

2026

Towards a National Framework for Farmed Animal Protection



MONTRÉAL

Signatory Groups



Animal Justice is Canada's leading national animal law advocacy organization, fighting for the legal protections that animals desperately need and deserve. The organization has a track record of helping to pass groundbreaking legislation, exposing hidden animal suffering through hard-hitting investigations, and winning cases on behalf of animals in courtrooms across the country.



Humane World for Animals Canada (formerly called Humane Society International/Canada) is part of Humane World for Animals, a leading animal protection organization working to tackle the root causes of animal cruelty and suffering. Driving toward the greatest global impact, we aim to achieve the vision behind our name: a more humane world.



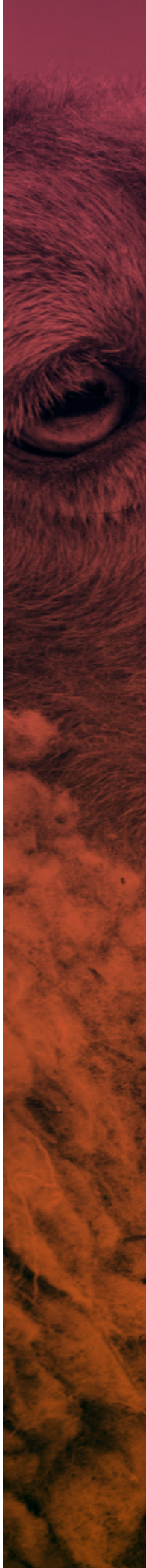
Mercy For Animals is a leading international nonprofit working to end industrial animal agriculture by constructing a just and sustainable food system. Active in Brazil, Canada, India, Mexico, Southeast Asia, and the United States, the organization has conducted over 100 investigations of factory farms and slaughterhouses, influenced over 500 corporate policies, and helped pass historic legislation to ban cages for farmed animals.



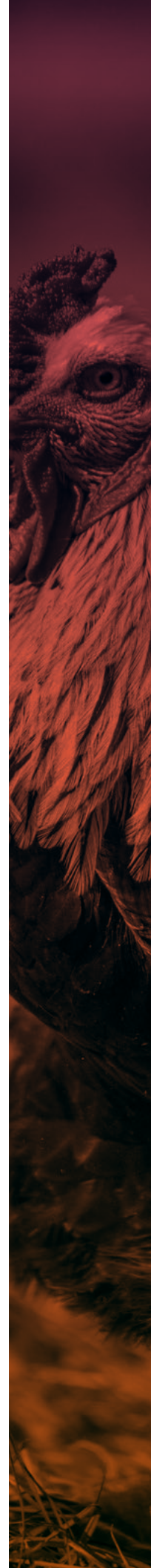
Founded in Montreal in 1869, the **Society for the Prevention of Cruelty to Animals** (better known as "Montreal SPCA") was the first animal welfare organization in Canada. The SPCA has come a long way since: it is now the largest animal protection organization in Quebec and speaks on behalf of animals wherever they face ignorance, cruelty, exploitation or neglect.

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Executive Summary

Canada raises and kills hundreds of millions of animals for food each year. In 2024 alone, approximately 863 million land animals were slaughtered in Canada—more than 2.3 million animals every day. Despite the enormous scale of animal agriculture, Canada lacks a coherent legal framework governing the welfare of farmed animals.

Compassion is a core part of Canada’s national identity, and for many Canadians, it extends to the treatment of animals, including those raised or killed for food. Research consistently shows overwhelming public support for ensuring that animals’ physical and psychological needs are met and for stronger protections for farmed animals:

- **94% of Canadians** believe animals’ physical and psychological needs should be met.
- **68% believe animal welfare should take priority over maintaining low food prices.**
- Only **21% of Canadians consider gestation crates for pigs humane**, and even fewer support the use of cages for egg-laying hens.

Yet, the reality of Canada’s existing farmed animal framework falls woefully short of these expectations. Unlike many comparable jurisdictions, Canada has no comprehensive federal or provincial legislation

establishing enforceable standards for the treatment of farmed animals during their lives on farms. Instead, welfare standards are largely determined through voluntary, industry-dominated processes, most prominently the Codes of Practice developed by the National

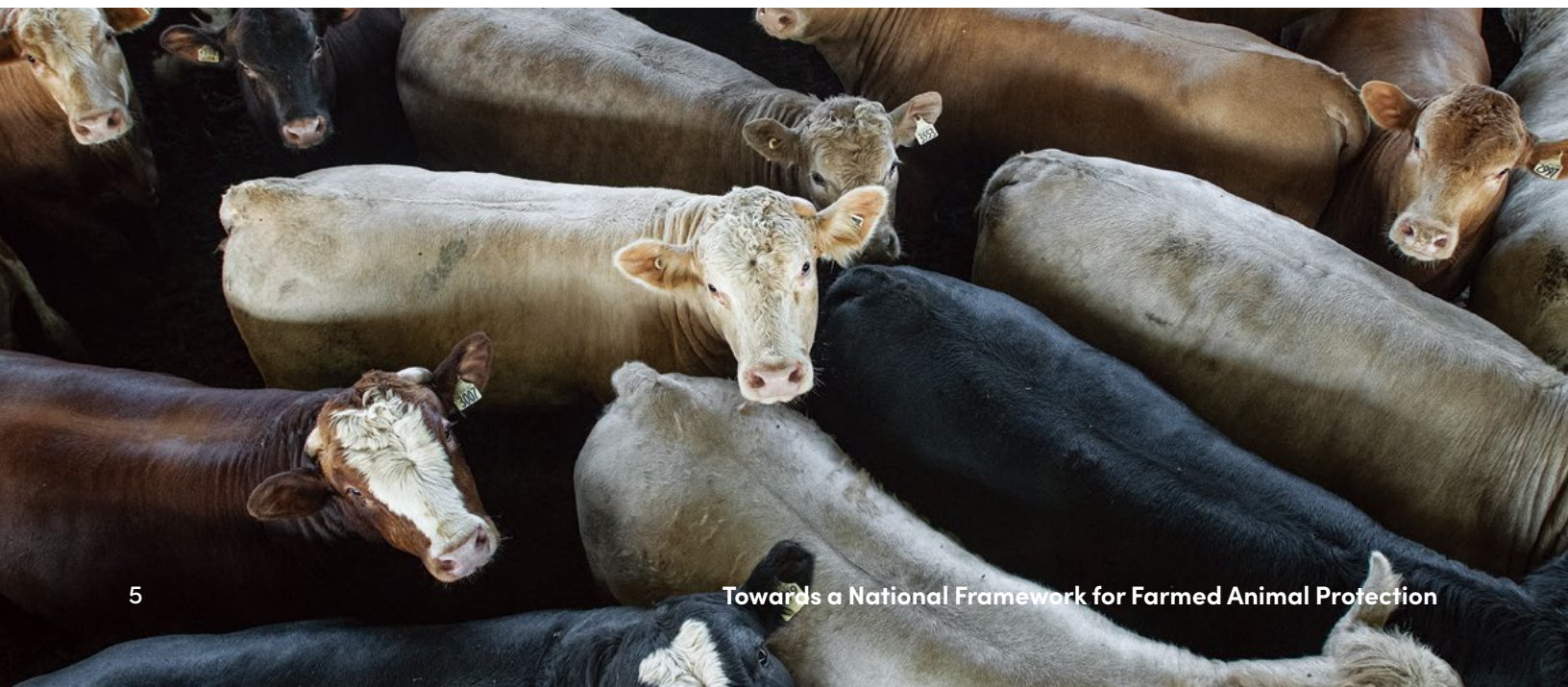
Farm Animal Care Council (NFAACC). These Codes function as de facto standards across the country despite lacking legislative authority, enforceability, or meaningful public accountability.

Internationally, Canada’s framework is increasingly an outlier. Canada has fallen

behind many peer jurisdictions that have established comprehensive welfare legislation and independent oversight structures. In the World Animal Protection Index, which assesses animal welfare legislation across fifty countries, Canada received a “D” grade, reflecting the absence of enforceable standards, limited government oversight, and continued authorization of practices banned elsewhere. Many comparable jurisdictions—including many American states, the United Kingdom, New Zealand, Sweden, Austria, and Switzerland—have adopted comprehensive national legislation governing farmed animal welfare.

Canada’s animal agriculture sector is economically powerful and maintains extensive access to policymakers through lobbying, marketing campaigns, and participation in government advisory processes. At the same

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time, government institutions responsible for regulating aspects of animal welfare often have mandates that also include promoting agricultural competitiveness and export growth. This combination of industry influence and institutional conflicts of interest has contributed to regulatory capture. As a result, it has shaped policy decisions, weakening regulatory reforms, and preserving a system of voluntary standards that lacks transparency, democratic accountability, and meaningful enforcement.

The consequences are significant. This self-regulation framework permits and normalizes practices that would alarm most Canadians. Millions of animals experience avoidable suffering each year within production systems designed primarily for efficiency and output—including extreme confinement, mutilations without pain control, and brutal methods of on-farm killing that fail to meet global animal welfare norms. Because these practices occur within a system that lacks transparency, they often remain hidden from public view until uncovered by whistleblowers or undercover investigations.

But this can change. Canada has the potential to pioneer a promising new era for animal welfare by bridging the gap between public values and regulatory reality.

This report examines the structural deficiencies of Canada's current approach to farmed animal welfare and proposes a pathway toward systemic reform.

Canada has the constitutional authority, institutional capacity, and public mandate to establish such a framework.

Together, these reforms would replace Canada's current system of industry-led self-regulation with a transparent, government-led framework capable of protecting animals, supporting producers in transitioning to higher welfare practices, and aligning Canada with evolving international norms to ensure that farmed animals are finally afforded meaningful legal protection.

Canada has the opportunity to transform farmed animal protection by **aligning its welfare framework with modern science, global best practices, and the values of Canadians.**

Proposal for Modern National Framework for Farmed Animal Protection in Canada

1. **Comprehensive federal legislation** establishing enforceable standards of care for animals raised or killed for food in line with international best practices ;
2. **Independent standard-setting mechanisms** grounded in scientific evidence and public accountability;
3. **Dedicated governance structures**, including ministerial leadership and independent oversight;
4. **A credible enforcement system** capable of ensuring compliance with legislation and welfare standards.



Part A:

Canada's Farmed Animal Welfare Problem



1 | Canadian Expectations for Animal Protection

Public attitudes toward animal welfare are consistent, longstanding, and clear: farmed animals' physical and psychological needs matter, and the government has a role to play in safeguarding them through meaningful legal protection.

Recent polling data consistently shows strong public support for higher farmed animal welfare. For example:

- 94% of Canadians believe it is important that animals' physical and psychological needs are met¹
- 68% believe animal welfare should take priority over maintaining low meat prices²
- The majority of Canadians do not consider caging to be humane: only 21% view gestation crates for pigs as acceptable, and even fewer—18%—believe conventional cages for chickens are humane^{3,4}
- 87% of Torontonians support passing legislation to protect farmed animals⁵

This concern is not new. Public attitudes toward the humane treatment of animals have remained consistently strong for decades. Polling commissioned for World Animal Protection (at the time named World Society for the Protection of Animals) found that 95% of Canadians agreed that animal pain and suffering should be reduced as much as possible, including for animals raised or killed for food.⁶ The same research found that 93% support legal requirements ensuring that farmed animals can at least lie down, turn around, stretch their limbs, and spread their wings. Additional polling from that year similarly found that three-quarters of Canadians were concerned about the humane treatment of farmed animals.⁷

Public engagement further reinforces these findings. When Canadians are given opportunities to express their views on animal protection through parliamentary petitions and public campaigns, participation is consistently high, often reaching tens or even hundreds of thousands of people.⁸ Together, polling and civic engagement demonstrate a clear public expectation that farmed animals should be protected through effective, enforceable law.

¹Fur-Bearer Defenders. (2023). The Fur-Bearers Humane Survey - 2023. <https://thefurbearers.com/wp-content/uploads/Humane-Survey-Factum-28Feb2023.pdf>

² Mercy for Animals. (2022). Multinational public opinion survey.

³Fur-Bearer Defenders. (2023). The Fur-Bearers Humane Survey - 2023. <https://thefurbearers.com/wp-content/uploads/Humane-Survey-Factum-28Feb2023.pdf>

⁴ Gestation crates and conventional cages are intensive confinement systems used in animal agriculture. Gestation crates confine pregnant pigs (sows) in narrow stalls where they can typically stand or lie down but cannot turn around. Conventional cages house egg-laying hens in small wire enclosures that provide little more space than the bird's body size, severely restricting movement and natural behaviours.

⁵ VegTO. (2022). *Food choices & awareness in the GTA: Toronto's first poll on food choices and preferences*. <https://www.veg.ca/poll>

⁶ Boyle, E. (2012). Consumer support for healthy, humane, and sustainable food. In *What's on Your Plate?: The Hidden Costs of Animal Agriculture*. World Animal Protection. https://issuu.com/wspacanada/docs/wspa_whatsonyourplate_fullreport

⁷ Boyle, E. (2012). Consumer support for healthy, humane, and sustainable food. In *What's on Your Plate?: The Hidden Costs of Animal Agriculture*. World Animal Protection. https://issuu.com/wspacanada/docs/wspa_whatsonyourplate_fullreport

⁸ The Body Shop. (2018, May 28). 630,436-signature petition against animal testing of cosmetics presented to Canada's Parliament - largest ever. <https://www.newswire.ca/news-releases/630436-signature-petition-against-animal-testing-of-cosmetics-presented-to-canadas-parliament---largest-ever-683846391.html>

Yet, Canada’s farmed animal welfare framework does not reflect these expectations. Canada has no comprehensive federal or provincial legislation dedicated specifically to the welfare of animals on farms. Instead,

the standards governing how hundreds of millions of animals are raised or killed each year are largely developed and controlled through industry-led processes, with limited government oversight and accountability.

