



National Council of SPCAs



South Africa

Long Distance Transport of Animals



National Council of SPCAs

www.nspca.co.za

Photographs courtesy of Animals Australia

Introduction to the NSPCA

- Non profit, non government organisation (NGO). Our mandate is to prevent cruelty to animals through education and law enforcement.
- We are a statutory body
- Only SA animal welfare organisation to have an act of parliament (SPCA Act No 169 of 1993)
- **SPCA enforce over 90% of animal welfare legislation (Animals Protection Act No. 71 of 1962)**
- Less than 10% of investigations result in prosecution. Most problems are resolved with education, advice and/or warnings.



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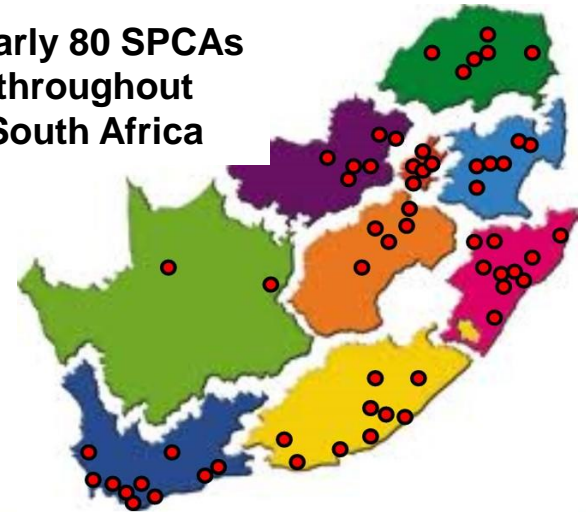
We operate nationally and works with industry and government to achieve change.

We have 6 Specialised Operational Units

:- **Farm Animal Protection Unit**

Local SPCAs

Nearly 80 SPCAs
throughout
South Africa



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Background



- This presentation will focus on sea transport due to the current international scrutiny on this mode of transport.
- In 2018, footage released by a whistle-blower on board 5 journeys, from Australia to the Middle East by one of the major international exporters, which has thrown the global trade into the international spotlight.
- The Australian story will be specifically highlighted due to the available data in the public domain, and because of its history as a major supplier and how the demise of this unsustainable industry.



Background

Before this major recent publicized disaster that led to new regulations, several key points will highlighted:

In 1985, the Australian Parliamentary Senate Select Committee, “came to the conclusion if a decision were to be made on the future of the trade purely on animal welfare grounds, there is enough evidence to stop the trade”

And, “The trade is, in many respects inimical to good animal welfare, and it is not in the interest of the animal to be transported to the Middle East for Slaughter”

Thirty three years before the footage!



Problems on Board

1. Heat stress/stroke (AVA, 2018)
2. Lack of access to appropriate feed and water (McCarthy, 2018).
3. Lack of ability to monitor animals
4. Disease (salmonellosis, eye infections, wound infections, etc) (Pines et al, 2013).
5. Traumatic injuries from rough seas
6. Build-up of noxious gases (Pines et al, 2013), (Zhang, 2018).
7. No diurnal variation of light/darkness (Harrison et al, 2008)
8. Constant noise (up to 108 decibels recorded) (<https://www.agriculture.gov.au/export/controlled-goods/live-animals/livestock/regulatory-framework/compliance-investigations/independent-observations-livestock-export-sea/report-189>)
9. Rejection at ports : www.smh.com.au/national/cormo-express-disaster-haunts-industry-20041029-gdk0f8.html,
<https://www.theguardian.com/environment/2020/aug/13/3000-sheep-die-after-live-exports-rejected-by-saudi-arabia>
10. Old converted vessels



Monitoring

Australia essentially only country where detailed reporting has been done to some extent over many decades:

Some examples of limitations of reliable data:

2001: Dr Tony Hill forced to falsify mortalities on the MV *Al Khaleej*.

2008: Former Dean of Queensland veterinary school, Dr Lloyd Reeve Johnson removed from vessel after raising concerns of recording.

2013: Experienced live export vet Dr Lynn Simpson removed from her post and blacklisted after raising concerns to government.

Post footage release in 2018:

Independent Observer program launched in 2018. Australian Minister of Agriculture stated, ***“I need truth and proof on those boats”***.

<https://parlinfo.aph.gov.au/parlInfo/search/display/display.w3p;query=Id%3A%22media%2Fpressrel%2F6357789%22>

Moss review in 2019 and Carter Review in 2020 cited concerns with a conflict of interest in only relying on veterinarians/stockpersons employed by companies.



Freedom of Information Documents

In the aftermath, documents obtained by bodies such as “Vets Against Live Export”, were used, specifically by the Australian Veterinary Association, for a review headed by Dr Michael McCarthy.

These documents obtained under a freedom of information act, included routine voyages between the months of 2013-2017. They included end of voyage reports, daily reports, mortality investigation reports and industry funded research which had to be used to piece together the evidence of routine suffering.

