

HEALTH OF ANIMALS ACT

P.C. 2019-59 January 31, 2019

Her Excellency the Governor General in Council, on the recommendation of the Minister of Agriculture and Agri-Food, pursuant to subsection 64(1) [footnote a](#) of the *Health of Animals Act* [footnote b](#), makes the annexed *Regulations Amending the Health of Animals Regulations*.

Regulations Amending the Health of Animals Regulations

Amendments

1 (1) The definition *non-ambulatory animal* in section 2 of the *Health of Animals Regulations* [footnote 1](#) is replaced by the following:

non-ambulatory animal means livestock, poultry, rabbits or an animal of the cervid or camelid species that is unable to stand without assistance or to move without being dragged or carried. (*animal non ambulateur*)

(2) The definition *transporteur maritime* in section 2 of the French version of the Regulations is replaced by the following:

transporteur maritime Propriétaire ou exploitant d'un navire qui se livre au transport des animaux par voie maritime. (*sea carrier*)

2 Part XII of the Regulations is replaced by the following:

PART XII

Transport of Animals

Interpretation

136 (1) The following definitions apply in this Part.

assembly centre means a place to which animals are transported for the purpose of assembly and includes an auction market, an assembly yard and a holding facility, other than a slaughter establishment, that holds, on behalf of a slaughter establishment, animals that are destined soon afterwards for slaughter at that slaughter establishment. (*centre de rassemblement*)

commercial carrier means

- (a) the owner of a motor vehicle who is engaged in the business of transporting animals by land for financial benefit;
- (b) the owner of an aircraft who is engaged in the business of transporting animals by air for financial benefit;
- (c) the owner of a vessel who is engaged in the business of transporting animals by water for financial benefit; or

- **(d)** a railway company. (*transporteur commercial*)

compromised, in respect of an animal, means an animal that

- **(a)** is bloated but has no signs of discomfort or weakness;
- **(b)** has acute frostbite;
- **(c)** is blind in both eyes;
- **(d)** has not fully healed after a procedure, including dehorning, detusking or castration;
- **(e)** is lame other than in a way that is described in the definition *unfit*;
- **(f)** has a deformity or a fully healed amputation and does not demonstrate signs of pain as a result of the deformity or amputation;
- **(g)** is in a period of peak lactation;
- **(h)** has an unhealed or acutely injured penis;
- **(i)** has a minor rectal or minor vaginal prolapse;
- **(j)** has its mobility limited by a device applied to its body including hobbles other than hobbles that are applied to aid in treatment;
- **(k)** is a wet bird; or
- **(l)** exhibits any other signs of infirmity, illness, injury or of a condition that indicates that it has a reduced capacity to withstand transport. (*fragilisé*)

confine means, for the purpose of transporting an animal, to hold an animal in a conveyance or container from the time that the animal is in the conveyance or container until the time that the animal is out of the conveyance or container. (*confinement*)

container means a structure that is moveable, that has rigid sides and a rigid bottom and may have a cover and that is used to confine an animal and includes a cargo container and a crate. (*caisse*)

humanely kill means to kill as rapidly as possible with the least possible pain, suffering, fear and anxiety and includes to slaughter in accordance with applicable legislation. (*tuer sans cruauté*)

nutritional deficit means an inadequate amount of feed or deprivation of feed that causes behavioural or physiological effects. (*déficit nutritionnel*)

safe water means potable water or water that does not pose a risk to the health of the animal drinking it. (*eau salubre*)

unfit, in respect of an animal, means an animal that

- **(a)** is non-ambulatory;
- **(b)** has a fracture that impedes its mobility or causes it to exhibit signs of pain or suffering;
- **(c)** is lame in one or more limbs to the extent that it exhibits signs of pain or suffering and halted movements or a reluctance to walk;
- **(d)** is lame to the extent that it cannot walk on all of its legs;
- **(e)** is in shock or is dying;
- **(f)** has a prolapsed uterus or a severe rectal or severe vaginal prolapse;