2 | The Scale of Industrial Animal Agriculture in Canada

The scale of animal agriculture in Canada is vast. In 2024, approximately 863 million land animals were killed for food—more than 2.3 million animals every day.⁹ This includes hundreds of millions of chickens, tens of millions of turkeys and pigs, and millions of cows and other animals. The sheer number of animals affected places the treatment of farmed animals among the largest animal welfare issues in the country, both in scale and in impact.

This scale reflects a profound transformation in how animals are raised or killed for food. Over the past several decades, animal agriculture in Canada has become increasingly consolidated and industrialized. While the number of individual farms raising animals has declined, the average number of animals per farm has increased dramatically.¹⁰ Today, large-scale confinement systems are the norm, often housing tens of thousands of animals in a single facility.¹¹

This shift from smaller, dispersed farming to concentrated industrial production has fundamentally compromised animal welfare. In intensive confinement systems, individual animals’ needs are routinely subordinated to operational efficiency. Practices that maximize productivity—such as extreme confinement, rapid growth selection, and painful procedures performed without pain relief—become normalized across entire sectors.

The industry often justifies these productivity-focused practices—such as rapid growth and selective breeding—by pointing to higher efficiency and the benefits of

producing more food with fewer animals. While this may reduce the number of animals required, it comes at a severe cost to animal welfare, pushing animals’ bodies far beyond their natural limits and making these harms routine rather than exceptional.

The scale of farmed animal use is rarely visible in public debate or legislative discussion. In practice, farmed animals are treated as units of production rather than as living beings whose welfare is shaped by law and policy. In comparison, the suffering of individual animals often triggers significant public outcry when it is brought to light. For example, the killing of 100 sled dogs in Whistler, BC, in 2010 drew widespread media coverage and public shock and disgust, prompting lawmakers to introduce new legislation. Similarly, the culling of over 300 ostriches in BC in 2025 captured national attention and was even examined by the Supreme Court. These cases show that when animals are presented as individuals, and the public is given the chance to react to their treatment as such, government and legal institutions rightfully can and do become involved.

For farmed animals, meaningful welfare protections require systems that translate public concern into real oversight. This means establishing clear legal standards with measurable outcomes, independent monitoring, and effective mechanisms for accountability.

The sheer number of animals affected places **the treatment of farmed animals among the largest animal welfare issues in the country, both in scale and in impact.**

⁹ Animal Justice. (2025, December 15). *2024 Canadian slaughter statistics: Canada killed 863 million land animals.*

<https://animaljustice.ca/blog/2024-canadian-slaughter-statistics-canada-killed-863-million-land-animals>

¹⁰ Chen, H., Weersink, A., Beaulieu, M., Lee, Y., & Nagelschmitz, K. (2019, January). *A historical review of changes in farm size in Canada.* [Working paper]. Institute for the Advanced Study of Food and Agricultural Policy Department of Food, Agriculture, and Resource Economics University of Guelph. https://ageconsearch.umn.edu/record/283563/files/A%20Historical%20Review_2019_03.pdf

¹¹ Mercy for Animals. (2022). *2022 Canada animal welfare scorecard: Ranking major food companies on their animal welfare performance.*

https://file-cdn.mercyforanimals.org/mercy4animals.wpengine.com/sites/517/2022/10/Canada_Animal_Welfare_Scorecard_2022.pdf

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3 | Why Scale Matters for Law and Policy

This shift to large-scale, industrialized production fundamentally alters animal welfare risks in several ways:

- **Subordination of Needs:** In systems designed for cost control and operational efficiency, individual animal needs are routinely subordinated to productivity.
- **Institutionalized Suffering:** Welfare outcomes are not determined by isolated acts of cruelty,

but by routine, institutionalized practices—such as extreme confinement, mutilations and rapid growth selection—that are authorized by law or left completely unregulated.

- **Magnified Failure:** In these concentrated systems, a single regulatory failure or weak standard doesn't just affect a few animals; it can impact millions of sentient beings simultaneously.

4 | Canada as an International Outlier

Canada's reliance on voluntary, industry-led approaches to farmed animal welfare places it behind many comparable countries. In the World Animal Protection Index, which assesses animal welfare legislation and policy across 50 countries, Canada received a "D" grade.¹²

This ranking reflects systemic features of Canada's framework, including:

- The absence of dedicated farmed animal welfare legislation
- Heavy reliance on voluntary, industry-controlled standards
- Limited government accountability and oversight
- The continued authorization of practices known to cause severe and chronic suffering

By contrast, countries such as the United Kingdom, Sweden, Austria, Switzerland, and New Zealand have enacted comprehensive national legislation establishing enforceable welfare standards, independent oversight mechanisms, and proactive government enforcement.

^{13, 14, 15, 16, 17, 18}

Canada's weak framework carries practical consequences. Animal welfare standards are increasingly scrutinized in international trade, particularly by partners such as the European Union and the United Kingdom. Both jurisdictions insisted on including animal welfare provisions in their respective trade agreements,¹⁹ and the European Union is increasingly moving toward requiring that imported animal products meet equivalent animal welfare standards as part of its ongoing reform of EU animal welfare legislation.²⁰ This shift—intended to ensure that imports do not undercut EU producers operating under stricter welfare laws—could restrict market access for producers in countries with weaker standards, including Canada. As global markets increasingly link animal welfare to ethical governance and market access, Canada's failure to modernize its framework presents growing economic and reputational risks.

In the World Animal Protection Index, which assesses animal welfare legislation and policy across 50 countries, **Canada received a "D" grade.**

¹² World Animal Protection. (2020). *Animal Protection Index: Canada*. <https://api.worldanimalprotection.org/country/canada>

¹³ Compassion in World Farming. (2022). *End the cage age - Sows investigation - 2022*. <https://www.ciwf.org.uk/media/7451274/etca-investigation-report-for-media.pdf>

¹⁴ The Humane League, United Kingdom. (2023, December 28). *Are caged hens legal in the UK? Will caged hens be banned?* <https://thehumaneleague.org.uk/article/whats-our-cage-free-campaign-all-about>

¹⁵ Prior, M., Kennedy, D., & Aikman, I. (2025, December 22). *Hen cages and pig farrowing crates face ban*. BBC News. <https://www.bbc.com/news/articles/c93wxd27dvko>

¹⁶ Project 1882. (2025, June 17). *Sweden becomes cage-free - Project 1882 celebrates historic victory*. <https://www.project1882.org/news/sweden-becomes-cage-free>

¹⁷ Animal Policy International (2024, March 26). *Report calls on New Zealand to close animal welfare standards gap for imports*. <https://www.animalpolicyinternational.org/post/report-calls-on-new-zealand-to-close-animal-welfare-standards-gap-for-imports>

¹⁸ Studer, H. (2001). *How Switzerland got rid of batter cages*. Pro Tier International. https://www.upc-online.org/battery_hens/SwissHens.pdf

¹⁹ Government of the United Kingdom: Department for Environment, Food & Rural Affairs. (2025, December). *Animal Welfare Strategy for England*. https://assets.publishing.service.gov.uk/media/694560bd3022cdf03a0eb81c/E03517059_-_CP_1474_Animal_Welfare_Strategy_Accessible.pdf

²⁰ European Commission. (n.d.). Revision of EU animal-welfare legislation. https://food.ec.europa.eu/animals/animal-welfare/evaluations-and-impact-assessment/revision-eu-animal-welfare-legislation_en



Part B:

Why Farming Self-Regulation Harms Animals



1 | Federal and Provincial Law: Failing Farmed Animals

Unlike most peer nations, Canada has no federal or provincial regulatory standards to protect the welfare of farmed animals during their life on the farm. Instead of national or provincial legislation, animal protection is addressed indirectly through a patchwork of general anti-cruelty provisions, limited federal rules that apply only at transport and slaughter, and provincial animal protection statutes. In practice this approach leaves routine farm practices, which cause wide-spread suffering, largely beyond legal scrutiny.

Without government oversight, the animal farming industry has effectively been permitted to define for itself what conduct should be considered lawful. This creates a structural gap in legislation where the conditions in

which hundreds of millions of animals are raised or killed each year lack measurable, enforceable, species-specific standards of care. Barring instances of extreme or gratuitous abuse or neglect, animals on farms are left with few, if any, legal protections.

To understand why Canada's existing laws are insufficient, it is important to be clear about what the law currently does—and does not—do.

Without government oversight, the animal farming industry has effectively been permitted to define for itself what conduct should be considered lawful.

1.1 The Criminal Code

The Criminal Code prohibits some forms of animal cruelty, but has little application to animal farming.

The criminal law is designed to prohibit and punish wrongful conduct, not to set proactive standards for animal care. It is a blunt instrument aimed at deterring egregious wrongdoing rather than regulating an entire sector through measurable minimum requirements.

A useful analogy is road safety. The Criminal Code prohibits dangerous driving causing death, but it does

not set the speed limits, seatbelt requirements, or rules of the road. Those standards are established through regulatory regimes designed to prevent harm before it occurs.²¹ Farmed animal welfare in Canada lacks an equivalent regulatory baseline.

The primary Criminal Code offence relevant to animals prohibits causing “unnecessary” pain, suffering, or injury to an animal.²² In practice, courts and enforcement authorities have accepted that while gratuitous suffering caused to animals is covered by the Criminal Code,

²¹ For example, the *Highway Traffic Act*, RSO 1990, c H.8 (Ontario), sets out regulatory road-safety standards such as speed limits (s 128) and mandatory seat-belt use for drivers and passengers (s 106).

²² Criminal Code, RSC 1985, c C-46, s 445.1(1). <https://www.ontario.ca/laws/statute/90h08/v36>

pain and suffering associated with routine farming practices is generally “necessary” for purposes such as food production—no matter how significant the pain or suffering may be for an animal.²³ As a result, criminal prosecutions for routine practices on farms are non-existent.

Even where conduct on a farm appears to fall outside accepted practices, authorities are often reluctant to pursue criminal charges. Highly publicized cases of

violent mistreatment on farms are typically addressed—if at all—through less-serious provincial offences rather than criminal prosecutions.^{24, 25, 26} This enforcement reality reinforces a central point for policymakers: criminal law is neither designed nor used as a meaningful tool to govern day-to-day welfare standards in animal agriculture.

1.2 Transport and Slaughter Legislation

The principal federal protections applicable to farmed animals arise under the Health of Animals Act²⁷ and Safe Food for Canadians Act²⁸, and accompanying regulations. These standards apply exclusively during transport and slaughter, leaving daily animal welfare conditions on farms completely unregulated at the federal level. In other words, the only federal standards that exist apply primarily at the end of an animal’s life, and they are not a substitute for enforceable minimum standards governing on-farm care.

Transport rules set maximum intervals during which animals may be transported without food, water, and rest. Canada’s permitted transport durations are widely regarded as among the weakest in the western world, allowing extended journeys that expose animals to avoidable suffering (see Appendix A). In addition, the framework fails to set measurable standards on key risk factors such as weather, ventilation, and temperature management—conditions that can be extreme in Canada and that are difficult to enforce consistently

²³ In the 1957 case of *R v Pacific Meat Co*, for example, a court acquitted a slaughterhouse that shackled pigs, hoisting them 15-18 feet in the air while they struck a metal wall before being stabbed in the throat with a knife to cut the main arteries. The court found that because the slaughterhouse provided “food for mankind”, the prosecution could not establish that the pain and suffering caused to the pigs was unnecessary. See *Regina v. Pacific Meat Co. Ltd. et al.*, 1957 CanLII 466 (BC SC), <https://canlii.ca/t/htzsz>

²⁴ Animal Justice. (2017, May 18). *Chilliwack workers sentenced to jail time for dairy cow abuse*. <https://animaljustice.ca/blog/chilliwack-workers-sentenced-to-jail-time-for-dairy-cow-abuse>

²⁵ Animal Justice. (2023, October 25). *Guilty! Pig farm convicted of abuse with hidden-camera footage from Animal Justice*. <https://animaljustice.ca/blog/ontario-pig-farm-convicted>

²⁶ CTV London. (2015, August 25). *Turkey breeder fined after pleading guilty to animal cruelty*. *CTV News*. <https://www.ctvnews.ca/london/article/turkey-breeder-fined-after-pleading-guilty-to-animal-cruelty/>

²⁷ Health of Animals Act, S.C. 1990, c. 21. (Can.). <https://laws-lois.justice.gc.ca/eng/acts/h-3.3/>

²⁸ Safe Food for Canadians Act, S.C. 2012, c. 24. (Can.). <https://laws-lois.justice.gc.ca/eng/acts/s-1.1/>



Animals in Canada are routinely transported in open-sided vehicles without climate control, including during **severe winter conditions** and **summer heatwaves**.

without clear benchmarks. Animals in Canada are routinely transported in open-sided vehicles without climate control, including during severe winter conditions and summer heatwaves.

Slaughter rules in federally regulated facilities generally require animals to be rendered unconscious through approved stunning methods before they are bled and dismembered.²⁹ However, significant exclusions and enforcement challenges remain. Birds, who comprise around 97 percent of land animals slaughtered for food, are exempted from a key protection that prohibits the suspension of conscious animals.³⁰ This allows the shackling of fully-conscious chickens and turkeys upside-down by the legs before they are passed through an electrified water bath—a practice that is often ineffective and may fail to render the animals unconscious. High line speeds increase the risk of ineffective stunning of birds leading to the animals having their throat slit and entering the scalding tank for feather removal while fully conscious.

