



## Proposed federal livestock identification and traceability regulations

### Executive overview

2018-05-01

*Minor amendments from document released on 15 August 2017*

#### Context

The objectives of the national livestock identification and traceability system are to provide timely, accurate, and relevant information to mitigate the impact of a sanitary issue or a natural disaster; and to support market access, competitiveness and consumer confidence.

The Canadian Food Inspection Agency (CFIA) is considering proposing amendments to Part XV (Animal Identification) of the *Health of Animals Regulations* (hereafter referred to Part XV) to strengthen Canada's livestock traceability system. The proposed amendments would include requirements for identifying and reporting the movement of bison, bovine, caprine, cervid, ovine and pigs. The authority for the proposed amendments is provided under the *Health of Animals Act*.

Two rounds of regulatory consultations were completed (in 2013 and 2015) with provinces and stakeholders across the livestock sector. During the 2015 consultations, proposed amendments to Part XV were presented in the document entitled "Overview of a federal livestock identification and traceability regulatory proposal, Second round consultation paper."

Following consultations, CFIA compiled and analysed comments from stakeholders and engaged in further discussion with livestock sectors, and modified certain elements of the regulatory proposal that was presented in 2015.

The following is a high-level summary of what CFIA expects would be included in the regulatory proposal reflecting the changes that have been made to the proposal since the 2015 consultations. Note that the clause numbers of the proposed requirements presented in the 2015 consultation document are identified as a subscript and further explanation/rationale of certain elements are included in the footnotes. A glossary has been added to the annex (note that "premises" and "sites" are used interchangeably but have the same meaning).

This summary is intended to be for information only and the CFIA will not be seeking comments on this document. There would be an opportunity for stakeholders to comment on the proposed regulations when they would be published in *Canada Gazette*, Part I.



## Summary of proposed regulatory requirements

### *Scope*

Currently, every person who owns or has the possession, care or control of bison, bovine, ovine or pig is subject to animal identification and movement reporting requirements under Part XV.

The proposed regulatory amendment would broaden the scope of the requirements to include caprine<sup>1.1</sup>, cervid<sup>1.2</sup> and, bovine and ovine<sup>1.3</sup> that have been crossed with other species<sup>1</sup>. Pet animals<sup>2</sup> would remain subject to Part XV requirements<sup>1.4</sup>. Equine and birds would not be subject to the proposed regulations<sup>1.5, 1.6</sup>.

The depth of the proposed regulations would remain unchanged and cover from the birth or import of animals, to their death or export<sup>1.7</sup>.

### *Identification requirements*

Caprine and cervids<sup>5.19</sup> would be required to be identified with an approved indicator before the animals leave their farm of birth (of origin).

Exceptionally, cervids would be required to be identified with two approved indicators, each having the same identification number<sup>5.18</sup>. Dairy bovine animals would not be required to be identified with an approved secondary indicator<sup>5.20</sup>.

The approved indicator borne by a caprine<sup>3</sup> aged 12 months or younger and moved directly from the farm of origin to an abattoir could bear a herd mark instead of an identification number unique to the animal<sup>5.17</sup>.

Approved indicators would be required to be issued to the identification number of the premises where the indicators would be applied to the animals<sup>3.3</sup>.

The 2015 consultation document proposed tag activation<sup>4.2</sup> (confirmation that an approved indicator has been applied to an animal). However, this requirement would not be included under the proposed regulations.

The list of approved indicators would be incorporated in the regulations by reference and would specify how the indicator must be applied, and the circumstances upon which the indicator is approved<sup>5.5, 5.6, 5.7, 5.9</sup>. This list would be updated on an annual basis based upon recommendations from administrators.

Under specific circumstances and under the supervision of a CFIA inspector, it would be permitted to remove an approved indicator from an animal<sup>5.10</sup>.

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<sup>1</sup> It was to include all animals that are a result of crossbreeding between species subject to Part XV.

<sup>2</sup> Among species subject to Part XV requirements, this point is pertinent for pigs and caprine.

<sup>3</sup> This exception could also be provided to ovine aged 12 months or less and moved directly from their farm of origin to an abattoir.