- **(g)** exhibits signs of a generalized nervous system disorder;
- **(h)** is a porcine that is trembling, has difficulty breathing and has discoloured skin;
- **(i)** has laboured breathing;
- **(j)** has a severe open wound or a severe laceration;
- **(k)** has sustained an injury and is hobbled to aid in treatment;
- **(l)** is extremely thin;
- **(m)** exhibits signs of dehydration;
- **(n)** exhibits signs of hypothermia or hyperthermia;
- **(o)** exhibits signs of a fever;
- **(p)** has a hernia that
 - **(i)** impedes its movement, including when a hind limb of the animal touches the hernia as the animal is walking,
 - **(ii)** causes the animal to exhibit signs of pain or suffering,
 - **(iii)** touches the ground when the animal is standing in its natural position, or
 - **(iv)** has an open wound, ulceration or obvious infection;
- **(q)** is in the last 10% of its gestation period or has given birth during the preceding 48 hours;
- **(r)** has an unhealed or infected navel;
- **(s)** has a gangrenous udder;
- **(t)** has severe squamous cell carcinoma of the eye;
- **(u)** is bloated to the extent that it exhibits signs of discomfort or weakness;
- **(v)** exhibits signs of exhaustion; or
- **(w)** exhibits any other signs of infirmity, illness, injury or of a condition that indicates that it cannot be transported without suffering. (*inapte*)

(2) For the application of this Part,

- **(a)** loading of an animal begins when the animal is handled, moved or caught for the purpose of confining it in a conveyance or a container and ends when the animal is confined in the conveyance, or if it is confined in a container, when the container is placed on the conveyance;
- **(b)** in the case of an animal that is confined in a conveyance, unloading of the animal begins when the animal is handled or moved for the purpose of removing it from the conveyance and ends when the animal is removed from the conveyance or from any ramp, gangway, chute, step or apparatus used for unloading the animal; and
- **(c)** in the case of an animal that is confined in a container, unloading of the animal begins when the container is handled or moved for the purpose of removing it from the conveyance and ends when the container is removed from the conveyance and the animal is removed from the container.

(3) An animal that is both *compromised* and *unfit* as defined in subsection (1), is deemed not to be compromised.

Application

137 This Part applies to the transport of animals entering or leaving Canada or within Canada.

Knowledge and Skills

138 Every person who loads, confines or transports an animal in or unloads an animal from a conveyance or container shall have the necessary knowledge and skills to conduct those activities in compliance with this Part.

Training

138.1 (1) Every commercial carrier shall provide training to, or ensure that training is received by, its employees and agents or mandataries who load, confine or transport an animal in or unload an animal from a conveyance or container or who take part in decision making, or advising the person operating the conveyance, in respect of the loading, confining, transporting or unloading of an animal so that they have the necessary knowledge and skills to conduct those activities in compliance with this Part.

(2) The training shall cover subjects that include the following in respect of the species of animals that are to be loaded, confined, transported and unloaded:

- **(a)** animal behaviour;
- **(b)** an assessment of an animal's capacity to withstand loading, confinement, transport and unloading;
- **(c)** animal handling, restraint and space requirements and methods for the loading, confinement, transport and unloading of animals;
- **(d)** a contingency plan;
- **(e)** effective monitoring of animals during loading, confinement, transport and unloading; and
- **(f)** the risk factors set out in subsection 138.3(1).

Contingency Plans

138.2 (1) Every commercial carrier and any other person who transports animals in the course of business or for financial benefit shall have a contingency plan that establishes measures that are to be taken in order to comply with the requirements of this Part if

- **(a)** there are any unforeseen delays or circumstances that could result in the animal's unnecessary suffering, injury or death; or
- **(b)** the animal becomes compromised or unfit during loading, confinement, transport or unloading.

(2) Any person who is required to have a contingency plan under subsection (1) shall inform their employees and agents or mandataries who load, confine, transport or unload animals or who take part in decision making, or advising the person operating the conveyance, in respect of the loading, confining, transporting or unloading of animals of the contingency plan.

Assessment and Monitoring of Risk Factors Related to Transport

138.3 (1) Every person who loads, confines or transports an animal in or unloads an animal from a conveyance or container, or causes one to be so loaded, confined, transported or unloaded, shall, before loading, confining, transporting or unloading the animal, assess the animal's capacity to withstand the loading, confinement, transporting and unloading by taking into account any risk factors that could reasonably be viewed as having an impact on the animal's capacity to withstand the loading, confining, transporting and unloading, including

- **(a)** the current condition of the animal;
- **(b)** any pre-existing infirmity, illness, injury or condition of the animal;
- **(c)** the space requirements for the animal;
- **(d)** the compatibility of the animal with any other animal;
- **(e)** animal handling and restraint methods;
- **(f)** the expected time that the animal will be without feed, safe water and rest;
- **(g)** the expected duration of the transport and confinement of the animal in the conveyance or container;
- **(h)** the foreseeable delays during transport and at the destination;
- **(i)** the foreseeable weather conditions during transport;
- **(j)** the foreseeable conditions that may be encountered during transport that could result in sharp inclines and declines, vibration and shifting of the container or swaying of the conveyance; and
- **(k)** the type and condition of the conveyance, container and equipment.

