

Reply to: Nicholas Weigelt Direct Line: 604.605.4305 Email: nic.mwlaw@telus.net File No: 10458001

November 8, 2012

VIA EMAIL

Canadian Food Inspection Agency c/o Complaints and Appeals Office 1400 Merivale Road, T1-6-350 Ottawa, Ontario K1A 0Y9

Dear Sirs/Mesdames:

Re: Complaint - Shipping of Live Horses via Air Cargo from Winnipeg and Calgary Violation of Federal Regulations

We are counsel for the Canadian Horse Defence Coalition ("CHDC"), an organization dedicated to ending the commercial slaughter of horses generally and in Canada in particular. We write to you in the Canadian Food Inspection Agency's capacity as the lead agency responsible for ensuring compliance under the *Health of Animals Regulations* SOR/91-525, s. 2 (the "Regulations").

As stated, CHDC is actively seeking to halt the commercial slaughter of horses on humanitarian grounds. CHDC's concerns extend to live horses being shipped from Canada to other jurisdictions for slaughter.

CHDC's complaint relates to the shipping of live horses, principally large draught horses, by Korean Air Cargo from Calgary and Winnipeg International airports. The horses are being transported in clear violation of the Regulations.

The video found at the attached internet link, portions of which were aired on a recent CTV news report, shows these animals in crates that are not high enough for them to raise their heads to a natural position.

Section 142(a) of the Regulations provides:

No person shall transport or cause to be transported animals in a railway car, motor vehicle, aircraft or vessel unless each animal is able to stand in its natural position without coming into contact with a deck or roof.

Common sense dictates this causes the animals severe discomfort over the 24 hour period in which they are in transit and therefore puts them in distress. Further, the horses in the video are

not being crated separately. Section 141(8) of the Regulations mandates that horses over 14 hands high must be segregated for air transport. The size of the horses in question is evident, in particular at 2:32 of the video. 14 hands (as measured at the withers) is only 4'8" and, assuming the humans in the footage are of average height, it is clear to see that these horses are in the range of 16 to 17 hands.

Placing two large horses in one crate in which the horses cannot raise their heads is contrary to regulations, and this occurring in full view and therefore with the implied consent of CFIA raises serious questions as to CFIA's commitment to enforcing the laws that fall within its mandate.

The possibility that a shipment of horses has, as reported in the CTV news clip referenced above, perished while in the air, is also troubling. As of this date, we do not have full particulars of that occurrence. Since the CTV news report indicated this information came directly from CFIA, we request you provide us with full particulars of the incident, in addition to advising what steps CFIA is taking to ensure compliance with the Regulations in respect of the air transportation of horses.

Kindly direct your responses to the writer.

Thank you.

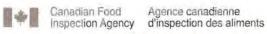
Yours truly,

per:

MW Law Offices*

Nicholas Weigelt

http://www.youtube.com/watch?v=Ji5n8siQGAw&feature=plcp



COMPLAINTS, COMMENTS AND COMPLIMENTS

Reserved for use by the CFIA

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Address (Street or Postal Box) 150 First Street, PO Box 21079				City	City Orangeville		
Province or Territory Ontario		Country, if outs Canada	side			Postal Code or ZIP Code L9W 4S7	
Daytime Telephone Number 604.605		Alternate Telephone Number			Best time to contact you	daytime	
Email nic.mwlaw@telus	.net						
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All personal information provided on this form or to one of our officers, by you or your representative, in the course of a review will be dealt with in accordance with the provisions of the *Privacy Act* and other applicable laws. The information will be stored in Personal Information Bank No. PSU 902. The CFIA may contact you, or your representative, to ask for feedback about how we handled your complaint, compliment or comment. Information may be accessible or protected as required under the provisions of the *Access to Information Act*.



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You can send postal mail to the following address:

Canadian Food Inspection Agency c/o Complaints and Appeals Office 1400 Merivale Road,T1-6-350

Ottawa ON K1A 0Y9

By fax:

Canada/US Toll-free: 1-855-297-4198

613-773-6561

For more information you can reach us by phone:

Toll-free: 1-800-442-2342 Local: 613-225-2342 TTY: 1-800-465-7735

Our phone lines are open from 8:00 a.m. to 8:00 p.m. Eastern Time, Monday to Friday.

Wed Nov 07 2012 10:57.43 GMT-0800 (Pacific Standard Time)

CFIA / ACIA 5686 (2012/08)

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