The requirement to apply an approved indicator to an animal received and not bearing one, would continue to apply and be extended to caprine and cervid<sup>5.11</sup>. If the animal arrives at an abattoir and is slaughtered at the abattoir, the operator of the abattoir would be exempted from this requirement provided that specified information is reported to the responsible administrator.

It would no longer be prohibited to receive an animal that does not bear an approved indicator<sup>5.21</sup>.

The 2015 consultation document proposed that approved indicators applied at intermediate sites would be required to be of a distinct colour. However, this requirement would not be included in the regulatory proposal<sup>question 6</sup>.

#### *Approved identification site*

The section dealing with 'tagging sites' would now be referred to as 'approved identification site' and would specify that only assembly points are eligible to be recognized as an approved identification site<sup>4</sup>.

The operator of the approved identification site would be required to report the application of the approved indicator to the animal<sup>5.16</sup>.

#### *Domestic movement reporting requirements*

As a rule of thumb<sup>4.5, 4.6 and 4.7</sup>, the operator of a destination site to which animals or carcasses of animals are transported would be required to report the individual receipt of animals and carcasses of animals, namely the following information:

- the identification number of an approved indicator applied to the animal or carcass;
- the date and time of departure of the conveyance by which the animal or carcass was transported, if that information is set out in the form that must accompany animals and carcasses<sup>5</sup>;
- the date and time at which the animal was unloaded from the conveyance;
- the identification number of the departure and of the destination site (premises), and;
- the license plate number or, if there is no license plate, other identification of the conveyance.

There would be a number of proposed exceptions and exemptions to the above-mentioned requirement:

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<sup>4</sup> The type of operations set to be eligible was broader under the last consultation (would have also included feedlots, fairs, community pasture, veterinary clinics).

<sup>5</sup> The requirement to report this data field only if it provided on the form is an element that was not presented under the last regulatory consultation; it aims to support compliance.



- operators of farms would be exempted from reporting the individual receipt of cervid at their operation but instead they would be required to report their individual departure<sup>4.4</sup>;
- operators of farms would be exempted from reporting the movement of ruminants within their farm<sup>4.1</sup>;
- operators of assembly points<sup>4.9</sup> would not be required to report the identification number of approved indicators borne by animals received at their site but instead would report the number and species of animals received<sup>6</sup>.
- operators of community pastures would be exempted from reporting the departure or receipt of animals at their site<sup>7</sup>. However, operators of a site from which animals are transported, or otherwise moved to a community pasture, would report the departure of those animals as a group<sup>8</sup>. It would not be required to report the return of animals to the farm from which they were sent to a community pasture.
- it would not be required to report the movement of animals between a farm and a pasture that is leased from the Government of Canada or a provincial government for grazing purposes and where all animals assembled on the pasture are from the farm.<sup>9</sup>
- operators of abattoirs would continue to report the death of animals or receipt of carcasses of animals at their site (tag retirement)<sup>10</sup>, but would be required to also report the individual departure of live animals from their site<sup>4.14</sup>. Operators of abattoirs would no longer be exempted from reporting the identification number of foreign indicators applied to animals imported for immediate slaughter<sup>4.11</sup>.

There will be no requirement to use an animal indicator reading equipment in order to be compliant with the requirement to report the identification number of an approved indicator. For operators of a farm, a feedlot, or an agricultural fair who decide to use an animal indicator reading equipment, they would not be required to report the identification number of approved indicators that were not read on the first try using the indicator reading equipment if the following conditions are met: (a) the animal indicator reading equipment that is used by the operator is listed on the web site of a Responsible Administrator; (b) the operator has installed the equipment in accordance with the manufacturer's instructions; and (c) the operator maintains the equipment and performs tests to ensure that it functions as it was designed to function. This 'passive-reading principle', which only applies to indicators that are designed to be read with animal indicator reading equipment and applied to an animal or carcass, was added to support compliance for those who are not currently subject to animal movement reporting requirements *question 3*.

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<sup>6</sup> It was recommended that this exception be repealed at a date specified under the regulations<sup>4.10</sup>.

<sup>7</sup> It was recommended that they initially report the receipt of animals as a group.

<sup>8</sup> This proposed requirement was a compromise for exempting the operators of community pasture in reporting movement.

<sup>9</sup> This exemption was not included under the last consultation.