The Australian Veterinary Association which put forward a submission concluded that it could not condone any voyages between the months of May and October on heat stress concerns.

Ultimately the government banned journeys between June 1st and September 15th with some ports in the middle cited earlier and later.

Stocking density was also addressed among some other concerns reported over decades.

In 2018, the largest company exporting to the Middle East announced that due to Australia`s changing regulatory stance towards Live Export, they would be seeking new countries to source sheep from.

The NSPCA in South Africa has rejected this circumvention of regulations and will be discussed later.



Thermal Stress

- Vessels do not have “air conditioning” as misunderstood by even decision makers.
- They only have a system whereby outside ambient air is supplied to the livestock pens.
- The hot sun radiating heat onto the vessel, warm seawater below, and the generation of metabolic heat by the animals themselves all contribute to a hot and humid environment (AVA , 2018), (Caulfield, 2014).
- The most widely accepted measure of temperature on board is Wet Bulb Temperatures (WBTs), which includes humidity. (Maunsell, 2003), (Stacey 2011).
- These temperatures regularly reach WBTs found in equatorial jungles. Obviously unavoidable thermal stress, especially for winter acclimatised sheep.
- Due to trade reasons a new vessel (considered one of the best in the world) was given an exemption to sail at the beginning of the northern summer from Australia due to a Covid-19 incident. The vessel was not a converted carrier and was heavily understocked with every mitigation promised. The ventilation did not cure this problem, nor did any of the other mitigation strategies as the IO reported sheep with severe heat stress was recorded over several days and nights. <https://www.agriculture.gov.au/sites/default/files/documents/report-219.pdf>

- This journey may be described “**as good as it gets**” and WBTs are provided.



Other Health Issues

“The shipboard environment is unnatural, it could be compared to an enclosed car parking lot. It is one of constant noise and the lights are on for 24 hours, 7 days a week” Dr Lynn Simpson (Respected and experienced former live export veterinarian)

Re-occurring problems reported on vessels to this day include but are not limited to:

- 1) **Inanition**- animals are reticent to eat for a variety of factors. A common cause of death on vessels. (Phillips, 2013), (Barnes et al, 2008).
- 2) **Salmonellosis**- the shipboard environment whereby animals lie in their own sewerage, faeces deposited into troughs and the re-circulation of air on board results in spread.
(<http://www.veterinaryhandbook.com.au/Diseases.aspx?diseasenameid=247&id=101>)
- 3) **Traumatic injuries** from shipboard movements and smothering due to poor air quality
<https://www.agriculture.gov.au/sites/default/files/documents/report-219.pdf>.
- 4) **Dehydration** from inability to access water troughs or due to sitting down because of rough weather.
- 5) **Pneumonia**- The inevitable build-up of noxious gases (ammonia, carbon dioxide and methane) results in inflammation as a precursor to disease on board.
- 6) **Eye, nasal and upper respiratory tract infections**- (Pines, 2013)
- 7) **Circadian rhythm**- animals in enclosed decks are not provided with a variation in light and dark as the lights are kept on 24/7.
- 8) **Noise**- Independent observers have recorded noise levels of 108 Db on vessels commonly used. (This is louder than a bass drum) (<https://www.agriculture.gov.au/export/controlled-goods/live-animals/livestock/regulatory-framework/compliance-investigations/independent-observations-livestock-export-sea/report-189>)



What about other countries?

- New Zealand instituted a ban on the export of animals for the purpose of slaughter in 2007. A significant event for a country with such a high sheep flock. Cattle exports for breeding have now also been suspended.
- In 2020, the OIE addressed a letter to several South American and North African countries due to cruelty on board a vessel that is still transporting livestock.
- In 2020, three thousand sheep died on a journey to Saudi Arabia from Sudan due to being rejected at the destination port. Saudi Arabia has repeatedly done this with significant animal suffering as a result, and was a reason for the cessation of exports to the country from Australia. Unlike trucks, animals cannot be offloaded.
- In 2019, the *Queen Hind* capsizes with sheep in Romanian port.
- In 2019, the NSPCA in South Africa lays criminal charges against company for loading sheep on to a vessel which has been banned in Australia due to poor welfare outcomes.
- Israel announces in 2019 a bill to phase out imports of live animals by sea from the southern hemisphere.
- Etc



Vessels used

- Livestock vessels are among the oldest vessels in the world fleet, and are commonly old converted car or cargo carriers. www.maritime-executive.com/features/live-export-only-telling-part-of-the-story
- Disasters are often attributed to their age.
- Mechanical breakdowns and balancing issues are common. <https://www.maritime-executive.com/article/rolling-livestock-carrier-returns-to-port>
- Many do not comply with International Maritime Organisations standards in terms of sulphur emissions.
- If vessels are too old to be used for cargo, then it is unacceptable for them to be used for humans and animals.
- Some vessels such as the *Al Shuwaikh* have oil heaters along the hull right next to the animal pens, a significant contributor to heat stress.

