

Access to Information Documents Reveal Regulation Violations and CFIA Cover Up For Live Draft Horse Shipments to Japan



Draft horses crated and about to be loaded onto aircraft for shipment to Japan for slaughter

Since 2012, CHDC has battled to achieve an end to the cruel air transport of live horses from Canada to Japan for slaughter. The evidence we've uncovered is gruelling.

In response to our Access of Information requests, we recently received pages and pages of reports and e-mails dealing with equine transport issues that the CHDC brought to the attention of the Canadian Food Inspection Agency (CFIA) in 2012. The responses reveal that three horses died as a result of a landing accident and six horses perished in flight on August 1, 2012, "due to a combination of a substantial delay, the large size of the horses, and significant stress levels in the animals". Further, "[horses usually go down during take-off and landing](#)" (incidence of this is allegedly dependent on the individual pilot); one horse died on a trip from Calgary and was [upside down](#) in his crate.

How did the CFIA deal with the truth of the six in-flight equine deaths? We've discovered conflicting information. Please click on the following links: [Six equine fatalities](#) and [ATI letter](#) and letter from [Paul Littlewood](#), Regional Director-Chief Inspector, Alberta South Region, Western Area Operations, Canadian Food Inspection Agency to a CHDC supporter.

On one hand, we are told that the six equine fatalities occurred due to a combination of three factors, including the large size of the horses. On the other hand, the public is fed this line: "The CFIA is not aware of any injury or undue suffering due to lack of segregation of horses over 14 hands in height." Note the dates. The fatalities occurred on August 1, 2012, and the deviation from the truth found its roots over three months later.

Should it be any surprise that the flimsy wooden crates currently used for equine transport purposes have been known to break? We suspected that this might be the case, and now we know it to be true. The CFIA admits that rearing horses have broken overhead wooden lattices covered in netting. Incidentally, while it is common knowledge that duct tape is useful for many purposes, apparently one more use was discovered for it in 2012 – to repair broken crates housing large horses for export. At

the time, [this practice was sanctioned by a well-meaning CFIA official](#). Further, see this [memo](#) allowing use of duct tape saying that the carrier (eg: Atlas Air Cargo) can do as they like as long as the problem is fixed.

Canadian law prohibits equines from being deprived of food and water for longer than 36 hours during the process of transport. Such a lengthy period of time without sustenance is grossly inhumane in itself; and clearly, due to flight delays, the 36-hour regulation can easily be breached. Further unacceptable practices include the horses' exposure to de-icing sprays on the tarmac, as well as engine noise levels that can only be described as deafening, while the animals are confined in their crates awaiting loading. These are the words of a credible eye witness on January 13, 2015, after seeing horses standing in crates, completely exposed: "...[the horses stood] for about 5 hours in a plume of diesel exhaust from large ground equipment and for several hours as well in plumes of jet fuel exhaust and de-icing glycol chemical overspray."

ATI findings confirm what we already knew – that stress levels can be very high when horses are in close confinement and subject to the rigors (and terrors) of air travel.

The live horse export business is not only cruel; as currently conducted for the purpose of export for slaughter, it is illegal.

Canada stands in breach of two sections of our own Health of Animals Regulations, as depicted in recent undercover footage, video below, showing a taller horse unable to stand in his/her natural position, and thus illustrating a violation of Section 142 of the *Health of Animals Regulations* ("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").

<https://vimeo.com/130818790>

Horses are typically crated together (with three or four horses in a crate), even though this violates Section 141.8 of the *Health of Animals Regulations*, which prohibits horses over 14 hands from travelling together. An [ATI document](#) makes reference to the fact that loading a fourth horse into a crate is upsetting to the other horses.