Ritual slaughter—without stunning—is also still permitted, despite being opposed by the Canadian Veterinary Medical Association because it causes significant avoidable suffering.³¹

Aquatic animals remain entirely excluded, leaving fish without any federal welfare protections at slaughter.

Key requirements for transport and slaughter are framed using vague terms that complicate consistent enforcement, such as “sufficient space”³² and “avoidable suffering, injury or death.”³³ This vagueness contributes to

underenforcement and contrasts sharply with more prescriptive approaches adopted in jurisdictions such as the European Union. For example, EU regulations mandate controlled air quality, specific temperatures, and ventilation during transportation, and set out detailed procedures and monitoring requirements for stunning and slaughter.^{34, 35}

The use of subjective terms in Canadian regulations do not equip government employees with sufficient, measurable tools to assess welfare, particularly given they are responsible for assessing large numbers of animals in a short period. A visual inspection of an animal may not reveal that they suffered significant stress earlier during transportation, for example, but a prescriptive requirement that animals not be transported in open vehicles when the temperature is below zero degrees Celsius means that an inspector can quickly and objectively assess whether an infraction has taken place.



1.3 Provincial Exemptions

Although all provinces have general animal protection laws that aim to prevent animal suffering, there are no provinces that have detailed standards of care specific to farming, and disturbingly, most farming practices are considered exempt from provincial laws.

Provincial animal protection laws prohibit causing “distress” to animals. However, these laws generally

exempt distress arising from “generally accepted” agricultural practices (or equivalent language).³⁶ These exemptions have sweeping effects. Where a harmful practice is common within the industry, it is frequently treated as legally permissible—even if it causes animals to experience significant pain, fear, or chronic deprivation. This exemption creates a significant loophole, effectively gutting the protective intent of the law and

²⁹ Safe Food for Canadians Regulations, SOR/2018-108, s 141, <https://canlii.ca/t/56lfr>

³⁰ Safe Food for Canadians Regulations, SOR/2018-108, s 143(2), <https://canlii.ca/t/56lfr>

³¹ Canadian Veterinary Medical Association. (2021, January 13). *Humane slaughter of farm animals*.

<https://www.canadianveterinarians.net/policy-and-outreach/position-statements/statements/humane-slaughter-of-farm-animals/>

³² Safe Food for Canadians Regulations, SOR/2018-108, s 133, <https://canlii.ca/t/56lfr>

³³ Safe Food for Canadians Regulations, SOR/2018-108, s 89(d), <https://canlii.ca/t/56lfr>

³⁴ Council of the European Union. Regulation (EC) No. 1/2005 of 22 December 2004 on the protection of animals during transport and related operations, Official Journal of the European Union L 3, 5.1.2005. <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32005R0001>

³⁵ Council of the European Union. <https://eur-lex.europa.eu/legal-content/EN/ALL/?uri=CELEX:32009R1099>

³⁶ The scope and mechanics of these exemptions vary by province and territory (see Appendix B). Except for Prince Edward Island, Newfoundland & Labrador and the Yukon, provincial statutes do not require compliance with the National Farm Animal Care Council (NFACC) Codes of Practice. Rather, the Codes are often referenced defensively to justify conduct that would otherwise constitute an offence. This drafting approach transforms animal protection legislation from a protective regime into one that validates prevailing industry norms.

insulating farms from liability for practices that cause significant suffering to animals.

For example, while it would be illegal to confine a cat in a cage the size of a standard carrier for its entire life, the same type of confinement is legal for laying hens and breeding pigs. Likewise, castrating a litter of puppies with a scalpel without anesthesia would be considered animal cruelty, yet a similar procedure is routinely and legally performed on young male piglets.

In practice, provincial enforcement agencies often look to what the farming industry itself defines as acceptable

for guidance. A practice can be permitted under provincial law even if it causes significant animal suffering, so long as it is a common one. **To insulate a painful practice from legal scrutiny, the only thing the farm industry has to do is ensure the practice is widely adopted—a troubling standard where collective misconduct guarantees legal impunity.**

This legal structure effectively insulates routine production methods from scrutiny and places farmed animal welfare in a circular position: what is “acceptable” is often defined by what the industry already does.

1.4 Enforcement Deficiencies

Canada’s farmed animal welfare framework is further undermined by systemic enforcement failures. Enforcement of the Criminal Code’s animal cruelty provisions and provincial animal protection statutes relies almost entirely on complaints from individuals who observe potentially unlawful abuse³⁷, highlighting significant oversight gaps in a sector characterized by restricted public access and limited transparency.

Law enforcement authorities do not generally conduct routine or unannounced inspections of farms, meaning that the current enforcement model responds to harm only after it has occurred. This reactive approach is ill-suited to preventing animal welfare failures inside closed production facilities, where suffering can persist undetected and unaddressed.³⁸

[...] the current enforcement model responds to harm only after it has occurred. This reactive approach is ill-suited to preventing animal welfare failures inside closed production facilities, **where suffering can persist undetected and unaddressed.**

Farmed animals are kept on private property, generally indoors, inside barns, and out of public view. As a result, the people most often witnessing poor conditions or abusive practices are farm workers themselves. These workers may be the ones directed to carry out the harmful practices and may depend on their employers for income, housing, or immigration status, creating significant disincentives to report concerns to

the appropriate authorities. Members of the public and independent observers are rarely present on farms, limiting external oversight.

In practice, farm inspections are often a direct consequence of a worker’s whistleblowing on poor conditions, typically as part of an undercover investigation. This is evident through a number of highly publicized undercover investigations, such as in the case of Chilliwack Cattle Sales, where multiple charges were laid against a British Columbia dairy farm and seven of its employees after the whistleblower employee filmed workers repeatedly hitting, beating, kicking, punching, and whipping cows with chains and canes; and a cow being lifted by a tractor with a chain around her neck. This resulted in all seven employees pleading guilty to provincial

offences, with three of them sentenced to jail time. The company and several directors were also fined after pleading guilty.³⁹ If not for an employee whistleblower recording footage of the abuse, it is unlikely the farm and workers would have faced investigation and prosecution for their actions.

³⁷ Coulter, K., Nicholls, B., & Fitzgerald, A. (2022). Animal protection: Organizational constraints and collaborative opportunities. *Journal of Community Safety and Well-Being*, 7(1), 16-19. <https://doi.org/10.35502/jcswb.237>

³⁸ Rodriguez Ferrere, M. B. (2022). Animal welfare underenforcement as a rule of law problem. *Animals*, 12(11). <https://doi.org/10.3390/ani12111411>

³⁹ Animal Justice. (2017, May 18). *Chilliwack workers sentenced to jail time for dairy cow abuse*. <https://animaljustice.ca/blog/chilliwack-workers-sentenced-to-jail-time-for-dairy-cow-abuse>



1.5 Enforcement by Private Organizations

In many provinces, animal welfare laws are enforced not by public agencies but by private charities or organizations such as humane societies and Societies for the Prevention of Cruelty to Animals (SPCAs), leaving oversight patchy and under-resourced. These private organizations are tasked with enforcing animal protection legislation, sometimes both provincial and federal laws, but often receive little public funding to do so, meaning enforcement depends on the organization raising funds from private donors.

Expecting charities and private agencies to shoulder this burden without adequate financial support creates a patchwork system where enforcement is inconsistent, under-resourced, and often dependent on public donations, forcing charitable organizations to fundraise in order to enforce laws that are ultimately the government's responsibility to enforce. This model is unique to animals.

The British Columbia Society for the Prevention of Cruelty to Animals (BC SPCA), for example, has primary responsibility for receiving complaints and enforcing the provincial animal protection legislation and the animal cruelty laws under the Criminal Code in the province, yet the organization receives no operational funding from the provincial government.⁴⁰ The BC SPCA itself has called

on the government to take over enforcement of the province's farmed animal welfare laws because the organization lacks the resources to proactively and effectively monitor conditions on farms in BC.^{41,42}

Reliance on private enforcement also further weakens transparency. Many private agencies are not subject to freedom of information (FOI) laws or police oversight laws, shielding enforcement activities from public scrutiny.

Even when a public body is responsible for responding to complaints about farms, enforcement independence may still be lacking. For example, enforcement of animal protection laws is a government function in Ontario. Yet, documents obtained by Animal Justice through FOI requests reveal that Ontario's Provincial Animal Welfare Services (PAWS) signed memorandums of understanding with industry commodity groups requiring industry representatives to be present during complaint-based farm inspections. These same records also indicate that facility operators must be notified in advance when a complaint has been received and that an inspection will occur as a result, and are permitted to attend. This practice demonstrates a structural conflict of interest that undermines the independence and credibility of enforcement.

⁴⁰ Charity Intelligence Canada. (2025). BC SPCA. <https://www.charityintelligence.ca/charity-details/10-bc-sPCA>

⁴¹ BC SPCA. (2020, November 6). *Re: Enforcement of the PCA Act on commercial farms. Letter to the Deputy Minister of Agriculture*. [Letter], pp. 77-78. https://docs.openinfo.gov.bc.ca/Response_Package_AGR-2021-11262.pdf

⁴² Gregory, E. (2021, August 4). *Amid suspicions over animal welfare, BC SPCA points to gaps in accountability*. Sooke News Mirror. <https://sookenewsmirror.com/2021/08/04/amid-suspicions-over-animal-welfare-bc-sPCA-points-to-gaps-in-accountability/>

2 | Industry Self-Regulation: The NFACC Model

Taken together, these legislative and enforcement structures reveal not a series of isolated weaknesses, but a systemic governance failure. Canada has not established a coherent statutory framework capable of setting enforceable standards, ensuring independent oversight, or preventing harm to farmed animals. The absence of such a framework has enabled the emergence of an alternative model of industry self-regulation.

Where governments fail to legislate and enforce measurable standards, regulatory space does not remain empty. In Canada, that space has been filled by a private, industry-dominated body: the National Farm Animal Care Council (NFACC). Rather than constituting a complementary advisory mechanism within a statutory framework, **NFACC has become the de facto national standard-setter for animal welfare on farms, despite lacking legislative authority or accountability, independence, transparency requirements, or enforcement powers.**



This model does not represent mere regulatory capture in the traditional sense. It reflects regulatory abdication—the **effective outsourcing of public law responsibilities to the very industry whose practices require oversight.**

NFACC was established to develop Codes of Practice for the care and handling of animals on farms. These Codes were originally conceived as voluntary guidance documents. Over time, however, they have come to occupy a central and determinative role in Canada's farmed animal welfare framework.

2.1 Origins and Governance

Origins and Evolution of the Codes of Practice

Canada's efforts to establish standards for farmed animal welfare began in the 1980s with the creation of voluntary, species-specific "Recommended Codes of Practice". Between 1983 and 1990, the federal government funded and published the Codes, delegating management of the process to the Canadian Federation of Humane Societies (CFHS),⁴³ now known as Humane Canada. These early efforts were influenced by developments in the United Kingdom and were motivated by growing public concern regarding the treatment of animals used in food production.⁴⁴

While the early codes were developed with government funding and coordination, over time responsibility shifted away from direct government involvement toward industry-led management. NFACC was formally established in 2005 as a private, non-profit organization to oversee code development.⁴⁵ The Codes, once linked to public policy development, became voluntary instruments governed primarily by industry interests.

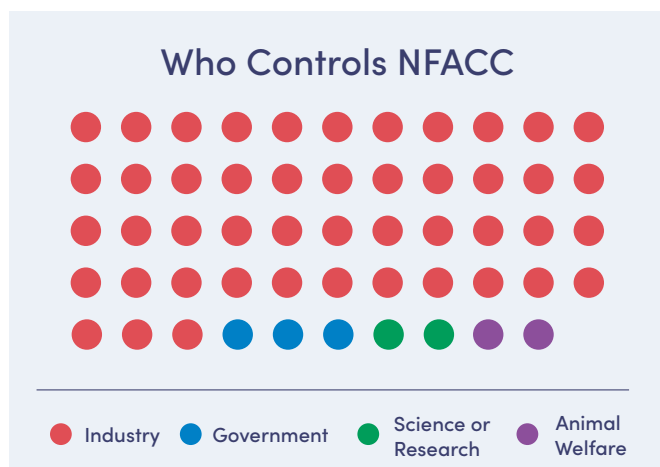
⁴³ Fraser, D. (2015). Turning science into policy: The case of farm animal welfare in Canada. *Animal Frontiers*, 5(3), 23–27. <https://academic.oup.com/af/article/5/3/23/4638759>

⁴⁴ Fraser, D. (2015). Turning science into policy: The case of farm animal welfare in Canada. *Animal Frontiers*, 5(3), 23–27. <https://academic.oup.com/af/article/5/3/23/4638759>

⁴⁵ Fraser, D. (2015). Turning science into policy: The case of farm animal welfare in Canada. *Animal Frontiers*, 5(3), 23–27. <https://academic.oup.com/af/article/5/3/23/4638759>

Industry Dominance

NFACC now functions in practice as the national mechanism for farmed animal welfare standard-setting in Canada. While it characterizes itself as the “only organization in the world that brings together animal welfare groups, enforcement, government and farmers under a collective decision-making model for advancing farm animal welfare”,⁴⁶ its governance structure is dominated by the farming industry. Membership is largely composed of national and provincial commodity groups (e.g., Dairy Farmers of Canada, Chicken Farmers of Canada), alongside representatives from processing, retail, and food service sectors. Other organizations that are members include the Canadian Veterinary Medical Association (CVMA), federal government departments (Agriculture and Agri-Food Canada (AAFC) and the Canadian Food Inspection Agency (CFIA)), and the research community. Eighty-seven percent of NFACC’s members represent industry-aligned organizations, while only two animal welfare organizations participate, resulting in an inherent and overwhelming structural imbalance between industry and animal welfare representation.