(2) Every person who confines or transports an animal in a conveyance or container shall monitor the animal in a manner and frequency that is appropriate to assess the animal's capacity to withstand the confinement and transport, taking into account the risk factors set out in subsection (1).

Unfit Animals

139 (1) Subject to subsections (2) to (5), no person shall load, confine or transport an animal that is unfit, or cause one to be loaded, confined or transported, in a conveyance or container.

(2) An unfit animal may be loaded and confined in a conveyance or container and be directly transported to and unloaded at a place, other than a slaughter establishment or assembly centre, where it can receive veterinary care if

- **(a)** it is individually loaded and unloaded without having to negotiate any ramps inside the conveyance;
- **(b)** it is isolated during confinement and transport;
- **(c)** measures are taken to prevent the animal's unnecessary suffering, injury or death during loading, confinement, transport and unloading; and
- **(d)** a veterinarian recommends that the animal be transported to receive veterinary care.

(3) An unfit animal may be loaded and confined in a conveyance or container and be directly transported to and unloaded at an assembly centre where it can receive veterinary care if the unfit animal is seized and detained under a provincial or federal Act and the requirements set out in paragraphs (2)(a) to (d) are met.

(4) Every person who confines or transports an animal that becomes unfit during confinement or transport in a container or conveyance, other than a vessel, shall take reasonable measures as soon as possible to prevent the animal's unnecessary suffering, injury or death and, as soon as possible,

- **(a)** transport the animal directly to the nearest place where it can receive care or be humanely killed; or
- **(b)** if the animal is not transported to the nearest place, humanely kill the animal in the conveyance.

(5) If an animal becomes unfit during confinement or transport while on board a vessel, the vessel master or a veterinarian shall, as soon as possible,

- **(a)** take reasonable measures to prevent the animal's unnecessary suffering, injury or death or cause such reasonable measures to be taken by a person on board the vessel who is trained to provide care to the animals and provide care to the animal or cause care to be provided to the animal by a person on board the vessel who is trained to provide care to the animals; or
- **(b)** if reasonable measures are not taken and care is not provided, cause the animal to be humanely killed by a person on board the vessel who is trained to use humane killing devices.

139.1 (1) Subject to subsection (2), no person shall unload an unfit animal, or cause an unfit animal to be unloaded, from a conveyance or container for the purpose of humanely killing the animal unless

- **(a)** in the case of an unfit animal that is non-ambulatory,
 - **(i)** the animal is rendered unconscious before it is unloaded, or
 - **(ii)** the animal is humanely killed before it is unloaded; and
- **(b)** in the case of an unfit animal that is ambulatory,
 - **(i)** the animal is unloaded individually in a manner that is not likely to cause unnecessary suffering, injury or death,
 - **(ii)** the animal is rendered unconscious before it is unloaded, or
 - **(iii)** the animal is humanely killed before it is unloaded.

(2) In the case of an unfit animal that is non-ambulatory and in a container, the animal may be manually removed from the container before it is rendered unconscious or humanely killed if to do so would not likely cause the animal to unnecessarily suffer, sustain an injury or die.

139.2 (1) A veterinary inspector or an inspector acting under the advice of a veterinary inspector may, if they have reasonable grounds to believe that an unfit animal is being or has been loaded, confined, transported or unloaded in contravention of section 139 or 139.1, make an order directing the person who is in contravention of either of those sections to take measures in order to prevent unnecessary suffering, injury or death of the animal.

(2) The order may include

- **(a)** a requirement that the animal be humanely killed;
- **(b)** a requirement that the animal be transported as soon as possible directly to a place where the animal can receive care or be humanely killed;
- **(c)** the place to which the animal is to be transported;
- **(d)** any condition to be met when loading, confining, transporting or unloading the animal; and

- **(e)** the manner in which and the time when the animal is to be humanely killed.

(3) Every person who receives an order made under this section shall comply with the order.

