkin
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 Bob Schiefer
 Bryan Wood
 Chris King
 Corinne Reid
 Chris Dalzell
 Dave Papesch
 David Richardson
 Fred Hammer
 Glenn Baker
 Grant Adloph
 Helen Sansome
 Jude Addenbrooke
 Jan Haley
 Jake Overton
 Joshua Searle
 James Love
 John Tweedie
 Jonqui Hill
 Jenny Hawthorn
 Julie Rumsey
 Mark Jorey
 John Menneer
 Jonathon Smith
 Jenny Topliss
 Karen Budden
 Laurence Barea
 Lawrence Hill
 Lisa Terry
 Martina Utz
 Meredith Biberstein
 Morrie Robinson
 Nathan Leyland
 Nickky Caddock
 Robert Docherty

Randall Phillips
Rachel Hunt
Robert Dodunski
Rob Dockerty
Rose Gilbert
Rod Hitchmough
Sandie Finnie
Simon Walker
Stuart Gerritsen
Wendy Schwalger
Melanie Smith
Kelly Walker
Kelly Sullivan
Kent Croote
Julie Jorey
Julie Fifield
Shirley Herbert
Pat Stewart

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Appendix B: Animal Welfare Regulations: Specific Comments

Header

MPI Question	Comment	Proposed Solution
Tail Banding		
9.1 Questions		
Should this area be regulated	Yes this area does need to be regulated so vet only for therapeutic reasons and suitably qualified people registered on the NZCDB ABS Scheme are permitted to perform the banding. Any other person should be liable to prosecution.	Retain the current state of tail banding under the current quality scheme
What would be the positive impacts of this regulation	There would be no positive impacts with the exception of an increase in the statistics of dogs being treated for tail damage.	Retain the current state of tail banding under the current quality scheme
What would be the negative impacts of the regulation, including costs of complying	<p>There are major consequences for the current breeding programs for breeders. The additional of a tail to a breed does not just affect the tail, but the entire construction of the rear end, such as slope of croup/lay of pelvis, which affects the way, the tail is held and an unintended consequences would be the angulation and hind movement of the dog.</p> <p>There was information coming out of Germany on the increase in the incidence of HD in Rottweiler's subsequent to the ban. This was largely due to breeders trying to breed for low set tails that are carried down, in an effort to minimize any chance of tail damage. This results in a change to the slope of croup and lay of pelvis, which in turns alters the angulation of</p>	Retain the current state of tail banding under the current quality scheme

	<p>the hind quarters which influences the occurrence of HD. Eliminating one Welfare issue for an even more serious issue is not ethical.</p> <p>Many breeders have sourced frozen semen to be included at some stage in their breeding program. The addition of a tail to the animal and the consequential changes as described above may mean that frozen semen is actually worthless if the dog will produce tails prone to damage and the breeder has to make the welfare decision to not use it. The cost from freezing the semen until puppies are born is very high (it includes the stud fee for the dog, the cost to the stud dog owner for collection, the cost of the agency to take, process and store the semen, the freight costs and then the storage and final implantation cost.</p>	
<p>Would a transitional or phase in period be required to manage these impacts? If so, how long would be appropriate?</p>	<p>Yes a transitional phase in period would be required.</p> <p>Change to Breed Standards – administrative cost to NZKC</p> <p>Change to breeding program – the time it would take to accomplish this is beyond ten years. Many of our breeders have established their lines of the last 40-50 years.</p> <p>Conversely there is no transition period required for the retention of the ABS, which is working effectively nationwide now.</p>	<p>A transitional period of [10 years] for breeds registered with the NZKC and subject to the national breed standards to allow for the process of consultation and amendment.</p> <p>No transition period required should the ABS be retained.</p>
<p>Are there any unintended consequences?</p>	<p>The amendments will remove the NZCDB ability to provide the ABS.</p> <p>Yes – as described above.</p>	<p>Retain the current state of tail banding under the current quality scheme</p>