Membership criteria further entrench this structure by requiring participating organizations to accept animal agriculture as a legitimate and ongoing enterprise.⁴⁷ This precondition narrows the scope of debate and excludes perspectives advocating structural reform of farming systems. These limitations are reinforced by membership rules that restrict voting status to national organizations, excluding smaller or regional animal advocacy groups from full participation. While such groups may join as asso-

ciate members and contribute to discussions, they are not permitted to vote or sit on Code development committees, limiting their influence over the standards themselves. NFACC operates through species-specific Code devel-

On a committee of 15 to 18 members, animal welfare organizations are routinely limited to a single seat, while producer and industry representatives hold most positions across the committee.

opment committees that are responsible for drafting Codes. These committees reflect a similar imbalance. On a committee of 15 to 18 members, animal welfare organizations are routinely limited to a single seat, while producer and industry representatives hold most positions across the committee.⁴⁸ Government officials and scientific and academic researchers participate as non-voting members, further reducing independent and public-interest influence over outcomes.

Even Scientific Committees, tasked with providing evidence-based input to a Code development committee, often include individuals from the research community with direct or indirect financial ties to the industries under review, raising concerns regarding independence and the integrity of the scientific advice informing the Codes. Even so, scientific findings and recommendations put forth by Scientific Committees are non-binding, meaning Code committees can, and often do, choose to disregard established animal welfare science when developing standards.

NFACC has overseen the development of Codes covering nearly all major farmed animal sectors in Canada,⁴⁹ including Pullets and Layer hens (chicks and egg-laying hens), Pigs, Beef, Dairy and Veal cows, Chickens, Turkeys and Breeders (birds raised or killed for meat), Equines and Sheep.

While Codes are supposed to be updated every ten years, with interim reviews at five-year intervals, the initiation of reviews and amendments is controlled by the relevant industry association for the species of animal

⁴⁶ National Farm Animal Care Council. (n.d.). *About NFACC*. <https://www.nfacc.ca/about-nfacc>

⁴⁷ National Farm Animal Care Council. (n.d.). *About NFACC*. <https://www.nfacc.ca/about-nfacc>

⁴⁸ Each NFACC code committees must include: producers (with a target of four producers representing different regions and production phases); a transporter; a veterinarian representing the CVMA; an animal welfare association; a provincial animal protection enforcement authority; a retail, restaurant, or food service organization; a processor; a federal government representative; an animal welfare researcher/academic; and, a provincial government representative with some responsibilities related to animal welfare.

⁴⁹ National Farm Animal Care Council. (n.d.). *Codes of Practice for the care and handling of farm animals*. <https://www.nfacc.ca/codes-of-practice>

under consideration. This arrangement allows industry groups to delay updates and resist reforms that may affect production models or costs, as illustrated by uneven and delayed review timelines across species. For example, although the Beef Cattle Code was due for a full update in 2023, the Canadian Cattle Association—the national industry group responsible for initiating and shepherding the process—did not move forward with the interim review until late 2023. As a result of this industry-led delay, the updated Code is not expected to be finalized until 2027.

Public Funding, Private Control

Despite its status as a private organization, NFACC has received substantial public funding, including multi-million-dollar federal contributions to support Code review and development processes—sharing in over \$13 million in federal funding in 2024 alone,⁵⁰ receiving almost \$5 million to review, amend, and update the Codes of Practice.⁵¹ Yet, there is no accounting of how these funds are allocated, and NFACC is not subject to federal access to information legislation or statutory reporting requirements proportional to the scale of public investment. NFACC also receives additional funding through Animal Health Canada,⁵² itself a private non-profit organization funded by industry associations, further entrenching private-sector influence.

Interim reviews may also take place entirely out of public view, effectively shielding industry practices from public scrutiny. In 2022, the Pullet and Laying Hen Code underwent a closed-door review process and the Code was quietly updated with no attention paid to cages—the most prominent and publicly debated animal welfare issue in egg production.

This arrangement presents a governance anomaly: taxpayer funds support a private body that exercises significant influence over national animal welfare standards, while remaining insulated from public accountability, transparency, and oversight mechanisms. This context is exacerbated by government representatives sitting on Codes committee as non-voting members—thus preventing the government from having a direct role in shaping the animal welfare guidelines through the Codes.

2.2 Allowing Cruel Practices Banned Elsewhere

NFACC and the Code development process were founded on the premise that a collaborative, science-informed, non-legislative framework could respond effectively to public concern about farmed animal welfare. In practice, however, this model has failed to deliver standards that reflect contemporary scientific knowledge, evolving societal expectations, or international best practices.

Notably, the Codes are not described as science-based, but rather “science-informed,” allowing industry considerations such as feasibility, cost, and current practices to shape outcomes alongside scientific evidence.

used in farming. Notably, the Codes are not described as science-based, but rather “science-informed,”⁵³ allowing industry considerations such as feasibility, cost, and current practices to shape outcomes alongside scientific evidence. Far from reflecting progressive welfare standards, the Codes institutionalize suffering by authorizing practices that cause severe pain, distress, and long-term harm—so long as they remain profitable and industry-standard. Rather than driving incremental animal welfare progress in the farming sector, the Codes entrench outdated and harmful practices, leaving Canada increasingly isolated and out of step with evolving international norms. The substance of the Codes will be explored in greater detail in Section 4.

⁵⁰ National Farm Animal Care Council. (2024, October). *NFACC information update October 2024*. <https://www.nfacc.ca/news?articleid=450>

⁵¹ Agriculture and Agri-Food Canada. (2024, October 8). *Government of Canada announces funding to improve animal health and welfare*. Government of Canada. <https://www.canada.ca/en/agriculture-agri-food/news/2024/10/government-of-canada-announces-funding-to-improve-animal-health-and-welfare.html>

⁵² Animal Health Canada. (2025, March). *Animal Health Canada Financial Statements - March 31, 2025*. <https://animalhealthcanada.ca/pdfs/5%20-%2024-25%20Year%20End%20Financial%20Statements%20-%20Final%20-%20signed.pdf>

⁵³ National Farm Animal Care Council. (n.d.). *About NFACC*. <https://www.nfacc.ca/about-nfacc>

2.3 The Legal Status of NFACC’s Codes of Practice

Although NFACC Codes purport to set out “requirements” and “recommended practices” addressing housing, feeding, health management, and on-farm killing methods, the Codes are voluntary guidelines—they are not laws. They do not create enforceable legal obligations under Canadian legislation and, on their own, they do not establish government penalties for non-compliance.⁵⁴

Some industry programs incorporate the Codes and apply their own compliance mechanisms. For example, the dairy sector’s proAction program, administered by Dairy Farmers of Canada, requires participating producers to follow standards based in part on the NFACC dairy cattle Code of Practice. Farms are audited under this program and may face corrective actions or other industry consequences for failing to meet its standards. However, these measures are industry-run rather than government-enforced, and they function primarily as part of a quality-assurance system focused on milk safety and supply management rather than independent legal enforcement of animal welfare standards.

Despite NFACC Codes generally having no independent legal force, governments increasingly rely on them as authoritative benchmarks. Provincial and federal departments reference Codes in policy documents, inspection guidance, and compliance materials. Enforcement bodies commonly treat adherence to the Codes as evidence of acceptable care, while deviations may be framed as indicators of non-compliance. In some jurisdictions, Codes are incorporated by reference into provincial regulations—but generally as a defence to an allegation that distress was caused, rather than a standard that must be followed.

Public-facing communications frequently blur this distinction, describing Code ‘requirements’ as mandatory standards. In practice, however, compliance depends largely on industry-operated assurance programs that are voluntary, privately audited, and lacking independent enforcement authority.

The postponement of the planned phase-out of gestation crates for breeding pigs, a metal enclosure that restricts a sows movement to a space roughly the size of her own body, preventing her from even turning around, provides a prominent illustration of the unenforceability of Codes, and thus the lack of legal consequences for failure to adhere to them. Following sustained public

and corporate pressure, the industry committed through the 2014 Pig Code to phase out the continuous use of gestation crates for pregnant pigs by 2024.⁵⁵ While the ten-year transition period was already widely regarded as excessive, it was framed by NFACC and the pig industry as a significant reform.



However, during the 2020 five-year review of the pig Code led by the Canadian Pork Council,⁵⁶ the industry announced that it would no longer meet the 2024 phase-out deadline and would instead move it to 2029, condemning breeding sows to an additional five years of intensive confinement. The justification offered was financial feasibility—demonstrating that economic considerations ultimately superseded welfare commitments. The announcement was opposed by the two animal welfare members of NFACC, and while the Pig Code was not formally updated with the new 2029 deadline, the industry has nonetheless missed the 2024 deadline—a failure that attracted no accountability or consequence given that Codes are not laws.

Because the Codes lack statutory force, missed deadlines carry no legal accountability.

⁵⁴ See [Appendix B](#)

⁵⁵ A gestation crate is a cage barely larger than the pig’s own body, where an impregnated pig will be held for the duration of her three-month pregnancy.

⁵⁶ National Farm Animal Care Council. (2020, August). *Five-year review summary report Code of Practice for the care and handling of pigs*. https://www.nfacc.ca/pdfs/codes/public-comment-periods/pig/2019%20Pig%20code%20review%20CTP%20Summary%20Report_EN_final.pdf

2.4 Industry Resistance to Legal Enforceability

The voluntary status of the Codes is not incidental—it reflects deliberate and sustained resistance by industry actors to binding regulation.

When provincial governments have considered strengthening animal welfare legislation, industry representatives have opposed incorporating the Codes as mandatory standards. During consultations on Quebec’s Bill 54 (An Act to Improve the Legal Situation for Animals), agricultural industry groups expressly objected to making national Codes of Practice legally binding, citing concerns about compliance costs, facility retrofits, and competitiveness relative to producers in other jurisdictions.⁵⁷

When the BC SPCA introduced a pilot program involving proactive, unannounced farm inspections, it faced

strong opposition from industry groups, which publicly challenged its authority and framed enforcement as an infringement on producers’ rights.⁵⁸

These examples reveal a central tension in the NFACC model. **While the Codes are presented publicly as robust welfare safeguards, industry stakeholders have resisted their transformation into enforceable legal obligations. The preservation of voluntariness ensures operational flexibility and shields producers from statutory accountability.**

The result is a system in which the industry can point to the existence of standards while simultaneously opposing their legal enforceability.

Strategic Ambiguity and the “Mandatory” Narrative

Although the Codes are formally voluntary, NFACC materials repeatedly characterize the Codes as more than voluntary guidelines, describing them as “scientifically informed standards” that “cannot be considered voluntary”, and asserting that they outline what is and is not acceptable within farmed animal care”.^{59, 60, 61}

Promotional videos and documents emphasize that the Codes “serve as our national understanding of farm

animal care,” and draw a distinction between requirements and recommended practices, with requirements framed as minimum measures that “are to be implemented by all persons responsible for farm animal care.” By repeatedly highlighting their use in regulations, courts, and assessment programs, industry communications blur the boundary between guidance and law, reinforcing the false perception that the Codes are legally enforceable. Commodity groups similarly describe compliance as

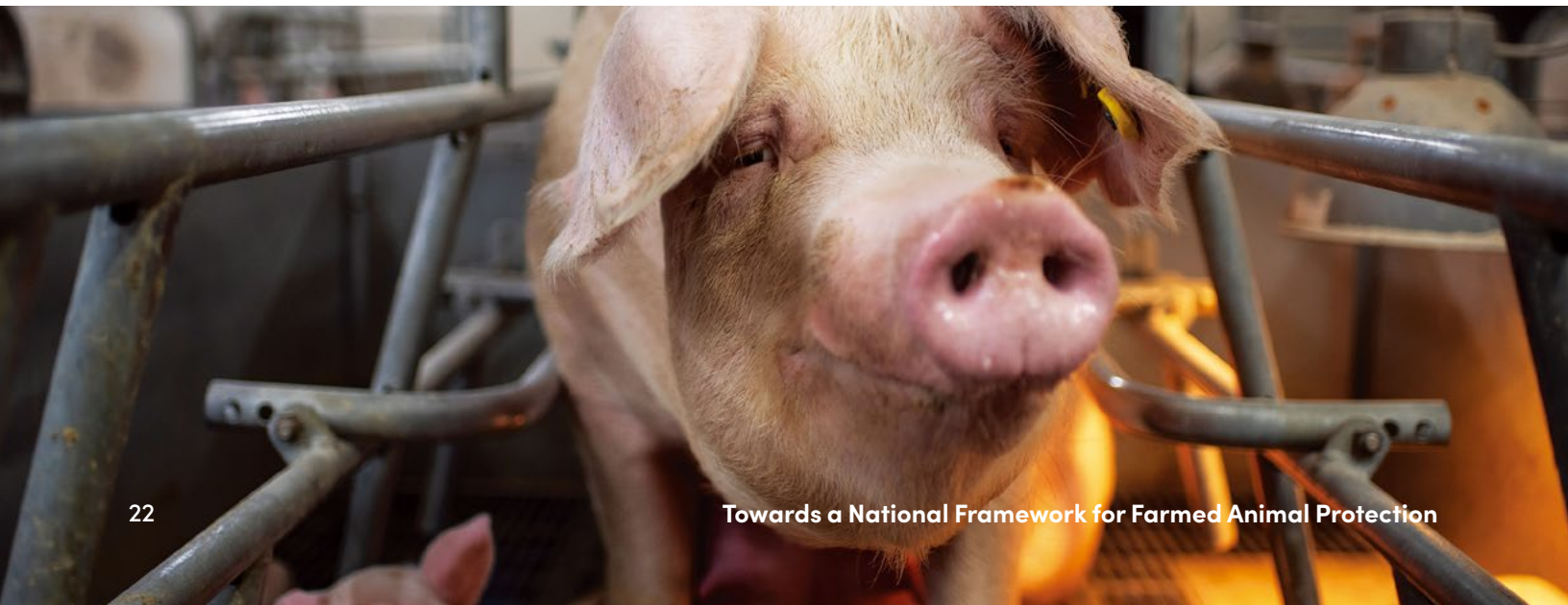
⁵⁷ Menard, D. (2023). Un loup dans la bergerie – Pourquoi les animaux domestiques ne sont pas tous protégés de la même manière. *Revue générale de droit*, 53(1), 83–127. <https://doi.org/10.7202/1102328ar>

⁵⁸ Smalley, M. (2021, September 19). Ranchers concerned about unannounced farm inspections by SPCA. *The Williams Lake Tribune*. <https://wlttribune.com/2021/09/19/ranchers-concerned-about-unannounced-farm-inspections-by-sPCA/>

⁵⁹ National Farm Animal Care Council. (n.d.). *Codes of Practice for the care and handling of farm animals*. <https://www.nfacc.ca/codes-of-practice>

⁶⁰ National Farm Animal Care Council. (2025, October 7). *The importance of NFACC*. [Video]. YouTube. <https://www.youtube.com/watch?v=aQZe9fopbvc>

⁶¹ National Farm Animal Care Council. (2018, April 9). *NFACC – How are Codes used*. [Video]. YouTube. <https://www.youtube.com/watch?v=aawKZaGAIYI>



compulsory within sectoral certification schemes, sometimes using language that implies legal obligation.