On examining a [CFIA document dated 2012-12-10](#) we discover how laws can so fluidly be swept under the carpet and twisted according to the whims of agency officials. First, formwork detailing a shipment of horses is revealed, with this note at the bottom under "Description of non-compliance" – "Every equine over 14 hands in height shall be segregated from all other animals during transport by air". This is followed by commentary regarding an exception for draft horses, because of their calm nature! **(Interestingly enough, an internal e-mail within the agency refers to the horses as "not very tame, and some even border on wild." It appears that the story changes depending on the CFIA official supplying the commentary. Wild or calm – which is it?)**

Further, on [2012-11-16](#), clearly without regard to separate subsections concerning equine, an unidentified official has provided an addendum to Section 141.4 of the *Health of Animals Regulations*. He/she takes the liberty of adding (to a subsection not including equine), “If horses appear incompatible by nature at loading or at any further time (observed by vets or inspectors).... [they] shall be segregated during transport.” This is a clear deviation from the wording of existing legislation. It appears to be an attempt to legitimize the act of cramming numerous horses into crates, and serves to open the floodgates for further violations.

Additional scrutiny of the ATI documents reveals the following:

- A March 13, 2012 memorandum within the agency states: “Although they are not legal requirements, the Transportation Code, the Horse Code and the IATA Live Animals Regulations help to interpret some of the outcome-based provisions of the [Health of Animals Regulations](#).” Even with this clear admission of the power wielded by existing legislation, attempts to twist those laws are evident. The term “outcome-based” appears to trivialize the Regulations, indicating that agency interpretation of the outcome is what counts.
- [This statement](#) shows that someone was actually considering the welfare of horses: “Loading four 1730-pound horses in a 66.5 square foot crate does not meet the OIE and IATA international standards or Canada’s agreed national standards. Unless it can be shown through research that these horses are not exposed to suffering during transport, it would appear that this is overcrowding and not compliant with the Health of Animals Regulations.” It is noteworthy that an official within the CFIA attempted to bring camera surveillance into aircraft conveying live horses. This was refused due to safety concerns involving the use of lithium batteries in the cameras (purportedly a fire hazard). Note these statements toward the end of the document, however: “I do not feel that _____ will be helpful...[Siding with exporters is what I thought](#).” Further, a [request to conduct a study regarding equine welfare associated with air transport](#) was turned down. Why have these legitimate efforts to measure the suffering of horses aboard aircraft been shunned? Was the CFIA official’s assumption correct, that it is the exporters who are actually calling the shots?
- Instead of adhering to legislation, the government then proceeds to weave its tangled web. The [following commentary](#) attempts to grant other codes of practice more clout than the law: “In regards to the export of Horses to Japan the Canadian Food Inspection Agency follows the guidelines contained within the CFIA Transportation of Animals Manual of Procedures. We use the loading density charts contained within the manual to determine the maximum allowable weight of the horse given the square footage provided during transport. These same charts are contained within the Recommended Code of Practice for the Care and Handling of Farm Animals.” Why not start by following the law first then draw from these other resources?
- In 2012 [exporters were to be advised](#) that effective Dec 1, 2012 crates would not be loaded with more than 3 horses. In an e-mail dated Aug 6, 2013 [an attempt was made](#) to qualify the drafts for the same exemption as the Icelandics, and the three

horse rule was reiterated in the reply. Yet they continue to ship 4 horses to a crate—as long as they are friends.

- [This statement](#) from a CFIA document may well sum up the situation: “With respect to the segregation of horses transported by air, professional judgement and previous experience indicate that some horses travel safely and comfortably without segregation.” Again, what has happened to legislation?
- Here’s one answer. This could be why great pains have been taken to re-word legislation without the actual use of legal means to achieve that end: “2012-10-26 12:52 PM Air Transport of Horses – [Overview of our call today](#)–
Segregation: Raised by CHDC – Regs. require that horses over 14 hands must be segregated during air transport from all other animals. Don’t know why this was put in place but it is a reg. When Western Area came to us a few years ago, said don’t have enough resources to enforce therefore WAY down on the priority list, therefore no point in spending time and resources enforcing that. In the meantime, our Reg. Amendment would remove that provision.”

Whether the actions of the CFIA are the result of ineptitude, or a determined effort to fabricate, ignore laws and cater to industry, the horses are the victims of their misguided closed-door decisions.

The CHDC calls upon the Minister of International Trade, Hon. Edward Fast, to demand that the practice of sending horses overseas by air cargo for slaughter must stop on humane and legal grounds.