



Health of Animals Regulations Part XII: Transportation of Animals Operational Compliance and Enforcement Approach

Context:

The Canadian Food Inspection Agency (CFIA) has a mandate to enforce Canada's Health of Animals legislation, including updates made to the transport of animals provisions in Part XII of the Health of Animals Regulations (HAR). While ensuring the well-being of animals during transport remains our highest priority, it is recognized that Feed, Water and Rest (FWR) maximum intervals outlined within the amended regulations, coming into force as of February 20, 2020, introduce a requirement for significant adjustments by some industry sectors such as a need for new infrastructure to be put in place or changes to marketing practices.

CFIA's enforcement approach will balance the need to ensure the well-being of animals during the entire transportation process while supporting the different industry sectors in complying with the regulations.

Compliance and Enforcement Approach:

As often in the case of new regulations, recognizing that the upcoming changes will require industry adaptation, the CFIA will implement a graduated enforcement approach specifically as it relates to the prescriptive times and FWR interval provisions set out in the Health of Animals Regulations Part XII: Transportation of Animals, Sections 141(1)(e), 143(1) and 152.2.

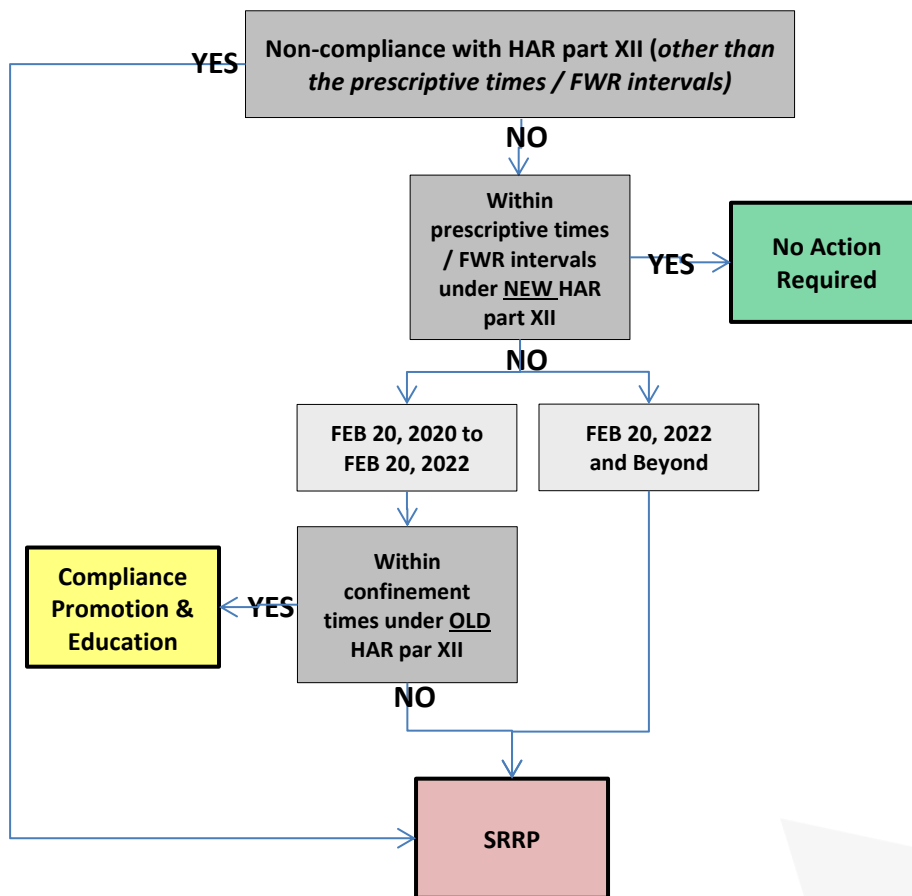
During the first two years, the CFIA will focus its enforcement efforts relating to prescriptive times and FWR interval provisions, on compliance promotion through education and awareness measures, which are part of the CFIA's compliance continuum. Please refer to the figure on page 2 for further information.

It is important to note that the regulations also contain outcome-based requirements to ensure that animals are not likely to suffer, be injured or die during transport. With respect to FWR requirements, animals are to be provided with feed, water and rest during transport in order to ensure they do not suffer from exhaustion, a nutritional deficit, dehydration or adverse environmental conditions. The CFIA has the discretion to appropriately enforce these outcome-based requirements to prevent and act on animal welfare situations.



In relation to other aspects of the regulations, the CFIA will continue to use the [Standard Regulatory Response Process \(SRRP\)](#) to determine appropriate compliance and enforcement actions in cases of identified non-compliance or offenses. Considerations include; the regulated parties' history of non-compliance, the level of harm and the intent of the non-compliance/offense. Enforcement actions are proportional to the animal welfare situation and the seriousness of the non-compliance and can include, but are not limited to, letters of non-compliance, meetings with the regulated party, the issuance of administrative monetary penalties (AMPs) up to prosecution.

The following figure provides an overview of the compliance and enforcement approach supporting the coming into force of the amended regulations.



Reference: [Standard Regulatory Response Process \(SRRP\)](#)



Compliance and Enforcement Management Oversight:

In cases where a non-compliance has been identified and is subject to the Standard Regulatory Response, processes are established for CFIA inspectors to engage their Area management, prior to issuance of the enforcement action to the regulated party. Active engagement across Operations Branch management and strong support from National expertise to the Areas will support national consistency.

Operational Contact:

Should industry identify concerns or questions regarding humane transportation compliance and enforcement activities please contact:

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