This strategy was also on display during a House of Commons Standing Committee on Agriculture and Agri-Food hearing in October 2023. Ray Binnendyk, co-owner of Excelsior Hog Farm—an operation that has been repeatedly exposed on undercover video for troubling conditions and treatment of animals—testified at the invitation of the Canadian Pork Council. Mr. Binnendyk defended industry practices by invoking the NFAAC Pig Code as implemented through the Verified Canadian Pork™ program, an industry-created “quality assurance” and branding scheme that claims to follow NFAAC Codes for pigs:

“When the industry sets a standard, it becomes a mandatory model for producers to follow... These practices are established and become mandatory for producers; otherwise, they can’t market their products through our Verified Canadian Pork™ certification program.”

However, this narrative of “mandatory” compliance is often undermined by the actions and attitudes of

producers themselves. For example, researchers at UBC’s Dairy Education and Research Centre interviewed and visited dairy farmers in British Columbia and Alberta between 2023 and 2025 regarding proposed changes to the dairy Code’s calf housing section. The findings revealed significant friction; some farmers expressed deep distrust in the Code development process, others resisted what they perceived as being told what to do or being “forced” to adopt new requirements, and several explicitly stated that they would refuse to comply with the new social housing rules.^{62, 63}

The repeated use of the term “mandatory” implies legal obligation, but in reality, producers are not legally required to comply with the standards set out in the Codes, regardless of whatever voluntary, industry-controlled sectoral certification programs exist—designed primarily to protect market access and public confidence, not to enforce animal welfare laws.

This strategic ambiguity serves an important function. By framing voluntary standards as mandatory, industry actors reinforce the perception that farmed animals are already protected by binding rules, thereby deflecting calls for legislative reform.

Industry Certification Schemes

Some agricultural sectors have created industry-run certification programs that incorporate the NFAAC Codes of Practice and include basic compliance mechanisms. For example, the dairy sector’s proAction program, administered by Dairy Farmers of Canada, requires participating producers to meet standards based in part on the dairy cattle Code of Practice. Farms are subject to periodic inspections and corrective action requirements, and producers who fail to comply may face administrative sanctions from their respective industry body, such as suspension of their operating license for several days.⁶⁴ Similar programs exist in the Canadian egg sector.⁶⁵

However, these programs have important limitations. They are industry-designed and administered rather than independently regulated, and inspections occur relatively infrequently. Under proAction, on-farm validations are conducted in person once every two years, while

in alternate years producers complete self-declarations; only a random sample of approximately five percent of these farms are selected for additional on-farm validation.⁶⁶ Although these programs involve some proactive inspection and reporting, they are largely driven by food safety and product quality concerns—such as preventing contaminated milk from entering the supply chain.

Transparency is also limited. While programs publish standards and general progress reports, detailed audit outcomes, rates of non-compliance, and specific enforcement actions are generally not publicly disclosed,⁶⁷ and reporting initiatives in sectors such as eggs are not yet publicly released. As a result, the operation and effectiveness of these certification systems remain difficult to independently evaluate. Because participation is privately governed and oversight is limited in frequency, transparency, and independence, these schemes are not a substitute for legal regulation.

⁶² UBC Dairy Education and Research Centre. (2026, Winter). *Highlighting farmer views about social housing for dairy calves in Canada* [Research report]. University of British Columbia Faculty of Land and Food Systems. <https://app.cyberimpact.com/newsletter-view-online?ct=0IMVDZh-BUgiMxBKRbHzBQRmWnuwL8jG-b7m5ja2VfeO9GaZLV0q3jzjyX0ntEkWFOFaw7CXBekbyLHdpbjHKIsMlxzK2dxk8P3sXuruXGYrhUjjXc2Zc7jqIM-jv8YI>

⁶³ Koralesky, K. E., Dyck, T., Kuo, C., von Keyserlingk, M. A. G., & Weary, D. M. (2025). Social housing for dairy calves: Farmer acceptance of Canadian industry-led requirements. *Journal of Dairy Science*, 108, 12438–12449. <https://doi.org/10.3168/jds.2025-26881>

⁶⁴ For instance, after undercover video footage revealed employees beating and punching cows at Chilliwack Cattle Sales Ltd. and Cedar Valley Farms in BC, the BC Milk Marketing Board temporarily suspended their milk pickups, but normal operations soon resumed for both facilities.

⁶⁵ Egg Quality Assurance. (n.d.). *Egg Quality Assurance*. <https://eggquality.ca/>

⁶⁶ proAction. (n.d.). *How it works: Transparency and Accountability*. Dairy Farmers of Canada. <https://www.dairyfarmers.ca/proaction/how-it-works/overview>

⁶⁷ Kuo, C., Weary, D.M., Roche, S.T., & von Keyserlingk, M. A.G. (2025). Exploring the legitimacy of industry-led farm animal welfare governance using examples of Canadian and United States dairy standards. *Animal Welfare*, 34(22), 1-14. <https://pmc.ncbi.nlm.nih.gov/articles/PMC12056415>



2.5 Lack of Public Accountability

NFACC's Public Consultation Is Not Meaningful or Transparent

NFACC conducts public consultations during Code development. However, the organization does not publish all submissions, does not provide detailed explanations regarding how public input is assessed, and has previously indicated that coordinated submissions may be discounted. During the consultation for the Poultry Code, NFACC announced it would reject any submission that appeared to be part of a coordinated effort by an organization or group.⁶⁸

These exclusions targeted the common strategy of citizen groups organizing and equipping concerned citizens to weigh in on NFACC Code content. Animal advocacy groups commonly educate their members and public about policy proposals, and provide tools or templates to help individuals participate meaningfully in consultations, which can be difficult for individuals to navigate on their own.⁶⁹ By dismissing coordinated

By dismissing coordinated or similar submissions, NFACC treated civic engagement as spam, not as democratic participation, **silencing thousands of Canadians who shared legitimate, evidence-based concerns.**

or similar submissions, NFACC treated civic engagement as spam, not as democratic participation, silencing thousands of Canadians who shared legitimate, evidence-based concerns. Rather than welcoming informed public input, the process systematically narrowed participation, marginalizing those advocating for stronger protections.

In some cases, even direct engagement is rebuffed. When Animal Justice recently contacted an NFACC member organization to discuss its role in shaping the Codes, the response was simply:

*"No interest."*⁷⁰

There is no transparency or independent mechanism for reviewing how scientific evidence, ethical concerns, or public values are weighed in final decision-making.

⁶⁸ National Farm Animal Care Council. (2024, October). *Top-of-mind survey for the poultry Code*. <https://www.nfacc.ca/pdfs/reports/Poultry%20At%20a%20Glance.pdf>

⁶⁹ The public comment process is complex and burdensome, requiring detailed, section-by-section submissions and thereby limiting participation by most members of the public. For example, in their "[What We Heard and How We Addressed It](#)" report, NFACC claimed they received only 166 submissions during the public comment period about the Pullets and Laying Hens Code amendments.

⁷⁰ World's Poultry Science Association. "Re: Meeting request regarding NFACC layer code amendment". Email response to Animal Justice, August 15, 2025.

Limited Awareness and Internal Uptake

The effectiveness of any voluntary standard-setting regime depends not only on its content but on its implementation. NFACC's own 2019 survey results indicate that awareness of the Codes among those working directly with animals is inconsistent. According to NFACC, 32 percent of Canadian animal farm operators and farm workers reported that they had never heard of the Codes, and an additional 23 percent reported being only slightly familiar with them. This indicates that even decades after the adoption of the Codes by NFACC, more than half of the individuals working directly with animals on farms remain unaware of the voluntary standards guided by the industries themselves.⁷¹

These findings raise significant questions about the Codes' practical efficacy. Standards that are unknown to a substantial portion of those expected to follow them cannot reliably function as safeguards against systemic welfare risks. Without statutory requirements, proactive public inspection, and transparent enforcement

mechanisms, adherence depends largely on voluntary uptake and industry-led, untransparent private assurance programs.

The gap between formal standard-setting and operational awareness and adherence further underscores the limitations of relying on voluntary guidance as the backbone of a national welfare framework.



Codes as Instruments of Public Trust

Over time, the Codes have come to serve not only as technical guidance documents but also as instruments of public reassurance. NFACC and affiliated industry organizations frequently cite the existence of Codes as evidence that farmed animals in Canada are treated humanely and that welfare is governed by science-informed national standards.^{72,73,74,75,76}

NFACC's mandate has increasingly emphasized "public trust" as an institutional objective.^{77,78} This dual purpose—advancing animal welfare while maintaining confidence in animal agriculture—creates an inherent tension. Meaningful welfare reforms often require restricting or eliminating economically entrenched practices. A governance body tasked simultaneously with safeguarding welfare and protecting industry reputation faces structural incentives to favour incremental adjustments over transformative change.

In this context, the Codes operate not only as voluntary standards but also as a reputational shield—allowing industry actors to claim regulation and progress while preserving control over the pace and scope of reform.

⁷¹ Ontario Farmer. (April 13, 2021). Survey shows lack of awareness about livestock welfare codes.

⁷² National Farm Animal Care Council. (n.d.). *Codes of Practice for the care and handling of farm animals*. <https://www.nfacc.ca/codes-of-practice>

⁷³ National Farm Animal Care Council. (n.d.). *Development process for Codes of Practice for the care and handling of farm animals*.

<https://www.nfacc.ca/code-development-process>

⁷⁴ National Farm Animal Care Council. (2023). *Code of Practice for the care and handling of dairy cattle*.

<https://www.nfacc.ca/codes-of-practice/dairy-cattle/code2023>

⁷⁵ Dairy Farmers of Canada. (2023, January 9). *proAction animal care framework consistent with national standards, says NFACC*.

<https://dairyfarmersofcanada.ca/en/proaction-animal-care-framework-consistent-national-standards-says-nfacc>

⁷⁶ National Farm Animal Care Council. (n.d.). *The animal care assessment framework implementing Codes of Practice: Canada's framework for developing animal care assessment programs*. <https://www.nfacc.ca/acaf-development-process>

⁷⁷ National Farm Animal Care Council. (2025). *Advancing animal welfare and public trust through Codes of Practice: Project achievements report April 2023–March 2025*. https://www.nfacc.ca/pdfs/nfacc/NFACC_AR_2025_FINAL.pdf

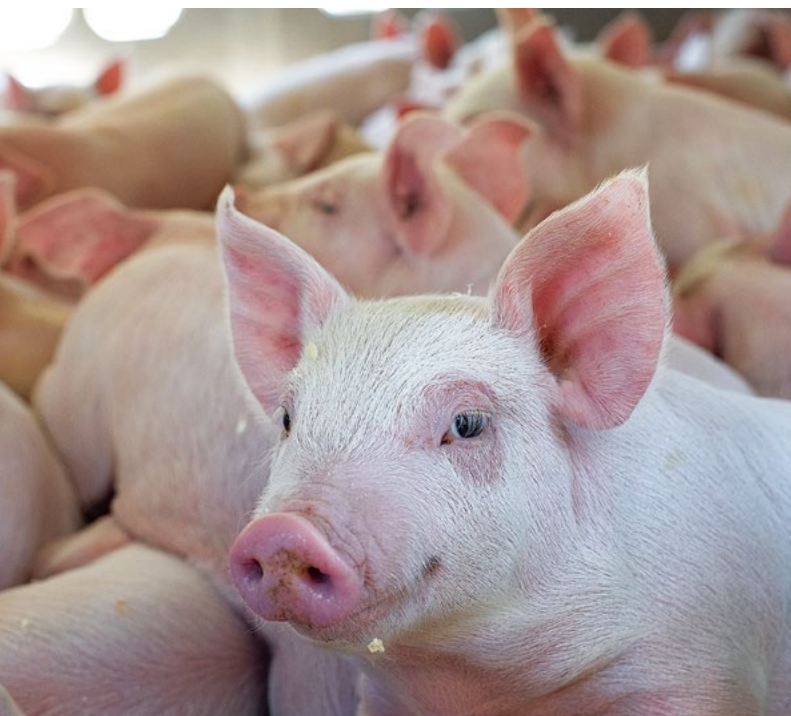
⁷⁸ House of Commons. Standing Committee on Agriculture and Agri-Food. (2019). *Evidence of Proceedings*. 42nd Parliament, 1st session, meeting no. 131. Retrieved from the House of Commons website: <https://www.ourcommons.ca/documentviewer/en/42-1/AGRI/meeting-131/evidence>

2.6 Structural limitations and Consequences

NFACC is Structurally Incapable of Protecting Farmed Animal Welfare

NFACC's limitations are not incidental or remediable through minor procedural adjustments. They flow directly from its design.

