

8 June 2018

Business Support, Standards
Australian Maritime Safety Authority
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By email: consultation@amsa.gov.au

Draft Marine Order 43 (Cargo and cargo handling - livestock) 2018

Thank you for the opportunity to comment on the draft Marine Order (Cargo and cargo handling - livestock) 2018 (Draft MO43). We acknowledge and appreciate the changes made in response to our comments on previous drafts of MO43.

The RSPCA welcomes the Australian Maritime and Safety Authority's (AMSA) new and revised policy settings for livestock vessels and notes their proposed implementation in Draft MO43. However, in light of the new visual evidence regarding the conditions onboard livestock vessels that has come to light in recent months, including the severe consequences to animal welfare, we strongly believe the revised settings should be implemented immediately, particularly in cases where the new requirements address identified animal welfare issues. Allowing vessels that do not meet the revised settings to continue operating from Australia until 1 January 2020 is untenable in light of this new evidence and known risks to animal welfare. These settings should be implemented immediately, or at a minimum, by 1 January 2019.

We note that the Department of Agriculture and Water Resources supported this timeframe in its initial response to the McCarthy Review but has since pushed out the proposed implementation timeline to 1 January 2020. We believe this is unfortunate and raises further questions about the Department's approach to regulating the live export trade.

We note AMSA's assurances that existing vessels which do not meet the new requirements can be managed on a case by case basis utilising existing regulatory powers. While the RSPCA has full confidence in AMSA's inspection and regulatory services, we do not believe it is appropriate to allow existing vessels to continue operating with deficient design and technological specifications. Such an approach knowingly exposes animals to increased welfare risk, and this would expose AMSA and the broader live export industry to further reputational risk should, and when, another animal welfare incident occur on a vessel operating under the protection of a grandfathering provision.

We also believe that as a truly independent regulator, AMSA is the appropriate authority to regulate required stocking densities on ship. The RSPCA believes that stocking densities should be prescribed within Marine Order 43. To meet World Organisation for Animal Health standards for animals to be provided with enough space to enable ready access to feed and water and to adopt a normal lying posture at the same time, these stocking densities should be based on allometric principles using a k-value of 0.047. We can provide further information about the allometric principles and their relationship with welfare outcomes upon request.

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We provide further comments on specific provisions in the Table below.

Draft MO43	RSPCA comments
Division 2 Loading	RSPCA believes the Orders should include a requirement for AMSA to carry out a post loading survey to ensure fire alarms can be heard over the noise of stock and the ventilation system, and to ensure the ship has a drainable trim.
21 Carrying livestock in more than one tier	Support the introduction of a requirement for livestock to be carried in 1 tier only. However, this requirement should apply to all vessels regardless of construction date immediately upon the making of the Order, or at the latest, by <u>1 January 2019</u> .
58 Sheep, pigs and goats - design of pens	Support introduction of requirement for railing to continue to a height no more than 200 mm from the overhead structure of the vessel in subsection (3)(c) but grandfathering clause of five years is excessive and should be revised to <u>three years</u> .
62 Cattle - design of pens and passageways	Support introduction of requirement for 300 mm maximum distance between top rail and overhead structure of vessel in open structures above the weather deck, where pen rails form the outer perimeter containment, as outlined in Item 8 of Table 6. However, grandfathering clause of five years is excessive and should be revised to <u>three years</u> .
85 Notifiable incidents	We support the reduction in the reportable mortality level for sheep, pigs and goats from 2% to 1%. We recommend that the reportable mortality level for horses, donkeys, mules, camels and any other species should also be reduced to 1%.
Schedule 2 2.3 Ventilation in a space that is not enclosed	All open deck vessels, regardless of construction date, must have a mechanical ventilation system that is able to change the total volume of air in the space in accordance with Table 2.1 of Schedule 2. This requirement should apply immediately or at a minimum by <u>1 January 2019</u> .
Schedule 2 2.4 Mechanical ventilation system	All vessels, regardless of construction date, must provide a minimum air distribution rate of 0.5 ms ⁻¹ to ensure fresh air moves across all parts of the pen for the effective removal of sensible heat, contaminants such as NH ₃ and excess CO ₂ , and moisture, and to provide distribution and supply of fresh air to all animals loaded. This requirement should apply immediately or at a minimum by <u>1 January 2019</u> .
Schedule 2 2.6 Ventilation alarms	Support introduction of requirement for visual and audible alarms on the bridge and for this requirement to apply immediately to all vessels. RSPCA believes all livestock decks should be fitted with electronic wet and dry bulb data loggers and NH ₃ loggers that alarm on the bridge when critical parameters are met i.e. greater than 25ppm NH ₃ .

<p>Schedule 2 4.3 Drains for certain vessels</p>	<p>Support introduction of new drainage requirements however grandfathering provisions should be sunsetted to make all vessels comply with specifications of 4.3 after <u>three years</u>.</p>
<p>Schedule 2 Part 5 Fodder and water arrangements</p>	<p>RSPCA believes that all vessels should have automatic, ad lib water troughs at adjustable heights. Manual waterers should only be permitted as a backup system. They should not be permitted as the primary watering system. We note that the Department of Agriculture has accepted McCarthy recommendation 20 requiring all vessels carrying sheep to the Middle East during the northern hemisphere summer to have automated watering systems.</p>
<p>Schedule 2 5.5 Storage and distribution system for fodder</p>	<p>The grandfathering clause in subsection (3) is protecting vessels constructed prior to 1 July 1983, that is, 35 years ago. This should be removed or at the very least, a sunset period of <u>three years</u> should be introduced.</p>

We trust this submission has clearly conveyed the RSPCA's views on Draft MO43. Please do not hesitate to contact our office should any further information or clarification on be required.

Yours sincerely,



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