

November 25<sup>th</sup>, 2009

Mr. Bas Balkissoon, Chair  
The Standing Committee on the Legislative Assembly  
99 Wellesley Street West  
Room 1405, Whitney Block  
Queen's Park, Toronto ON M7A 1A2

**RE: Bill 204, An Act to protect animal health and to amend and repeal other Acts**

The Ontario Cattlemen's Association (OCA) represents the 19,000 beef producers in Ontario by advocating in the areas of government lobbying, policy planning, industry development, promoting beef, and developing domestic and export markets. As Bill 204, Animal Health Act, will have far reaching implications on the beef industry and animal agriculture in general, OCA appreciates the opportunity to provide input.

Ontario is the only province in Canada to not have an Animal Health Act. In coordination with the Ontario Livestock and Poultry Council, we have lobbied for an Ontario Animal Health Act for numerous years and were pleased to provide input in July 2009 when the discussion document on proposed legislation was released. Provincial legislation will ensure a strong animal health response system that compliments already existing federal legislation. Provincial legislation will also help to reduce the spread of animal diseases in the grey period when a disease is suspected but not yet confirmed.

In general, OCA supports the structure and content of the bill as a necessary tool for government and industry to manage disease outbreaks that threaten the integrity of the food supply, as well as animal and human health. The Ontario Livestock and Poultry Council (OLPC), and the Ontario Farm Animal Council (OFAC) have also submitted a response to Bill 204. OCA supports their respective responses, but we would also like to emphasize a number of specific areas on behalf of the beef producers in Ontario for consideration by the Committee:

**Office of the Chief Veterinarian of Ontario**

The role of the Chief Veterinarian of Ontario (CVO) was missing from the proposed legislation when OCA had a chance to comment in July 2009. We are pleased to see that the proposed legislation establishes the qualifications, functions and powers of the CVO and the Deputy CVO and designate them as inspectors under the Act. It is essential that the Office of the Chief Veterinarian for Ontario (OCVO) is recognized as an equal component of Ontario's emergency management authority, and that the OCVO is given the resources necessary to effectively implement Ontario animal health legislation. Like other agricultural stakeholders, we are also in support of the CVO having at least five years' experience as a

farm animal veterinarian as a requirement, which is consistent with requirements for the Chief Medical Officer.

### **Consultation and Advisory Body**

We recognize that the Bill does provide for the formation of committees as deemed necessary by the Minister, however, we recommend that the Bill specifically state that an Industry Advisory Committee will be formed. We insist upon consultation with industry in the development of regulations. These consultations must be timely and all-inclusive. Additionally, the list of hazards and their classifications must be developed through consultation with industry stakeholders. The existence of an Industry Advisory Committee would provide very beneficial input to the CVO in developing regulations and categorizing the hazards.

### **Compensation and Indemnification Policies**

In agreement with the comments from the OLPC, we strongly support the inclusion of the framework in Bill 204 which will enable the Minister, in consultation with the industry, to make regulations regarding fair compensation for direct and specified indirect losses. However, we do *not* support including specific levels of compensation within the proposed legislation as this will restrict the ability to easily adjust future compensation levels in response to changing market values.

The Bill states that compensation is discretionary and that the Minister may refuse compensation to any person or reduce the amount of the compensation in certain circumstances. Those certain circumstances are unclear and this is another example where the existence of an Industry Advisory Committee would provide very beneficial input to the CVO in the development of regulations regarding compensation. In the regulation-making process we hope that compensation will be eligible for producers whose animals have been ordered destroyed by government, or whose income has suffered as a result of a disease outbreak. Compensation could also be provided for losses from quarantine, extra-feeding costs, lost market value due to weight or age discounts, testing costs and disposal costs. Adequate compensation for producers who experience on-going prevention and detection costs that cannot be recovered from the marketplace as well as for quick response costs are essential to keeping the Ontario cattle industry competitive.

### **Traceability**

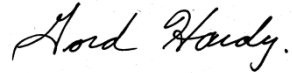
OCA appreciates that traceability is a valuable component of a strong animal health system. We know traceability is a priority of both the federal and provincial governments and are willing to work with government to properly implement traceability in Ontario. We insist that the regulations concerning traceability in the beef industry allow for incorporation within the national Canadian Identification System (CCIA) system, which is industry-led and supported by the Canadian cattle industry. CCIA has already implemented an animal identification system that is capable of capturing Premise ID data and full animal movement tracking, which some producers are voluntarily using. OCA would not oppose mandatory Premise ID, provided that registration is captured in the already existing CCIA database.

It is necessary for the Committee to understand that Ontario cattle producers should not be placed at a further competitive disadvantage to other Canadian cattle producers. While we acknowledge that Quebec has a mandatory traceability system, Ontario needs to be competitive with the Western provinces as our supply-chain is integrated with the West. We request that no additional costs be

placed on Ontario beef producers. This is another area where the Industry Advisory Committee could provide valuable input during the regulation-making process.

Thank you for the opportunity to provide input for consideration on Bill 204. We look forward to working closely with government staff to develop the regulations that will become part of the Act, for the benefit of beef producers, the economy and all Ontarians.

Sincerely,

A handwritten signature in cursive script that reads "Gord Hardy".

Gord Hardy  
President