Compromised Animals

140 (1) Subject to subsections (2) to (6), no person shall load, confine or transport a compromised animal in or unload a compromised animal from a conveyance or container, or cause one to be so loaded, confined, transported or unloaded, unless

- **(a)** it is isolated;
- **(b)** it is individually loaded and unloaded without having to negotiate any ramps inside the conveyance;
- **(c)** measures are taken that are necessary to prevent the animal's suffering, injury or death during loading, confinement, transport and unloading; and
- **(d)** it is transported directly to the nearest place, other than an assembly centre, where it can receive care or be humanely killed.

(2) Paragraphs (1)(a) and (b) do not apply to rabbits and poultry, other than ratites, that are confined in containers.

(3) Paragraph (1)(a) does not apply to a compromised animal that is confined and transported with one other animal with which it is familiar if to do so is unlikely to cause either animal suffering, injury or death and if they are segregated from other animals.

(4) Despite paragraph (1)(d), a compromised animal may be transported directly to an assembly centre where it can receive care or be humanely killed if the animal has been seized and detained under a provincial or federal Act.

(5) Every person who confines or transports an animal that becomes compromised during confinement or transport in a container or conveyance, other than a vessel, shall take reasonable measures as soon as possible to prevent the animal's unnecessary suffering, injury or death and, as soon as possible,

- **(a)** transport the animal directly to the nearest place where it can receive care or be humanely killed; or
- **(b)** if the animal is not transported to the nearest place, humanely kill the animal in the conveyance.

(6) If an animal becomes compromised during confinement or transport while on board a vessel, the vessel master or a veterinarian shall, as soon as possible,

- **(a)** take reasonable measures to prevent the animal's unnecessary suffering, injury or death or cause such reasonable measures to be taken by a person on board the vessel who is trained to provide care to the animals and provide care to the animal or cause care to be provided to the animal by a person on board the vessel who is trained to provide care to the animals; or
- **(b)** if reasonable measures are not taken and care is not provided, cause the animal to be humanely killed by a person on board the vessel who is trained to use humane killing devices.

140.1 (1) A veterinary inspector or an inspector acting under the advice of a veterinary inspector may, if they have reasonable grounds to believe that a compromised animal is being or has been loaded, confined, transported or unloaded in contravention of section 140, make an order directing the person

who is in contravention of that section to take measures in order to prevent unnecessary suffering, injury or death of the animal.

(2) The order may include

- **(a)** a requirement that the animal be humanely killed;
- **(b)** a requirement that the animal be transported as soon as possible directly to a place where the animal can receive care or be humanely killed;
- **(c)** the place to which the animal is to be transported; and
- **(d)** any condition to be met when loading, confining, transporting or unloading the animal.

(3) Every person who receives an order made under this section shall comply with the order.

Livestock, Camelids or Cervids of Eight Days of Age or Less

141 (1) No person shall load, confine or transport livestock, camelids or cervids of eight days of age or less in or unload such an animal from a conveyance or container or cause one to be so loaded, confined, transported or unloaded, unless

- **(a)** the animal is loaded and unloaded individually without having to negotiate any ramps within the conveyance;
- **(b)** sufficient space is provided to allow the animal to lie down without lying on top of another animal;
- **(c)** measures are taken that are necessary to prevent the animal's suffering, injury or death during loading, confinement, transport and unloading;
- **(d)** the animal is segregated from animals that are not livestock, camelids or cervids of eight days of age or less;
- **(e)** the expected period of time between the beginning of the animal's loading and the end of the animal's unloading is not longer than 12 hours;
- **(f)** stops during transport are made only to load other livestock, camelids or cervids of eight days of age or less; and
- **(g)** the animal is transported to a final destination that is other than an assembly centre.

(2) No person shall reload an animal referred to in subsection (1) after it has been unloaded at its final destination.

(3) Paragraph (1)(d) does not apply to livestock, camelids or cervids of eight days of age or less who are loaded, confined or transported in or unloaded from a conveyance or container with their dam if to do so is unlikely to cause either animal suffering, injury or death.

Lactating Animals

142 No person shall load, confine or transport a lactating animal, or cause one to be so loaded, confined or transported, in a conveyance or container without its suckling offspring unless the animal is milked at intervals that are sufficient to prevent mammary engorgement.

Young Ruminants

143 (1) No person shall load, confine or transport ruminants that are too young to be fed exclusively on hay and grain in, or unload such animals from, a conveyance or container, or cause one to be so loaded, confined, transported or unloaded, unless the expected period of time between the beginning of the animal's loading and the end of the animal's unloading is not longer than 12 hours.

(2) No person shall reload an animal referred to in subsection (1) after it has been unloaded at its final destination.