First, NFACC is structured around a consensus-based model that grants industry participants effective veto power over proposed changes due to the makeup of



its membership. This model prioritizes agreement among stakeholders with fundamentally different interests, including those whose economic objectives are directly affected by higher welfare standards. As a result, proposed reforms like eliminating cages or other confinement systems are routinely diluted or stalled.

Second, NFACC lacks democratic accountability. Its decision-making processes are not subject to legislative oversight, freedom of information laws, or meaningful public participation. While NFACC consultations may include a range of perspectives, final outcomes are not accountable to voters, elected representatives, or independent regulators.

Third, NFACC Codes are voluntary and lack legal force. Even where Codes articulate improvements in animal care, there is no guarantee of consistent implementation or enforcement. Compliance depends largely on industry uptake and uneven provincial incorporation, reinforcing variability and uncertainty. There are no consequences when industries decide not to adhere to a code, or to move a deadline for implementing a welfare improvement.

Finally, NFACC's role entrenches policy inertia. By presenting the appearance of progress and expertise, the Codes can deflect pressure for legislative reform. Governments may point to NFACC as evidence that animal welfare is being addressed, even as underlying standards remain weak and unenforceable.

Consequences of the Current Framework

The combined effect of weak public law, reliance on voluntary standards, and industry-dominated governance has predictable consequences.

Standards governing farmed animal welfare are often permissive and lag behind contemporary scientific understanding of animal sentience and welfare. Enforcement is inconsistent, under-resourced, and frequently reactive, leaving systemic harms unaddressed. Transparency is limited, making it difficult for the public and policymakers to assess whether existing protections are effective.

Perhaps most significantly, the current framework creates structural barriers to reform.

As long as NFACC is treated as the primary forum for welfare standards for animals on farms, meaningful legislative change becomes more difficult to achieve. **The result is a self-reinforcing system that normalizes minimal standards while projecting an image of oversight and care.**

3 | Regulatory Capture and Industry Lobbying Control

3.1 Structural Conflicts of Interest

Regulatory capture occurs when institutions created to act in the public interest instead become dominated or unduly influenced by the industries they are meant to regulate. For instance, there may be a “revolving door” whereby regulators are hired by the industry that they previously regulated, or enforcement officials may work so closely with the companies they oversee that they come to view the company as a “client” rather than a regulated body. Rather than serving as impartial regulators, captured agencies shape, weaken, or selectively enforce rules in ways that protect industry profitability at the expense of public interest and values.

In Canada, this dynamic is evident in farmed animal welfare oversight. **The country’s welfare crisis is not solely the result of legislative gaps; it is rooted in an institutional design that embeds conflicts of interest within the agencies responsible for overseeing animal agriculture.** Federal bodies tasked with promoting sectoral growth and competitiveness are also responsible for regulating aspects of farmed animal welfare. This dual mandate creates structural incentives to treat

When economic promotion and animal welfare protection are housed within the same institutional structures, **regulatory outcomes predictably reflect economic priorities.**

animal welfare as a variable to be balanced against trade, efficiency, and export stability—rather than as a statutory priority.

The CFIA enforces federal transport and slaughter regulations while simultaneously facilitating international trade and supporting export-dependent industries.⁷⁹ Agriculture and Agri-Food Canada (AAFC), whose core mandate is advancing agricultural competitiveness, participates in policy processes shaping animal welfare standards.⁸⁰ When economic promotion and animal welfare protection are housed within the same institutional structures, regulatory outcomes predictably reflect economic priorities.

Regulatory Capture in Practice Case Study: The 2019 Transport Amendments

The 2019 overhaul of Canada’s animal transport regulations illustrates how these structural tensions shape regulatory outcomes. Prior to amendment, the federal transport framework under the *Health of Animals Regulations* had not been substantively updated since 1977, allowing animals to be transported in inclement weather, and for up to 52 hours at a time without food, water, or rest. Meanwhile, decades of scientific evidence showed the severe suffering associated with prolonged transport, including dehydration, injury, heat stress, cold exposure, and mortality. Although the review process took years and involved extensive consultation, the final updated regulations fell far short of what science and public opinion demanded—and instead reflected industry preferences.

During the regulatory review process, animal protection organizations urged the CFIA to adopt science-based maximum transport intervals and prescriptive engineering standards comparable to those in the European Union. Federal records obtained through access to information requests revealed that the CFIA’s own scientific assessments showed that certain animals experience measurable physiological harm after relatively short transport durations.

For instance, internal CFIA materials indicated that spent hens⁸¹ begin to suffer significant harm after approximately eight hours without food, water, or rest.⁸² Early proposals by the CFIA contemplated shorter limits.

⁷⁹ Canadian Food Inspection Agency. (2025, March). *Introductory Guide for Indigenous Nations, Governance, and Communities: Component of the African Swine Fever Awareness Campaign*. https://publications.gc.ca/collections/collection_2025/acia-cfia/A104-647-2025-eng.pdf

⁸⁰ Agriculture and Agri-Food Canada. (2020). *Departmental Plan*. Government of Canada. <https://agriculture.canada.ca/en/department/transparency/departmental-plan/2020-2021>

⁸¹ Spent hens are hens that have been used in egg production, and have reached the end of their usefulness as egg-layers. They are typically sent to slaughter in a depleted, weakened condition, making them especially vulnerable to suffering negative effects from weather, food and water deprivation, and other stressors during transport.

⁸² Animal Justice. (2017, February 15). *Access to information documents reveal sobering government collusion with big ag*. <https://animaljustice.ca/blog/access-to-information-documents-reveal-sobering-government-collusion-with-big-ag>

However, following industry pressure, the proposed maximum interval was extended. Internal records state: “As a result of industry feedback, CFIA adjusted its original proposal from 12 hours to 24 hours... CFIA is now proposing 24 hours as a result of industry concerns.”

The final regulations now permit spent hens to be transported for up to 24 hours, despite scientific evidence indicating harm after a substantially shorter period. **This divergence between scientific assessment and final regulatory outcome demonstrates how industry pressure materially shaped the rule, and reflects a broader pattern in which scientific recommendations were adjusted in response to industry preferences.**

Similarly, proposals to include clear ambient temperature thresholds—such as defined acceptable temperature ranges or climate-controlled vehicles, as in the European Union⁸³—were rejected in favour of outcome-based language requiring that animals not be exposed to “adverse weather or environmental conditions that can lead to suffering, injury or death.” In a country characterized by extreme winter and summer temperatures, the absence of prescriptive thresholds complicates enforcement and places substantial discretion in the hands of carriers, putting animal welfare at risk.

The 2019 amendments therefore modernized the regulatory framework in form, but preserved significant operational latitude in substance.

Animal Transport Regulations

Species	Current (Hours)	Proposed	*Hours when detrimental effects are observed
Horses	36	28	10, 12, 24
Cattle	48 (up to 52)	36	24, 29
Sheep	48 (up to 52)	36	3-48 (findings inconsistent)
Rabbits	36	24	7, 12
Pigs	36	28	12
Poultry (spent hens)	36	24	8
Poultry (broilers)	36	24	12

**as summarized by research findings*

⁸³ Council of the European Union. (2005). *Council Regulation (EC) No. 1/2005 of 22 December 2004 on the protection of animals during transport and related operations*. Official Journal of the European Union, L 3. <https://eur-lex.europa.eu/eli/reg/2005/1/oj>



Regulatory Capture in Practice Case Study: Live Horse Exports and Enforcement Culture

The export of live horses for slaughter provides a further example of how enforcement discretion and trade considerations intersect. Every year, thousands of live horses are flown from Winnipeg and Edmonton to Japan, where they are fattened and slaughtered for meat. Despite federal laws limiting horse transport to no more than 28 hours, Canadian authorities are failing to enforce the laws, allowing horses to suffer on long journeys.

[...] from September 2024 to September 2025 showed **at least 9 horses died from transport, 29 collapsed mid-flight, and more than 290 suffered serious injuries or illnesses**—none of which were reported to the CFIA by Canadian exporters.

A 2024 Animal Justice investigation examining post-landing procedures in Japan found that, when unloading, inspection, and transport to quarantine facilities were accounted for, shipments frequently exceeded the 28-hour legal limit, with no enforcement action by the CFIA.⁸⁴

The CFIA also underreports horse deaths or injuries during transport. Japanese government records between June 2023 and June 2024 documented 22 horse deaths during or shortly after export, along with reports of injuries and horses collapsing in transit.⁸⁵ These incidents were not reflected in Canadian reporting systems, yet the CFIA used this lack of data to falsely claim that no horse deaths during transport had occurred in many years. The CFIA had relied largely on industry representations regarding timelines and did not systematically verify full-duration compliance.

Despite the CFIA's promises to improve oversight, conditions for horses have not improved.⁸⁶ A new analysis of records from September 2024 to September 2025 showed at least 9 horses died from transport, 29 collapsed mid-flight, and more than 290 suffered serious injuries

or illnesses—none of which were reported to the CFIA by Canadian exporters.

In December 2022, a horse shipment from Manitoba was delayed and rerouted due to severe weather, extending the journey to approximately 32 hours. Internal communications show that both the exporter and the CFIA knew that the shipment would go well over the allowable duration, but the CFIA still approved the shipment's departure. During the flight, at least three horses collapsed. In response, Animal Justice launched a rare private prosecution after the CFIA declined to take enforcement action and instead issued a mere "education letter".

Following a two-day trial, the court found the exporter not guilty for failing to have a contingency plan as required by law. In the decision, the judge emphasized that even the CFIA appeared to be confused about who is responsible for ensuring a contingency plan is in place for the entirety of the journey.⁸⁷

CFIA internal emails referenced concern about jeopardizing \$3 million worth of export in the shipment, indicating that economic consequences were considered alongside regulatory compliance. The live horse export file demonstrates how trade priorities and commercial considerations weighed more heavily than respecting the law, and can limit accountability even in the face of documented non-compliance.⁸⁸



⁸⁴ Animal Justice. (2024, August). *Flying Above the Law: Inside Canadian Horses' Long Journey to Japan*. <https://animaljustice.ca/wp-content/uploads/2024/08/Horse-Transport-Report-Aug-13-2024.pdf>

⁸⁵ Animal Justice. (2024, August). *Flying Above the Law: Inside Canadian Horses' Long Journey to Japan*. <https://animaljustice.ca/wp-content/uploads/2024/08/Horse-Transport-Report-Aug-13-2024.pdf>

⁸⁶ Animal Justice. (2026, March). *Cruel Cargo: Hidden injuries & deaths in Canada's Live Horse Export Trade*. <https://animaljustice.ca/wp-content/uploads/2026/03/Live-Horse-Export-Report-Animal-Justice-March-2026.pdf>

⁸⁷ The decision came out March 27th, 2026. See: Animal Justice. (2026, March 27). *Court update: Live horse exporter found not guilty of violating transport laws*. <https://animaljustice.ca/blog/court-update-live-horse-exporter-found-not-guilty-of-violating-transport-laws>

⁸⁸ Animal Justice. (2026, March). *Cruel Cargo: Hidden injuries & deaths in Canada's Live Horse Export Trade*. <https://animaljustice.ca/wp-content/uploads/2026/03/Live-Horse-Export-Report-Animal-Justice-March-2026.pdf>

3.2 Lobbying Infrastructure and Political Access

Regulatory capture operates not only through rule drafting and enforcement discretion, but also through political influence and narrative management designed to preserve the existing model of industry self-regulation. Canada’s animal agriculture sector is a multi-billion-dollar industry with institutionalized access to federal and provincial decision-makers. The federal Lobbyist Registry shows that commodity groups across all sectors of animal agriculture regularly meet with ministers, members of parliament, provincial legislators, senior officials, and political staff, and participate in party policy conventions. Agricultural lobby organizations also host frequent political receptions and other events on Parliament Hill and in provincial legislatures that reinforce sectoral priorities within legislative agendas.

The political influence of certain agricultural sectors has been publicly acknowledged by senior officials. For

example, the influence of supply-managed sectors such as dairy has been publicly acknowledged by senior political figures, underscoring the sector’s durability and capacity to resist reforms perceived as economically inconvenient or disadvantageous. Notably, a former federal finance minister likened the political influence of the dairy lobby to that of the US National Rifle Association.⁸⁹

At the provincial level, industry influence has also shaped the structure of enforcement bodies. In Saskatchewan, government officials admitted that it outsourced enforcement to a private body, the Saskatchewan Animal Enforcement Agency—an organization that receives only about \$1.5 million in funding—pursuant to concerns from the animal agriculture industry which did not want the government involved.^{90,91}

Marketing Power and Public Trust

Commodity organizations invest heavily in consumer-facing communications campaigns. For example, Les Producteurs de lait du Québec allocates approximately \$24 million annually to advertising and social media,⁹² Dairy Farmers of Ontario spent \$15.6 million on brand advertising and mass media in 2021 alone, including roughly \$8 million directed to consumer marketing.⁹³

These expenditures are not peripheral—they are central to maintaining sectoral reputation and shaping public understanding of animal agriculture.