<https://www.agriculture.gov.au/sites/default/files/sitecollectiondocuments/biosecurity/export/live-animals/livestock/compliance-and-investigations/report-7.pdf>



World Organisation for Animal Health- OIE

Does it protect animals and crew?

- Chapter 7.2 of the OIE terrestrial code concerns itself with the transportation of animals by sea.
- In itself it requires countries to develop their own regulations.
- It does not have any legal standing in sovereign nations and the governing body will not intervene besides providing advice.
- The section does not address many issues that have been identified in countries codes of practice.
- The guidelines may be easier to understand for the worst of the vessels but they are vague or miss important welfare principles.
- Examples include but not limited to:
 - Article 7.1.2 of the code stating that animals should be “free from thermal discomfort”, there is no detailed information of what months or conditions constitute this. Accordingly only country has such a ban.



World Organisation for Animal Health- OIE

- The issue regarding constant light or excessive noise from the ventilation systems on vessels has not been addressed at all.
- Stocking density is not detailed in any way. Lying down simultaneously clearly does not provide adequate space to access feed and water, nor does it mitigate against heat stress. Animals are commonly found in a state of autolysis. This would indicate death from heat stress and/or lack of identification for treatment.
- There is no indication that would trigger an investigation (i.e. percentage of mortalities).
- The footage of the journeys in terms of stocking density released in Australia technically would have adhered to the chapter on sea transport.



World Organisation for Animal Health- OIE

Essentially any animal that suffers on a live export vessel due to the inherent problems not cured by chapter 7.2, is not protected by admirable guiding principles in Chapter 7.1 of the OIE terrestrial code (In particular, the five freedoms).



Legislation

In South Africa there is legislation that protects animals against this mode of transport , similar to those in Kenya and Namibia.

Section 2 (1) (m) of the Animals Protection Act No 71 of 1962

*“Any person who conveys, carries, confines, secures, restrains or tethers any animal-
(i) Under such conditions or in such a manner or position or for such a period of time or over such a distance as to cause that animal unnecessary suffering; or*

(ii) In conditions affording inadequate shelter, light or ventilation or in which such animal is excessively exposed to heat, cold, weather, sun, rain, dust, exhaust gases or noxious fumes; or

(iii) Without making adequate provision for suitable food, potable water and rest for such animal in circumstances where it is necessary”.



Litigation in South Africa

- In 2018, footage is released in Australia which results in several reviews and eventually formulated into new restrictive regulations.
- Al Mawashi CEO announces to media that due to Australia's changing regulatory stance to live export, the company will be seeking alternative sources. He names South Africa as one.
- In 2018, company opens subsidiary in South Africa.
- In 2019, company uses the vessel the *MV Al Shuwaikh*, a vessel that is banned in Australia to transport sheep despite opposition from the NSPCA. www.amsa.gov.au/about/regulations-and-standards/marine-order-43-cargo-and-cargo-handling-livestock
- Criminal charges are laid for clear violations of the APA.
- In February 2020, the NSPCA attempts to interdict the *MV Al Messilah*, a forty year old converted car carrier. The case is struck from the roll due to a technical error.



Litigation in South Africa

- Criminal charges again laid.
- NSPCA writes to South African government detailing their inconsistencies up until that point with regards to investigations carried out by the NSPCA. The South African government informs the NSPCA that the company has been informed, that a limited moratorium for the period of May until August will be observed due to heat stress concerns.
- The NSPCA launches a fresh application to be heard in 2 parts.
- In early June the MV Al Messilah then docks in South Africa forcing the NSPCA to accelerate the high court application. This results in the company being interdicted from loading. The South African government during the proceedings inexplicably decides that they may load and transport animals whenever they wish.
- Company then complains of a loss of income due to wharfage and feed costs, and requests a reconsideration in mid June in the high court.
- The court dismisses this and is satisfied that provisions of the APA would be contravened if the vessel sailed. <http://www.saflii.org/za/cases/ZAECGHC/2020/74.html>
- In late August, the court decided to allow the journey to proceed with some conditions until the second part of the application is heard.



Litigation in South Africa

- NSPCA announces that it intends to appeal the decision once reasons are given in mid September.
- Vessel is loaded and criminal charges are being laid.
- Update will follow soon.



Solutions?

- There is a growing demand for chilled and frozen meat to overseas markets. Thus providing jobs in the chain and the prevention of driving up prices of animals in the exporting country, as has happened in Sudan.
- In the case of South Africa, meat is currently going to countries in the Persian gulf, demonstrating the pre-requisite requirements are already met.
- Transporting live animals by air in air conditioned holds for the purpose of festivals.
- Developing sustainable farming enterprises in importing countries (purpose built feedlots, fodder chains, etc).
- “Kicking the can down the road” is not working, and unless it is solved very soon, political and social stress will grow.



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QUESTIONS?



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THANK YOU



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