Animal Handling

144 (1) No person shall, during the loading, confinement, transporting or unloading of an animal in or from a conveyance or container,

- **(a)** beat, strike, whip or kick the animal;
- **(b)** use a prod, whip or any other driving device on the animal in a manner that is likely to cause the animal's suffering, injury or death;
- **(c)** use a prod, whip or any other driving device on an animal to make it move if it does not have a clear path to move;
- **(d)** apply an electric prod or a device that has a similar effect to an animal unless the animal is a bovine or porcine of at least three months of age and the prod or device is not applied to sensitive areas of the animal including the belly and the anal, genital and facial regions of the animal;
- **(e)** drag the animal;
- **(f)** lift the animal by its fleece, fur, feathers, head, neck, ears or horns or by one wing;
- **(g)** handle or lift the animal by its tail; or
- **(h)** handle the animal in any other way that is likely to cause the animal's suffering, injury or death.

(2) No person shall, when an animal is in a container,

- **(a)** drop, kick or throw the container; or
- **(b)** handle the container in any other manner that is likely to cause the animal's suffering, injury or death.

145 (1) A person who is loading or unloading an animal in or from a conveyance or container shall use a fixed or movable ramp, gangway, chute, step or apparatus unless the animal is not likely to suffer, sustain an injury or die by stepping directly from or onto the ground or other surface.

(2) No person shall load or unload an animal in or from a conveyance or container, or cause one to be so loaded or unloaded, using a fixed or movable ramp, gangway, chute, step or apparatus unless it is used in a manner that is not likely to cause the animal's suffering, injury or death and the following conditions with respect to the ramps, gangways, chutes, steps or apparatuses are met:

- **(a)** they can bear the weight to which they are subjected without collapsing, twisting, breaking or bending;
- **(b)** there are side rails of sufficient strength and height to prevent the animal from falling off;
- **(c)** they have a surface that is designed, constructed and maintained to prevent the animal from tripping, slipping and falling; and

- **(d)** they are placed so that there is no unprotected gap through which the animal could trip, slip, fall or escape.

(3) Side rails are not required if the animal is loaded and unloaded individually in a manner that is not likely to cause the animal's suffering, injury or death.

(4) No person shall load or unload livestock or cervids — or cause them to be loaded or unloaded — into or from a conveyance or container using ramps, gangways, chutes or apparatuses that have a slope from the horizontal that exceeds

- **(a)** 20° in the case of a porcine;
- **(b)** 25° in the case of a bovine;
- **(c)** 30° in the case of an equine; and
- **(d)** 35° in the case of a cervid, caprine or ovine.

Protection from Inadequate Ventilation and Weather Conditions

146 No person shall load, confine or transport an animal in or unload an animal from a conveyance or container, or cause one to be so loaded, confined, transported or unloaded, if the animal is likely to suffer, sustain an injury or die due to inadequate ventilation or by being exposed to meteorological or environmental conditions.

Exposure to Toxic or Noxious Things

146.1 No person shall load, confine or transport an animal in or unload an animal from a conveyance or container, or cause one to be so loaded, confined, transported or unloaded, if the animal is likely to suffer, sustain an injury or die by being exposed to anything that is toxic or noxious, including exhaust from the conveyance.

Space Requirements

147 (1) No person shall load, confine or transport an animal, or cause one to be loaded, confined or transported, in a conveyance or container unless

- **(a)** in the case of livestock, cervids, camelids and ratites, the animal is able to stand at all times within the conveyance or container with all feet on the floor, with head elevated, with sufficient space to permit a full range of head movement and without any part of its body coming into contact with a deck, roof or top of the conveyance or cover of the container;
- **(b)** in the case of poultry, other than ratites, confined in a container, the animal is able to maintain a squatting or sitting position with sufficient space to permit a full range of head movement without coming into contact with the cover of the container; and
- **(c)** in the case of all other animals, and poultry that is not confined in a container, the animal is able to maintain its preferred position with sufficient space to permit a full range of head movement.

(2) No person shall load, confine or transport an equine, or cause an equine to be loaded, confined or transported by land, in a conveyance that has more than one deck.

Overcrowding

148 (1) No person shall load an animal, or cause one to be loaded, in a conveyance or container, other than a container that is used to transport an animal in an aircraft, in a manner that would result in the conveyance or container becoming overcrowded, or transport or confine an animal in a conveyance or container, or cause one to be transported or confined, in a conveyance or container that is overcrowded.