In recent years, “public trust” has been formally embedded within federal agricultural policy frameworks. In 2017, the federal government awarded \$440,000 to the Canadian Federation of Agriculture and the Canadian



⁸⁹ Hopper, T. (2018, August 28). The dairy lobby briefing binder found on the floor of the Conservative convention. *The National Post*. <https://nationalpost.com/news/canada/full-text-the-dairy-lobby-briefing-binder-found-on-the-floor-of-the-conservative-convention>

⁹⁰ Bray, E. (2026, February 2). The Voice of Saskatchewan: The Evan Bray Show. [Radio broadcast]. 980 CJME. <https://www.cjme.com/2026/02/02/the-ewan-bray-show-monday-feb-2/>

⁹¹ CJME News. (2026, January 19). New enforcement agency to take over Saskatchewan’s animal welfare services. 980 CJME. <https://www.cjme.com/2026/01/19/new-enforcement-agency-to-take-over-saskatchewans-animal-welfare-services/>

⁹² Stewart, A. (2022, October 1). Milk mystery: As prices soar, dairy farmers plead poverty. *Global News*. <https://globalnews.ca/news/9134934/milk-prices-canada-quebec-farming/>

⁹³ Stewart, A. (2022, October 1). Milk mystery: As prices soar, dairy farmers plead poverty. *Global News*. <https://globalnews.ca/news/9134934/milk-prices-canada-quebec-farming/>

Centre for Food Integrity to establish a Public Trust Steering Committee.⁹⁴ In 2018, public trust was incorporated as a priority area in federal agricultural policy.⁹⁵ In 2019, the Standing Committee on Agriculture and Agri-Food conducted a study titled *Perception of and Public Trust in the Canadian Agricultural Sector*, where witnesses, ranging from trade associations to the National Farm Animal Care Council, urged the government to support industry-led trust initiatives.⁹⁶ Additionally, the Sustainable Canadian Agricultural Partnership (2023–2028)

continues to identify “Resiliency and Public Trust” as a core strategic objective.


While public engagement is legitimate, **integrating reputation management into agricultural policy risks conflating communications strategy with meaningful animal protection reform.** When public trust becomes an explicit policy objective, pressure to demonstrate regulatory sufficiency may discourage structural change.⁹⁷

Legislative Efforts to Restrict Scrutiny

In addition to shaping standards and enforcement outcomes, segments of the animal agriculture industry have lobbied to reduce reputational risks associated with public exposure of on-farm practices. Over the past two decades, undercover investigations conducted at slaughterhouses and farms have generated widespread media coverage and public debate. These investigations—often carried out by individuals who obtained employment within facilities—documented routine practices that, while generally lawful under existing Codes and regulations, were deeply disturbing to the public when seen firsthand, as well as abuse—such as hitting, kicking, and painful, untreated injuries—that was clearly unlawful.

Undercover footage from farms repeatedly triggered prosecutions and convictions, corporate responses, consumer backlash, and renewed calls for legislative reform. Rather than take meaningful action to address the conditions on farms, industry associations began advocating for laws targeting undercover investigations.

Several provinces subsequently enacted legislation commonly referred to as “ag-gag” laws (short for “agricultural gag”). Ag-gag laws were first promoted by US agricultural lobbyists and passed by politicians in the 2010s, with a goal of shielding farming from scrutiny and concealing animal cruelty from the public. Many have subsequently been struck down by the courts as an unconstitutional intrusion on free speech.⁹⁸

A photograph of a pig in a metal cage. The pig is looking towards the camera with a somewhat sad expression. The cage bars are visible in the foreground and background.

Rather than take meaningful action to address the conditions on farms, industry associations began advocating for laws targeting undercover investigations.

⁹⁴ Binkley, A. (2018, November 26). CFA and CCFI to lead development of strategy to grow public trust in food. *National News Watch*. <https://www.nationalnewswatch.com/2018/11/26/cfa-and-ccfi-to-lead-development-of-strategy-to-grow-public-trust-in-food/>

⁹⁵ Agriculture and Agri-Food Canada. (2018, February 13). *Canadian agriculture partnership: Building a strong agriculture and agri-food sector*. Government of Canada. https://www.canada.ca/en/agriculture-agri-food/news/2018/02/canadian_agriculturalpartnershipbuildingastrongag-ricultureandagr.html

⁹⁶ House of Commons. Standing Committee on Agriculture and Agri-Food. (2019). *Perception of and public trust in the Canadian agricultural sector*. 42nd Parliament, 1st session, meeting no. 131. Retrieved from the House of Commons website: <https://www.ourcommons.ca/DocumentViewer/en/42-1/AGRI/meeting-131/evidence>

⁹⁷ Government of Canada (n.d.). *Sustainable Canadian Agricultural Partnership*. <https://agriculture.canada.ca/en/departement/initiatives/sustainable-canadian-agricultural-partnership>

⁹⁸ Animal Legal Defense Fund. (n.d.). Issue: Ag-gag laws. <https://aldf.org/issue/ag-gag/>

Alberta adopted such legislation in 2019, followed by Ontario and Prince Edward Island in 2020, and Manitoba in 2021.^{99, 100, 101} These statutes increased penalties for trespass on agricultural property and, in some cases, made it an offence for an undercover investigator to get a job at a farm or slaughterhouse.¹⁰²

Rather than responding to public concern by strengthening statutory animal welfare protections, industries and several provinces responded by restricting the flow of information about existing practices.

These measures were framed as biosecurity protections. However, their intention was to deter whistleblowing and transparency. By increasing legal risk for those seeking to document animal welfare concerns, ag-gag laws function as reputation-protection mechanisms. They reduce the likelihood that the public will see the routine consequences of voluntary welfare standards.

In 2024, Ontario's Superior Court ruled that key portions of that province's legislation infringed freedom of expression under the Charter of Rights and Freedoms.¹⁰³ The ruling affirmed that documenting and disseminating information about how animals are treated on farms constitutes constitutionally protected expression.

The legislative trajectory is instructive. Rather than responding to public concern by strengthening statutory animal welfare protections, industries and several provinces responded by restricting the flow of information about existing practices.¹⁰⁴

This sequence—exposure followed by restriction—illustrates how legal tools can be deployed to preserve the reputational stability of a system grounded in voluntary regulation.

Taken together, the transport amendments, live horse export enforcement patterns, embedded public trust objectives, and legislative efforts to restrict scrutiny reveal a system that not only permits industry self-regulation but actively preserves it. Regulatory capture in Canada's farmed animal welfare framework is structural rather than episodic. Meaningful reform therefore requires institutional separation, independent oversight of animal farming, and statutory authority insulated from economic and political pressures.



⁹⁹ Lazare, J. (2022). Animal rights activism and the Constitution: Are ag-gag laws justifiable limits? *Osgoode Hall Law Journal* 59 (3), 667-706. <https://digitalcommons.osgoode.yorku.ca/ohlj/vol59/iss3/4/>

¹⁰⁰ Government of Ontario. (2020). *Security from Trespass and Protecting Food Safety Act, 2020, S.O. 2020, c. 9*. <https://www.ontario.ca/laws/statute/s20009>

¹⁰¹ Animal Justice. (n.d.). *Issues: "Ag gag" laws*. <https://animaljustice.ca/issues/ag-gag-laws>

¹⁰² Canada has also seen multiple attempts to pass ag gag laws at the federal level. In 2020, Bill C-205 was introduced, which proposed harsh fines and prison terms for trespassing on farms, citing biosecurity as the rationale. In 2022, Bill C-275 was introduced, nearly identical to Bill C-205, with only minor changes. Both bills were amended at the committee stage to blunt their troubling impact, and then lost support from their sponsor and the agriculture sector. Both bills died when elections were called.

¹⁰³ Animal Justice. (2024, April 3). *Victory! Animal Justice defeats Ontario ag gag law in court*. <https://animaljustice.ca/blog/animal-justice-defeats-ag-gag-law>

¹⁰⁴ Paradoxically, ag-gag laws have been shown to decrease public trust in farming. See: Robbins, J.A., Franks, B., Weary, D.M., & von Keyserlingk, M.A.G. (2016). Awareness of ag-gag laws erodes trust in farmers and increases support for animal welfare regulations. *Food Policy*, 61, 121-125. <https://www.sciencedirect.com/science/article/abs/pii/S0306919216300045>

4 | Systemic Animal Welfare Problems on Canadian Farms

4.1 Our Animal Welfare Framework Enables Systemic Cruelty

The welfare problems facing farmed animals in Canada are not primarily the result of isolated bad actors. They arise from a framework that permits, normalizes, and shields practices that would alarm most Canadians if viewed directly.

The abstract features of Canada's current animal welfare framework become concrete on farms. The standards established by NFACC are not neutral technical guidelines; they define what levels of intensive confinement, invasive and painful procedures, and prolonged deprivation are considered acceptable in practice. In effect, standards set by industry function as both the legal baseline and the practical limit, allowing harmful conditions to persist unchallenged across animal agriculture.

The sections that follow describe how those standards operate across major sectors of Canadian animal agriculture, how Canada is failing to meet global animal welfare norms and how Investigations reveal widespread non-compliance and abuse.

The welfare problems facing farmed animals in Canada are not primarily the result of isolated bad actors. They arise from a **framework that permits, normalizes, and shields practices that would alarm most Canadians if viewed directly.**





Confinement Housing as the Norm

Egg-laying Hens

Among all farming practices in Canada, the egg industry's confinement of hens in cages provides one of the clearest illustrations of how voluntary self-regulation by the farming industry has prioritized intensive production and profitability over animal welfare. It demonstrates both the structural insufficiency of Canadian standards, and Canada's growing divergence from international trends moving away from cage confinement.

Conventional battery cages are stacked wire enclosures in which several hens are kept in such close confinement that each bird has space smaller than a sheet of standard paper in which to live her life. The cages lack litter for dustbathing, adequate space for wing-flapping, and perching or nesting areas. Hens are unable to walk, forage, or fully stretch their wings, and spend nearly their entire productive lives standing on wire flooring, without the ability to socialize in flocks or engage in other natural behaviours. Even so-called "enriched" or "furnished" cages, while providing marginally more space (but allowing for more birds), along with limited

perches and nesting spaces, continue to confine hens in crowded indoor systems that significantly restrict natural behaviours.

Conventional battery cages are stacked wire enclosures in which several hens are kept in such close confinement that **each bird has space smaller than a sheet of standard paper** in which to live her life.

Ending the confinement of hens in cages has been identified as one of the most important farmed animal welfare priorities globally. Over the past several decades, many governments, retailers, food service companies, and multinational brands have passed laws and policies to ban or

phase out confining hens inside cages. In many jurisdictions, legislative reform has followed consumer and corporate pressure, converting voluntary commitments into clear laws.¹⁰⁵

The issue was up for discussion as NFACC prepared to release its 2017 Code of Practice for Pullets and Laying Hens. Disturbingly, NFACC chose only to phase out conventional battery cages by 2036 (a troublingly long timeline), but it continues to permit hens to be confined in enriched or furnished cages—despite acknowledging that these systems “do not fully support” hens’

¹⁰⁵ The European Union prohibited conventional battery cages effective January 1, 2012. Eleven U.S. states have enacted laws banning cages entirely, many of which include sales prohibitions preventing non-compliant eggs from entering their markets. The United Kingdom has launched consultation processes to phase out enriched colony cages.

ability to perform natural behaviours.¹⁰⁶ The Global Coalition for Animal Welfare (GCAW)—an industry-led corporate collaboration—explicitly states that cage systems, including enriched cages, are incompatible with cage-free commitments.¹⁰⁷

During the 2010s, sustained public scrutiny of caged egg production led every major Canadian grocery retailer to further integrate animal welfare policies into their corporate responsibility programs by committing to sourcing 100 percent cage-free eggs by 2025. Globally, more than 2,600 corporate cage-free commitments have been adopted,¹⁰⁸ and by 2025 approximately 92 percent of grocery retailers worldwide had met their deadlines.¹⁰⁹

But in 2021, just halfway to the cage-free policy deadline, the grocery sector abruptly reversed course, stalling this momentum in Canada. It was at this point that the Retail Council of Canada (RCC)—an organization which represents the country’s grocery stores and other retailers, and is a voting member of NFACC—announced that it was no longer upholding its animal welfare commitments. The RCC stated that it would now be up to individual grocery members to implement their own independent sourc-

ing policies while the RCC would instead rely exclusively on NFACC’s Codes of Practice: “RCC will pursue and make commitments solely through NFACC, thus removing previous commitments on...cage-free eggs.”¹¹⁰ Since this announcement, Canadian retailers have not made any animal welfare commitments nor have they demonstrated meaningful progress toward their longstanding animal welfare commitments.

In effect, corporate animal welfare initiatives were absorbed into an industry-governed standard-setting framework that allowed for lower standards. By aligning exclusively with NFACC, the RCC set up Canadian grocery retailers to dramatically weaken their original pledges and remove critical market pressure that had previously driven welfare improvements. Corporate policies—once a key mechanism for advancing higher standards in the absence of strong regulation—were replaced with a framework that prioritizes industry consensus over animal welfare outcomes.

As a consequence, Canada is falling far behind the rest of the world, with cage-free production remaining largely stagnant.

Gestation Crates

The backtracking and weak standards seen in the egg sector are not unique. Similar patterns appear with other forms of intensive confinement, where industry consensus overrides efforts to create more meaningful regulation, and where Canada lags behind other jurisdictions that have already enacted formal legislative bans.

Eliminating the use of gestation crates for pregnant pigs has been identified as another top global farmed animal welfare priority, and many jurisdictions have banned or restricted gestation crate use, as well as the sale of pork from farms that use gestation crates. California’s ban on gestation crate use and retail sales were challenged and upheld by the Supreme Court of the United States in a highly-publicized case, legitimizing the ban and others like it.¹¹¹

In Canada, significant public pressure led to the 2014 pig Code to implement a phase-out of the continuous use of gestation crates for pregnant pigs by 2024, after which pigs would be raised in group housing systems.¹¹² Importantly, the group housing guidelines in the pig Code still

In Canada, significant public pressure led to the 2014 pig Code to implement a phase-out of the continuous use of gestation crates for pregnant pigs by 2024, after which pigs would be raised in group housing systems.

