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No Excuse for Loading 'Downer' Livestock

AFAC publication aims to draw line in the sand

By James Menzies

CALGARY, Alta. - It's an all-too familiar situation for livestock truckers. You're loading the trailer and notice one of the animals is visibly limping. You question its ability to make the trek, but the producer is adamant about loading the animal. You try to hold your ground, knowing that animal is your responsibility if the Canadian Food Inspection Agency (CFIA) or the SPCA inspects you. The animal may not technically be considered a "downer" yet, but it may well be by the end of the haul. The producer then lays it on the line.

"You load this animal or you can unload the entire trailer and get off my farm and I'll call Joe's Trucking down the road," he says. "And you won't ever ship another animal for me again."

What do you do?

There has always been a gray area about what constitutes a "downer" and what animals can be humanely transported. The general rule of thumb is that it's impossible to humanely transport a downer. But what about those borderline cases where the trucker and shipper are unable to agree? Shippers often consider an animal fit for transport if it can walk onto the trailer. But will it be able to walk off after a 10-hour haul?

Alberta Farm Animal Care (AFAC) has been working on a new booklet called Alberta's New Handling Guidelines for Unfit Cattle and the Applicable Law, which AFAC hopes to have in the hands of every cattle hauler in the province. Ultimately the guide aims to clearly define which animals are suitable to transport and which are not - eliminating the gray area.

Tim O'Byrne of Calico Beef Consulting has been working on the guidelines on behalf of AFAC and Alberta Beef Producers.

"What we're trying to do is draw a line in the sand that says 'This critter is fit for transport and this critter is not fit for transport,'" says O'Byrne. (It's worth noting that a 1,800-lb. rodeo bull is still a "critter" to him.)

The booklet will include a clear definition of what constitutes a salvageable animal. It will also provide the tools necessary to make decisions right there in the field and will outline the ramifications of loading unfit livestock. Using an easy-to-follow grading system and following a set of check points, truckers and shippers will be able to grade an animal and determine whether or not it should be loaded.

The booklet will also feature management options for unhealthy animals including options such as euthanizing the animal on site or transporting it to a local veterinarian under special provisions.

The booklet, coupled with recent changes to the federal Health of Animals Act, should be enough to get shippers on the same page as truckers when it comes to determining which animals can go on the liner and which should not, says O'Byrne.

In the event that shippers and truckers still disagree, there are ways truckers can protect themselves. A few years ago, the wording of the federal Health of Animals Act was quietly changed to state that whoever loads "or causes to be loaded" an unfit animal is responsible for that animal's wellbeing. Previously, it was entirely the trucker's responsibility, once the trailer doors were closed.

Because of the change to the regulations, truckers can now sign off responsibility for a questionable animal by segregating the animal in question, providing lots of bedding, loading it at the back of the trailer and making a note on the manifest indicating the animal was loaded under protest.

If an inspection officer feels the animal shouldn't have been loaded, he will find the shipper responsible - as long as the trucker took the proper measures to protect the animal in question. With federal fines of up to \$2,000 and provincial fines (in Alberta) of up to \$10,000, it's not worth taking any chances.

The booklet will reinforce the ramifications of loading unhealthy animals.

"The shipper is now part of the chain that's liable for this if the trucker was coerced into taking this critter," says O'Byrne.

"The shipper can be charged with a violation of federal law. All the trucker has to do is show this booklet to the shipper and say 'Look, under the law, you can be charged.'"

O'Byrne acknowledges the key to making the system work is ensuring all livestock trucking companies carry the book and follow it to the letter.

That way, when a shipper threatens to call "Joe's Trucking" in the event of a dispute, truckers can point out that his drivers have the same book in their glove compartment and will also refuse to take the animal.

It's in the industry's best interest to develop and follow its own guidelines rather than having them imposed by government or lobby groups, says AFAC manager, Susan Church.

"It's better that the industry decides what is acceptable. The Act reads you can't do these things unless it's a generally acceptable practice. Well, what are generally acceptable practices? That's when the light bulb went off in our minds - that's something we should be deciding as an industry - not the Humane Society in Ottawa, and that's why we've been quite aggressive with this project."

Church adds: "We've already done one with the hog industry that's already been printed and it is the most in-demand piece of literature that Alberta Pork has ever put out and it has been reprinted in almost every other province."

O'Byrne concludes "The project's goal is to standardize the acceptable parameters for transporting live cattle."

For more information about the booklet, contact AFAC at 403-932-8050.

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