(2) For the purposes of subsection (1), overcrowding occurs when, due to the number of animals in the container or conveyance,

- **(a)** the animal cannot maintain its preferred position or adjust its body position in order to protect itself from injuries or avoid being crushed or trampled;
- **(b)** the animal is likely to develop a pathological condition such as hyperthermia, hypothermia or frostbite; or
- **(c)** the animal is likely to suffer, sustain an injury or die.

148.1 No person shall transport an animal by air, or cause one to be transported by air, unless it is transported in a container that meets the stocking density guidelines that are set out in the *Live Animals Regulations*, 44th edition, published by the International Air Transport Association, as amended from time to time.

Isolation

149 (1) No person shall load, confine, transport or unload incompatible animals, or cause incompatible animals to be loaded, confined, transported or unloaded, in the same conveyance or container unless they are isolated from one another.

(2) For the purposes of subsection (1), animals are incompatible if any of the animals are likely to suffer, sustain an injury or die if they are loaded, confined, transported or unloaded together.

Conveyances and Containers

150 (1) No person shall load, confine or transport an animal, or cause one to be loaded, confined or transported, in a conveyance or container unless the conveyance and the container, if the animal is in a container, are designed, constructed, equipped, maintained and used to prevent the animal's suffering, injury or death and the conveyance and the container, if the animal is in a container, meet the following conditions:

- **(a)** they are suitable for the species of animal;
- **(b)** they prevent the animal's escape;
- **(c)** they provide adequate ventilation for each animal;
- **(d)** they provide a floor that prevents the animal from tripping, slipping and falling;
- **(e)** they are not likely to collapse or topple over;
- **(f)** they do not have exposed bolt heads, angles or other projections;
- **(g)** they do not contain objects that are unsecured;
- **(h)** they have no insecure fittings;
- **(i)** they can be cleaned except in the case of a container that is used for one-time animal transport; and

- **(j)** in the case of a container, the animal is visible from outside the container or at least two of the container's outer sides have a readily visible sign or symbol indicating the presence within of a live animal and a readily visible sign or symbol indicating the upright position of the container.

(2) Subsection (1) does not apply to a container that is used to confine or transport an animal in an aircraft.

(3) No person shall load, confine or transport, or cause to be loaded, confined or transported, livestock, cervids, camelids or ratites in a conveyance or container unless the conveyance or, if the animal is in a container, the container has a floor that is strewn with sufficient sand, straw, wood shavings or other bedding material to absorb and prevent the pooling or escape of water, urine and liquid manure.

(4) No person shall confine or transport an animal in a container unless the container is secured to the conveyance in a manner that prevents it from moving during transport.

(5) No person shall transport an animal by air, or cause an animal to be transported by air, unless it is transported in a container that meets the design and construction requirements that are set out in the *Live Animals Regulations*, 44th edition, published by the International Air Transport Association, as amended from time to time.

Vessels

151 (1) No person shall load, confine or transport livestock and poultry, or cause them to be loaded, confined or transported, in a vessel unless

- **(a)** the vessel is equipped with passageways to permit the care of the livestock and poultry;
- **(b)** the vessel is equipped with an enclosed area or pen to accommodate livestock and poultry that become injured, ill, compromised or unfit during transport;
- **(c)** the vessel is equipped with lighting — including emergency lighting — that is appropriate to permit the care of the livestock and poultry;
- **(d)** the vessel has on board lighting equipment that is appropriate to enable the examination of the livestock and poultry;
- **(e)** the vessel has on board humane killing devices that are in good working order and are an appropriate type for the species, sex, age and weight of the livestock and poultry;
- **(f)** the vessel has on board a sufficient quantity and type of supplies, including medication, for the care of the livestock and poultry on the vessel taking into account the species of the livestock or poultry and the duration of the transport; and
- **(g)** the vessel has on board dispensing systems to provide feed and safe water to the livestock and poultry.

(2) The sea carrier shall have a person on board the vessel who is trained to use the humane killing devices that are on board the vessel.

(3) The sea carrier shall have an appropriate number of trained persons on board the vessel to provide for the care of the livestock and poultry.

(4) Every sea carrier shall, before departure, have on board the vessel,

- **(a)** a sufficient amount of feed and safe water for each animal to be transported, having regard to the expected duration of the transport, to prevent a nutritional deficit and to prevent them from becoming dehydrated; and
- **(b)** an additional one-day supply of feed and safe water for each animal based on the amount determined in paragraph (a) for every period of four days or less of the expected duration of the transport.