<sup>10</sup> It was recommended that the individual receipt of animals be reported instead of their slaughter<sup>4.12</sup>.



### *Disposal of carcasses*

Information on the disposal of a carcass that is identified with an approved indicator would be required to be reported.<sup>5.35.</sup>

The disposal of a carcass that is not identified with an approved indicator and not transported off-site would still not be required to be reported<sup>5.34.</sup>

### *Import*

The foreign location at a sub-national level from which an animal was imported would be reported<sup>5.26.</sup>

The possibility to identify an animal with a Canadian approved indicator prior to its importation into Canada would be repealed<sup>5.27.</sup>

A bison, bovine, ovine imported for immediate slaughter would continue to be exempted from the requirement to be identified with an approved indicator<sup>5.28.</sup> This exemption would also apply to caprine and cervid.

### *Export*

The foreign location at a sub-national level to which an animal was exported would be reported<sup>3.3.</sup>

It would be clarified that pigs must be identified with an approved indicator before being exported<sup>5.31.</sup>

### *Movement document*

The following information would be required to accompany a load of animals and/or load of animal carcasses being transported: the identification number of the departure site and the destination site; the date and time animals were loaded on the conveyance; the number and species of animals loaded, and; the license plate of the conveyance. The information that is set out on the document would need to be in a form that can be read without delay by an inspector and the operator of the destination site<sup>4.3<sup>11</sup>.</sup>

This requirement would not apply in the provinces and under the conditions where this is already a provincial requirement.

The proposed requirement for information to accompany a load of animals and/or load of animal carcasses being transported would not apply to:

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<sup>11</sup> The clarification that the document must be in a form that can be read without delay by the operator of the destination site was not included in the consultation document.



- animals and carcasses of animals transported for import and export (documentation already applies)
- ruminants and carcasses of ruminants transported within a farm;
- pigs or pig carcasses, other than bred pigs and carcasses of bred pigs, that are transported between parts of a farm that are contiguous<sup>12</sup>.

Every person<sup>13</sup> who is required to ensure that the information accompanies an animal or carcass would be required to keep a record of the document for a period of two years<sup>4,3</sup>.

Unless specified otherwise under provincial requirements, the carrier would be responsible to provide the information to inspectors (if requested) and to the operator of the destination site<sup>14</sup>.

The operator of the site who receives animals or carcasses would not be required to report information not provided by the carrier<sup>15</sup>.

The proposed requirement would not impact import permits and export certificates<sup>16</sup>.

The prohibition to transport animals not bearing approved indicators would not be amended<sup>17</sup>.

#### *Premises identification*

Each province or territory issues site (premises) identification numbers. A premises identified by a provincial or territorial government will not be required to be re-identified through the proposed federal regulations.

Under the proposed regulations, persons who own or have the care or control of livestock will be required to provide the premises identification number for the location where approved indicators are applied to their animals. <sup>3,1</sup>

When required to report the movement of animals or carcasses, the operator of the site would provide the identification number of premises assigned by the provincial government or, in its absence, by the responsible administrator<sup>18</sup>.

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<sup>12</sup> Minor consequence that carcasses of non-bred pigs transported between contiguous sites of a farm would not be required to be accompanied by a document.

<sup>13</sup> It was recommended that the operator of the departure site and of the destination site, in addition of the carrier, be required to keep a record.

<sup>14</sup> Such responsibility was not clarified at the last consultation. The proposal is based on existing requirements under Part XII of the *Health of Animals regulations*.

<sup>15</sup> Such exemption was not specified under the consultation.

<sup>16</sup> It was proposed that export certificates be amended to avoid duplication with the export movement requirement<sup>4,18</sup>.

<sup>17</sup> It was recommended to amend the prohibition to reflect the difficulties for carriers to determine whether animals loaded on conveyances bear an approved indicator.

<sup>18</sup> The assignment of premises identification numbers by responsible administrators was not included under the consultation.



Four types of information<sup>3.2</sup> would be required to be reported for each identified premises:

- the physical location of the site (legal land description or, in its absence, geo-referenced coordinates);
- the type of operation(s) at that site (e.g. abattoir);
- the animal species kept at that site, and;
- the contact name and contact coordinates for that site.