	<p>There will be major physiological changes required in these breeds. While this takes place there will be a decline in quality.</p> <p>There is also the potential for the reduction in registrations with NZKC. Some of our members have claimed they will stop breeding if a ban is introduced. Statistics from Australia can be used to predict a major decline in these breeds. For example Rottweiler registration prior to the ban peaked at 8928 per year; in 2015 the figure is 1716. Dobermans 3466, in 2015 the figure is 687. (ANKC Registration Statistics)</p> <p>Change of breeding stock that has taken a lifetime to establish.</p> <p>Finally there is the risk of an increase in incidents of tail damage on breeds where tradition tells us the injuries are difficult and prolonged in repair, often resulting in adult amputation at best, early euthanasia at worst.</p>	
Do you think the regulation will achieve its aim?	No. Will still be performed by back yard breeders who will plead ignorance and policing of this process will be difficult and potentially under resourced.	Retain the current state of tail banding under the current quality scheme
Is the current issue being managed adequately by codes of welfare or other instruments under this Act?	<p>Yes. Currently a layman cannot do this however NZCDB members can and the people outside of this group can currently be investigated and are not. The vets are also not reporting the back yard people. The Act allows the NZ vets to perform tail banding however the NZVA won't allow their members to perform this.</p> <p>The NZVA have a duty of care in their code of professional conduct to report noncompliance with the</p>	Retain the current state of tail banding under the current quality scheme

	<p>current COW's see below http://www.vetcouncil.org.nz/CPC/AnimalWelfare/CPC_AnimalWelfare.php</p> <p>In the course of their work veterinarians must not ignore circumstances where they have reasonable grounds to suspect non-compliance with the requirements of the Animal Welfare Act 1999 and Codes of Welfare. Veterinarians must be satisfied that their co-workers and their clients are informed of and comply with the relevant provisions of the Animal Welfare Act 1999 and Codes of Welfare that relate to work they are undertaking.</p> <p>There has been no evidence to suggest this reporting has taken place and therefore it is difficult to measure how adequately the code is being administered.</p> <p>The NZCDB know that this practice is being completed by "back yard breeders" and often by hunters. The ABS ensures that for NZKC members there is an appropriate and audited alternative process available.</p>	
Are there any non-regulatory options that would be more effective?	Allow the current existing 2010 code of welfare as it relates to tail banding to remain as the status quo	Retain the current state of tail banding under the current quality scheme
Has the right conduct been targeted?	No. This will only have an effect on the audited, regulated scheme that is in place for NZCDB members. Backyard breeders will continue to act as they choose and are not regulated.	Retain the current state of tail banding under the current quality scheme

Is the right person being held responsible?	No. The vets aren't able to perform this process under the NZVA however the Act does allow them to do so. The Act also allows the NZCDB accredited members to perform this process and does not allow the public to do so, however they still are. The person not seeking the assistance of an Accredited Bander or vet should be held responsible not those who choose to go through the ABS.	Retain the current state of tail banding under the current quality scheme
Are there any exemptions or defenses that should apply?	An exemption would be required to allow the status quo to remain for the ABS and the NZCDB as its provider. Outside this, there should be an obligation upon owners as proposed to go to a vet if their dog's tail is injured or diseased.	Exempt the ABS as certified by NAWAC and provided by the NZCDB
Are the penalties appropriate to the severity of the offence?	The penalties are significantly higher than any of the other proposals, and the corporate body penalty is only in effect targeting the NZKC. In saying that for people who do not utilize the ABS or vets for these procedures the penalties should be sufficient to where possible act as a deterrent. The NZCDB consider that regulatory and therefore criminal penalties would be appropriate.	Retain regulatory penalties for those who do not go to a vet or an Accredited Bander under the ABS.
Is the right type of offence (regulatory or infringement) proposed?	With exception to the NZCDB who have accreditation under the quality assurance under the 2010 ACT, then anyone else who performs this should receive an infringement.	Retain regulatory penalties for those who do not go to a vet or an Accredited Bander under the ABS.
It is important that the regulatory proposals will not	The NZCDB suggest that it should be recognised that the way in which dogs and other animals are dealt with	Retain the current state of tail banding under the current quality scheme

place an unjustifiable limitation on a person's religious or cultural practices. Are there any religious or cultural practices that would be impacted by the proposals?	<p>in New Zealand is an aspect of New Zealand culture. Thus the manner in which dogs are treated is part of what makes our society what it is. This extends to the use of working dogs, hunting dogs, and the concept of the dog as a "family pet" and the showing of dogs. The mere fact that the culture of dog ownership is widespread does not dilute its value as a cultural phenomenon.</p> <p>Part of the cultural phenomenon of dog ownership is the showing of dogs and the associated practices. As with any activity involving animals it is accepted that a balance must be struck between the interest of promoting animal welfare and the cultural and recreational uses of animals.</p>	
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12.1 Questions