(5) The sea carrier shall store the feed and safe water in a place and in a manner that will prevent the feed and safe water from posing a risk to the animal's health and from otherwise becoming unsuitable for their consumption.

151.1 If the duration of the transport of the livestock and poultry is expected to exceed six hours, the sea carrier or vessel master shall, at least 24 hours before the departure, provide a veterinary inspector with the following information:

- **(a)** the planned date and time of departure from the port of origin and arrival at the destination;
- **(b)** the name of the person who will be in charge of caring for the livestock and poultry; and
- **(c)** the procedures for communication that would allow the person who is in charge of caring for the livestock and poultry to obtain veterinary advice as required during transport.

151.2 No person shall confine or transport livestock and poultry on a vessel, or cause them to be confined or transported on a vessel, in the vicinity of an engine casing or any boiler room casing if it is likely to cause the livestock or poultry to suffer, sustain an injury or die unless the casing is covered and insulated to prevent that suffering, injury or death.

Feed, Safe Water and Rest

152 At the time of loading an animal for transport, a commercial carrier or any other person transporting the animal in the course of business or for financial benefit shall determine the date, time and place where the animal was last fed, watered and rested.

152.1 (1) No person shall load, confine or transport an animal in a conveyance or container, or cause one to be so loaded, confined or transported, unless the person provides the animal with

- **(a)** feed of an appropriate type for its species, age and condition and in amounts that are sufficient to prevent a nutritional deficit;
- **(b)** safe water in amounts that are sufficient to prevent the animal from becoming dehydrated; and
- **(c)** rest that is appropriate for its species, age and condition to prevent the animal from suffering from exhaustion.

(2) In order to meet the requirements set out in subsection (1), every person who loads, confines or transports an animal in a conveyance or container shall monitor the animal on a regular basis.

152.2 (1) No person shall load, confine or transport an animal in or unload an animal from a conveyance or container, or cause one to be so loaded, confined, transported or unloaded, unless the person provides the animal with feed, safe water and rest at intervals that do not exceed the following:

- **(a)** 12 hours for any compromised animals;

- **(b)** in the case of safe water, 24 hours for broiler chickens, spent laying hens and rabbits and in the case of feed and rest for those animals, 28 hours;
- **(c)** 28 hours for equines and porcines; and
- **(d)** 36 hours for all other animals.

(2) Despite subsection (1), no person shall load, confine or transport newly hatched poultry in or unload such animals from a conveyance or container, or cause them to be so loaded, confined, transported or unloaded, unless the person provides them with feed, safe water and rest within 72 hours after the time of hatching.

(3) Despite subsection (1), no person shall load, confine or transport ruminants that are too young to be fed exclusively on hay and grain and livestock, camelids or cervids of eight days of age or less in or unload such animals from a conveyance or container, or cause them to be so loaded, confined, transported or unloaded, unless the person provides them with feed, safe water and rest within 12 hours after the time they were last provided with feed, safe water and rest prior to loading.

(4) For the purposes of subsection (1), an interval begins

- **(a)** in the case of feed, when the animal was last fed;
- **(b)** in the case of safe water, when the animal was last given safe water; and
- **(c)** in the case of rest, when the animal was last rested for a minimum of eight consecutive hours.

152.3 Every person who loads, confines or transports an animal in or unloads an animal from a conveyance or container shall ensure that the following conditions are met whenever the conveyance is stopped for the purpose of providing feed, safe water and rest to the animal:

- **(a)** equipment that is designed, constructed and maintained to feed and water the animal is used;
- **(b)** sufficient space is provided to allow the animal to lie down without lying on top of other animals;
- **(c)** floors that are well-drained and clean are provided so that the animal is not likely to trip, slip, fall, suffer, sustain an injury or die;
- **(d)** sufficient straw or other bedding is provided so that the animal is not likely to suffer, sustain an injury or die;
- **(e)** sufficient straw or other bedding is provided so that the animal is kept clean and dry;
- **(f)** protection from meteorological and environmental conditions is provided so that the animal is not likely to suffer, sustain an injury or die; and
- **(g)** adequate ventilation is provided so that the animal is not likely to suffer, sustain an injury or die.