Some provincial governments may request additional information to identify the premises, e.g. animal capacity of buildings present at the site.

#### *Time period to report regulated information*

All information required to be reported to the responsible administrator would be required to be reported within seven days of the event occurring<sup>2.1</sup>.

The time period to report the sale, distribution or issuance of approved indicators would remain as less than 24 hours<sup>2.1</sup>.

It would be specified that the prescribed time period to report information includes statutory holidays and week end days<sup>2.1</sup>.

#### *Record-keeping requirements*

The requirement to keep records of information that is also required to be reported to the responsible administrator would be repealed<sup>19</sup>.

#### Next steps

The proposed regulations and associated cost-benefit analysis have been drafted and expected to be published in Part I of the Canada Gazette (<http://www.gazette.gc.ca/rp-pr/publications-eng.html#a1>) in fall 2018. Stakeholders will have 75 days to review and provide comments.

An evaluation of the livestock traceability program against performance criteria agreed to by the federal, provincial and territorial governments is expected to be completed by the end of 2018. This baseline evaluation follows the same methodology as the one specified under the Evaluation Framework document developed in consultation with industry and provinces, and communicated to the livestock traceability Industry-Government Advisory Committee (IGAC) in 2015.

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<sup>19</sup> It was recommended to maintain the requirement and harmonize the retention period to five years<sup>2.2, 2.4</sup>.



The CFIA will conduct a subsequent program evaluation within three years of the coming into force of the proposed regulations (approximately in 2022), and if the performance criteria fail to be met, the CFIA will work with industry to explore what additional measures may be necessary at that time, including, but not limited to the option of a further regulatory amendment to incorporate individual reporting and sourcing at auction marts and assembly yards.

A Regulatory Implementation Committee has been established, which includes members of CFIA, AAFC, provincial governments, responsible administrators and national industry associations, to prepare for the coming into force of the regulations and facilitate compliance.





## Glossary

**approved indicator** means a means of identifying animals or carcasses that is listed as an approved indicator for those animals or carcasses in the document entitled Approved Animal Indicators, published on the Agency's website, as amended from time to time.

**approved secondary indicator** means a means of identification that is listed as an approved secondary indicator in the document entitled Approved Animal Indicators, published on the Agency's website, as amended from time to time.

**assembly point** means an auction market, assembly yard or other site where animals are temporarily collected to be sold or redirected to another site, but does not include abattoirs, farms, feedlots, community pastures, fairgrounds, artificial insemination units, zoos or the site of an event such as a rodeo or a circus.

**bison** means an animal, other than an embryo or fertilized egg, of the subspecies *Bison bison bison*, *Bison bison athabascae* or *Bison bison bonasus*.

**bovine** means an animal, other than an embryo or fertilized egg, of the species *Bos taurus* or *Bos indicus* and includes a cross between a bovine and a member of another species and their progeny.

**caprine** means an animal, other than an embryo or fertilized egg, of the genus *Capra*.

**cervid** means an animal, other than an embryo or fertilized egg, of the family *Cervidae*.

**community pasture** means a pasture that is managed by or leased from the Government of Canada or a provincial government and where animals from more than one operator of a farm are assembled and commingled.

**farm** means land, and all buildings and other structures on that land, that is used under one management for breeding or raising animals, but does not include an artificial insemination unit.

**farm of origin** means the farm on which an animal is born or, if an animal is not born on a farm, the first farm to which it is moved after its birth.

**herd mark** means a number or marking issued by a responsible administrator for the purpose of identifying groups of pigs, caprines or ovines that originate from the same site.

**pig** means an animal, other than an embryo or fertilized egg, of the genus *Sus*.



**responsible administrator** means a person who is authorized by the Minister to receive information in relation to animals or things to which the Act or these Regulations apply and who administers an identification program in relation to certain animals of all or part of one or more genera, species or subspecies that are located in one or more provinces.

**ruminant** means a bison, bovine, caprine, cervid or ovine.

**site** means premises where animals or carcasses are kept or collected, but does not include a conveyance.

**site identification number** means the number assigned to identify a site by the government of the province in which the site is located for the purpose of tracing animals that are kept or collected at the site or, if that number has not been assigned by the government of the province, the number assigned by the responsible administrator for that purpose