What is the purpose of the procedure?	Prophylactic procedure to prevent tail damage in the adult dog.	Retain the current state of tail banding under the current quality scheme
What does good practice look like? Good practice can be thought about in relation to the use of the procedure for animal management purposes, or, in relation to the production of	The current ABS is the only suitable working model for good practice with respect to tail banding for puppies under 4 days old. As stated above vets will not undertake these procedures.	Retain the current state of tail banding under the current quality scheme

animal or commercial products;		
<p>How widespread is the procedure in New Zealand? In what situation(s) does it occur?</p>	<p>Currently the NZCDB is the only accredited membership to carry out this procedure. We have in excess of 200 Accredited Banders spread throughout New Zealand and since 2010 the membership has completed 10,500 tail-shortening procedures.</p> <p>The ABS is distinct from the practice commonly carried out in back yard litters by unqualified people and advertised commonly in media outlets such as Trade me. The NZCDB only perform tail shortening on registered pedigree litters and all paperwork is kept for auditing purposes. The ABS is a clear and transparent process.</p>	<p>The ABS provides the services of Accredited Banders nationwide.</p>
<p>Who currently performs this procedure and under what circumstances?</p> <ul style="list-style-type: none"> • Should the procedure only be performed by a veterinarian, if so, why? • Should a non-veterinarian be able to perform this procedure, if so, under what circumstances? 	<p>As above and in the circumstances of traditionally docked breeds under the auspices of the rules and policies within the NZCDB.</p> <p>No. There is a robust regulated and audited accreditation scheme currently in place, which has only had one complaint since NAWAC gave the NZCDB the rights to carry out this process. Currently the NZVA have the ability to also perform the same procedure, however it instructs its membership to not perform this process.</p> <p>Yes. If the person carrying out the procedure undergoes training and accreditation and can be audited then they should be able to perform the procedure. Coincidentally any group could and still can apply for accreditation from NAWAC to do this</p>	<p>Retain the current state of tail banding under the current quality scheme</p>

	procedure, however the NZCDB currently is the only group to do so.	
Where there is a new requirement for a veterinarian to be involved or additional pain relief requirements are there any additional implications (including cost) associated with these new requirements?	The NZCDB stand by our belief that there isn't any pain or suffering relating to this procedure. If pain relief were made mandatory for the ABS process to continue the NZCDB would support this approach. We understand a VOI would be able to be given to our members. VOI are regularly given to farmers, and it would be possible to instruct our accredited banders on the application of a numbing gel to the tail/dewclaw area prior to applying the band or removing the dewclaw. The NZCDB membership has good solid relationships with their Vets and in many cases have been clients for multiple years.	Retain the current state of tail banding under the current quality scheme with if required the inclusion of VOI pain relief.
Are there alternatives to the current practice that are less harmful? <ul style="list-style-type: none"> • Are there any reasons why alternatives can't be used? • Are there any additional implications (including cost) associated with the alternative approach? 	<p>The NZCDB submit that applying a band to the neonate puppy prior to 4 days of age is the alternative to what used to be considered and undertaken by Vets. The Vets would amputate the tail, whereas the membership believes the acceptable current practice is humane and pain free.</p> <p>NZVA is the only alternative and even though they have the legislation to allow them to also carry out the procedure, their governing body will not allow it stating that tail docking is only carried out for cosmetic purposes.</p> <p>The implications if the Vets did do this process, is that you have to take the puppies away from their Mother for a considerable amount of time, into a vet clinic which is frequented by a range of sick and</p>	<p>The ABS is the most appropriate alternative.</p> <p>Retain the current ABS scheme</p>