152.4 (1) Section 152.2 does not apply in the case of an animal that is loaded, confined or transported in a conveyance if the conveyance meets the following conditions:

- **(a)** it is equipped with a dispensing system that is designed, constructed and maintained so that feed is available to the animal as required;
- **(b)** it is equipped with a dispensing system that is designed, constructed and maintained so that safe water is available to the animal at all times;

- **(c)** it is equipped with forced ventilation that is designed, constructed, maintained and used so that adequate ventilation is provided to the animal at all times;
- **(d)** it is equipped with a rigid exterior with adjustable venting that is designed, constructed, maintained and used so that adequate ventilation is provided to the animal and the animal is protected from meteorological and environmental conditions at all times;
- **(e)** it is equipped with a system that electronically monitors and records temperatures and humidity in the parts of the conveyance where the animal is most likely to be exposed to temperatures and humidity that would likely cause the animal to suffer, sustain an injury or die;
- **(f)** it is equipped with a system that alerts the person operating the conveyance when a set high or low temperature or humidity reading in the conveyance is reached;
- **(g)** it has sufficient space to allow the animal to lie down without lying on top of other animals;
- **(h)** it has floors that are well-drained and clean so that the animal is not likely to trip, slip, fall, suffer, sustain an injury or die;
- **(i)** it has sufficient straw or other bedding so that the animal is not likely to suffer, sustain an injury or die; and
- **(j)** it has sufficient straw or other bedding so that the animal is kept clean and dry.

(2) Section 152.2 does not apply in the case of an animal that is loaded, confined or transported in a container that is in a conveyance that meets the conditions set out in subsection (1) if the container meets the following conditions:

- **(a)** it is designed, constructed and maintained so that the animal in the container is able to access the feed dispensed by the feed dispensing system on the conveyance;
- **(b)** it is designed, constructed and maintained so that the animal in the container is able to access, at all times, the safe water dispensed by the safe water dispensing system on the conveyance;
- **(c)** it is designed, constructed and maintained so that the animal in the container is provided with adequate ventilation at all times;
- **(d)** it has sufficient space to allow the animal to lie down without lying on top of other animals;
- **(e)** it has floors that are well-drained and clean so that the animal is not likely to trip, slip, fall, suffer, sustain an injury or die;
- **(f)** except in the case of rabbits and poultry, it has sufficient straw or other bedding so that the animal is not likely to suffer, sustain an injury or die; and
- **(g)** it has sufficient straw or other bedding so that the animal is kept clean and dry.

Transfer of Care

153 (1) No person who transports an animal shall leave the animal at a slaughter establishment or assembly centre unless the person has provided the consignee with a written notice that the animal has arrived at the slaughter establishment or assembly centre and a document that contains the following information:

- **(a)** the condition of the animal on arrival;
- **(b)** the date and time when and the place where the animal was last fed, watered and rested; and

- (c) the date and time of arrival of the animal at the slaughter establishment or assembly centre.

(2) The responsibility for the care of the animal is transferred from the person who transports the animal to the consignee as soon as the consignee acknowledges receipt of the notice and document.

(3) For greater certainty, the consignee who assumes responsibility for the care of an animal shall comply with the requirements with respect to feed, water and rest set out in sections 152.1 and 152.2.

Records

154 (1) Every commercial carrier and any other person who transports animals in the course of business or for financial benefit shall, for each shipment of animals, make a record at the time of loading the animals that includes the following information:

- (a) the name and address of the shipper, consignee and person operating the conveyance in which the animals are transported;
- (b) the identifying number or registration number of the conveyance;
- (c) the number of square metres or square feet of floor area available to the animals in the conveyance or, if the animals are in a container, in the container;
- (d) the date and time when and the place where the conveyance or container was last cleaned and disinfected;
- (e) the date and time when and the place where the animals are loaded;
- (f) the number, description and weight of the animals; and
- (g) the date and time when the animals were last fed, watered and rested prior to loading.

(2) Every person referred to in subsection (1) shall, as soon as possible, include in the record any changes to the information provided in subsection (1) and add the following information to the record:

- (a) the date and time when and the place where the animals are fed, watered and rested; and
- (b) the date, time and place of arrival of the animals at the destination.

(3) Every person referred to in subsection (1) shall, with each shipment of animals being transported, keep on board the original record or a copy of the record.

Dead and Seriously Injured Animals

155 Every air carrier and sea carrier that transports an animal from Canada shall, as soon as possible after arrival at the destination, send a document to the veterinary inspector at the port of embarkation respecting every animal that was seriously injured, has died or was killed during transport, stating in each case the cause of the injury or death.

Coming into Force

3 These Regulations come into force on the first anniversary of the day on which they are published in the *Canada Gazette*, Part II.