¹⁰⁶ National Farm Animal Care Council. (2025). *Code of Practice for the care and handling of Pullets and Laying Hens*. <https://www.nfacc.ca/poultry-layers-code-of-practice>

¹⁰⁷ Global Coalition for Animal Welfare. (2021, June). *GCAW position on combination systems for laying hens*. <https://www.gc-animalwelfare.org/wp-content/uploads/2023/06/GCAW-Position-on-Combination-Cages-June-2021.pdf>

¹⁰⁸ Open Wing Alliance. (2025). *OWA Cage-Free Egg Fulfillment Report*. <https://downloads.ctfassets.net/www1e0z745y7/3SwZZ35xGnAFJzbLNER7D-W/537b8c84d7ed2cb6ec55182a787dda8a/25-owa-cage-free-egg-fulfillment-report-final-v2.pdf>

¹⁰⁹ Open Wing Alliance. (2025). *OWA Cage-Free Egg Fulfillment Report*. <https://downloads.ctfassets.net/www1e0z745y7/3SwZZ35xGnAFJzbLNER7D-W/537b8c84d7ed2cb6ec55182a787dda8a/25-owa-cage-free-egg-fulfillment-report-final-v2.pdf>

¹¹⁰ Retail Council of Canada. (2021, March 29). *RCC renewing focus on animal welfare through the National Farm Animal Care Council’s multilateral approach*. <https://www.retailcouncil.org/rcc-renewing-focus-on-animal-welfare-through-the-national-farm-animal-care-councils-multilateral-approach/>

¹¹¹ Animal Legal Defense Fund. (2025, July 2). *U.S. Supreme Court declines review of California’s landmark Proposition 12 animal cruelty law*. <https://aldf.org/article/us-supreme-court-declines-review-of-californias-landmark-proposition-12-animal-cruelty-law/>

¹¹² Under the 2014 Pig Code, pregnant pigs can still be confined in stalls for up to five weeks of their pregnancy—a standard still considered problematic, and not seen in other countries.

permit individual crate confinement for up to 35 days. This falls dramatically short of crate-free legislation in other jurisdictions, such as U.S. states that permit just six hours to 14 days in individual confinement.¹¹³

Additionally, during the five-year review of the pig Code led by the Canadian Pork Council in 2020,¹¹⁴ the industry announced that it would extend the phase-out deadline to 2029 and that only 60 percent of pigs were projected to be housed in groups by the 2024 deadline.¹¹⁵ This condemned hundreds of thousands of pregnant pigs to an additional five years or more of intensive confinement, assuming the voluntary commitment is met on its new schedule.¹¹⁶ The justification offered was financial feasibility—demonstrating that for NFACC and the pork industry, economic considerations ultimately superseded animal welfare.

Major Canadian retailers had already committed in 2013 to eliminate pork sourced from gestation crate systems by 2022.^{117,118} However, the Retail Council of Canada's 2021 announcement that it would no longer uphold its animal welfare commitments also included its crate-free commitments.¹¹⁹ These commitments had reflected growing consumer concern for animal welfare and aligned Canada with a global movement toward higher welfare corporate sourcing policies that has driven significant on-farm investment and resulted in meaningful progress toward crate-free and cage-free systems. In Canada, however, this transition has been significantly delayed.

¹¹³ Mercy for Animals. (2024). *2024 Canada animal welfare scorecard: Ranking major food companies on their animal welfare performance*. <https://file-cdn.mercyforanimals.org/mfaarchive.wpenginepowered.com/sites/450/2024/10/2024-Canada-Animal-Welfare-Scorecard.pdf>

¹¹⁴ National Farm Animal Care Council. (2020, August). *Five-year review summary report Code of Practice for the care and handling of pigs*. https://www.nfacc.ca/pdfs/codes/public-comment-periods/pig/2019%20Pig%20code%20review%20CTP%20Summary%20Report_EN_final.pdf

¹¹⁵ National Farm Animal Care Council. (2020, August). *Five-year review summary report Code of Practice for the care and handling of pigs*. https://www.nfacc.ca/pdfs/codes/public-comment-periods/pig/2019%20Pig%20code%20review%20CTP%20Summary%20Report_EN_final.pdf

¹¹⁶ Note that the animal welfare representative on the Pig Code review committee did not agree to the 2029 deadline extension, and amendments to the 2014 Pig Code were not formally adopted. Thus the 2014 Pig Code deadline of 2024 remains in effect, with many farms not in compliance. Given that the codes are largely voluntary and unenforceable, there has been no consequence for non-compliance. See: National Farm Animal Care Council (2023, July). *NFACC information update: July 2023*. https://www.nfacc.ca/pdfs/newsletters/NFACCInformationUpdate_July23_EN.pdf

¹¹⁷ Sobeys Inc. (2022, July 5). *Animal welfare statement*. <https://www.sobeysbreport.com/wp-content/uploads/2022/07/Animal-Welfare-Statement.pdf>

¹¹⁸ Meat+Poultry. (2013, April 30). *Canadian supermarkets to source gestation stall free pork*. <https://www.meatpoultry.com/articles/9763-canadian-supermarkets-to-source-gestation-stall-free-pork>

¹¹⁹ Retail Council of Canada. (2021, March 29). *RCC renewing focus on animal welfare through the National Farm Animal Care Council's multilateral approach*. <https://www.retailcouncil.org/rcc-renewing-focus-on-animal-welfare-through-the-national-farm-animal-care-councils-multilateral-approach/>





Tie-Stalls and Tethering

Confinement is not limited to egg and pork production. On dairy farms, tethering systems remain widely used, reflecting the same reliance on industry-governed standards rather than enforceable statutory ceilings.

Despite marketing depicting cows used for dairy in grassy fields, **more than three-quarters of Canadian dairy farms continue to use tie-stall systems in which cows are tethered in individual stalls, often for most of their lives.**¹²⁰ Continuous tethering is considered harmful to the well-being of cows, as it restricts movement, prevents social interaction, and contributes to painful lameness and musculoskeletal disorders.

In some Nordic countries, new tie-stall construction has been banned and phased transitions toward free-stall or pasture-based systems mandated.¹²¹

Mutilations Without Pain Relief

Farming systems where animals are confined in small cages or crammed into crowded pens generate predictable secondary harms. When animals are kept in high-density, restrictive environments with little opportunity to escape each other or establish stable social hierarchies, aggression, fear, feather pecking, tail biting, and other stress-induced behaviours increase. Rather than improving conditions by redesigning housing systems or changing husbandry practices to reduce those risks, producers commonly amputate or alter parts of animals' bodies to limit the damage that crowding can cause. Piglets' tails are docked to reduce tail biting. The sensitive tips of chicks' beaks are trimmed or cut off with a hot blade to reduce injurious pecking in a practice called "beak trimming". Calves' horns are burned away to prevent injury in confined group housing. **These procedures are carried out not because they are inherently beneficial to the animal, but because they make high-density confinement systems function with fewer visible losses.**

These physical alterations are expressly contemplated—and allowed—within the NFACC Codes of Practice for

Rather than improving conditions by redesigning housing systems or changing husbandry practices to reduce those risks, producers **commonly amputate or alter parts of animals' bodies** to limit the damage that crowding can cause.

laying hens, turkeys, pigs, and beef cows, even though some sectors have demonstrated that long-standing practices can be eliminated based on scientific evidence. For example, the dairy industry no longer permits tail docking—a once routine procedure—because research showed that allowing cows to keep their tails improves fly control, reduces bacterial contamination, and ultimately enhances milk safety and production quality.

The Codes typically acknowledge that procedures such as beak trimming, tail docking, castration, and disbudding cause pain. They set out guidance on how these procedures "must" or "should" be performed, often including requirements related to training, equipment, and hygiene. But pain relief is not always required, leaving animals to suffer. And, again, the extent to which the Codes are followed is unknown.

For example, the pig Code permits castration and tail docking in pigs of any age, requiring only analgesics to control post-procedure pain. This represents an acknowledgment that the amputation is painful yet falls far short of preventing the acute pain of the removal

¹²⁰ SPCA Montreal. (n.d.). *The Life of Dairy Cows*. <https://www.sPCA.com/en/life-of-dairy-cows/>

¹²¹ Beaver, A., Weary, D.M., & von Keyserlingk, M. (2021). Invited review: The welfare of dairy cattle housed in tie stalls compared to less-restrictive housing types: A systematic review. *Journal of Dairy Science*, 104(9), 9383–9417. <https://www.sciencedirect.com/science/article/pii/S0022030221007177>

itself.¹²² Similarly, the beef cattle Code requires pain control for disbudding or dehorning, while for calves younger than six months of age, they may be castrated without pain relief measures—despite an acknowledgment that all forms of castration, at all ages, cause pain and distress.¹²³ The laying hen Code permits beak trimming and fails to require pain relief, even for older birds, nor does it prohibit the practice outright despite its acknowledged welfare impacts.¹²⁴

On-Farm Killing Practices

Modern farming systems depend on the large-scale killing of animals deemed economically unviable, through methods that are considered unacceptable by the public.

In hatcheries supplying the egg industry, millions of male chicks are routinely killed each year shortly after hatching because they do not lay eggs. One of the primary methods permitted under the NFAACC poultry Code is maceration—commonly known as chick grinding—in which live chicks are fed into a high-speed mechanical grinder.

Production Pressures and Breeding

The pressures placed on animals in modern agricultural systems extend beyond restrictive housing, inappropriate husbandry practices and painful procedures. Animals' bodies are also manipulated through selective breeding to meet excessive production goals at the expense of their well-being.



In multiple contexts, the Codes rely on discretionary language—“should” rather than “must”—particularly with respect to analgesia in very young animals. Even where pain control is required for older animals, the procedures themselves remain lawful and routine.

On pig farms, smaller or weaker piglets are often killed shortly after birth. The pig Code permits “piglet thumping” or blunt force trauma as a killing method. In practice, this involves striking a piglet’s head against a hard surface until the piglet is dead. This method of killing unwanted animals remains deeply troubling to many members of the public.

Modern farming systems depend on the large-scale killing of animals deemed economically unviable, through methods that are considered unacceptable by the public.

In the dairy industry, a cow must give birth in order to lactate. To maintain continuous milk output, dairy cows are impregnated repeatedly through artificial insemination on a roughly annual cycle. Shortly after birth, their calves are taken away so that the milk intended to nourish them can be diverted for commercial sale.¹²⁵ This pattern of pregnancy, birth, milking, and re-impregnation continues year after year until her body gives out, milk production declines, and the cow is sent to slaughter.

Decades of selective breeding have dramatically increased milk yields, transforming cows into animals capable of producing volumes far beyond what would be required to nourish a single calf. This level of production carries physiological consequences. High-producing cows routinely experience metabolic stress, elevated rates of mastitis, lameness, and reproductive disorders. Their productive lifespan is often a fraction of their natural lifespan and by the time they are sent to slaughter, many “cull” dairy cows are sick, weak and suffering from painful disorders.

¹²² National Farm Animal Care Council. (2014). *Code of Practice for the care and handling of pigs*.

<https://www.nfacc.ca/codes-of-practice/pig-code>

¹²³ National Farm Animal Care Council. (2013). *Code of Practice for the care and handling of beef cattle*.

<https://www.nfacc.ca/codes-of-practice/beef-cattle>

¹²⁴ National Farm Animal Care Council. (2025). *Code of Practice for the care and handling of pullets and laying hens*.

<https://www.nfacc.ca/poultry-layers-code-of-practice>

¹²⁵ Female calves may be conscripted into the dairy industry themselves, while males are most often disposed of or sold for veal.

The NFACC dairy Code addresses the monitoring and treatment of these conditions—lameness scoring, mastitis management, body condition assessments—but it does not question the underlying intensity of production that makes these harms predictable. In fact, in all Codes, the pursuit of increased production and higher yields is considered an inherent and acceptable part of animal agriculture, whether it be more milk, eggs, larger animals or more offspring.

A similar pattern is visible in “broiler” chicken production, and is perhaps the most extreme example of genetic manipulation through selective breeding. In the mid-20th century, chickens raised and killed for meat were typically slaughtered at 12 to 16 weeks of age. Today, these chickens are bred to reach slaughter weight in approximately five to seven weeks—roughly half the time. This

accelerated growth is the result of decades of selective breeding for rapid weight gain.

The pace of growth places significant strain on birds’ developing skeletal and cardiovascular systems. Lameness, difficulty walking, and heart failure are commonly seen in birds inside chicken farms. While Codes require monitoring for morbidity and mortality, they do not constrain the genetic or growth parameters that drive these outcomes.

In Canadian farming, animals’ bodies are engineered for output. **Farmed animals live with persistent pain and physical dysfunction as a direct consequence of breeding programs designed to maximize output rather than welfare, all enabled by the NFACC Codes.**

4.2 Canada’s Failure to Meet Global Animal Welfare Norms

Canada’s reliance on a voluntary, industry-led framework like NFACC—one that fails to support or allow even basic or corporate-led welfare standards—has produced a clear and measurable outcome: **Canada is falling dramatically behind our international peers on farmed animal protection.**

In contrast, numerous peer jurisdictions have enacted comprehensive, government-led animal welfare

legislation—much of which was adopted more than 20 years ago. Regions including the United Kingdom, New Zealand, European Union, and around a dozen US states, have statutes and regulations that establish defined and enforceable minimum standards for the care, housing, transport, and slaughter of farmed animals. Many of these laws explicitly prohibit practices that remain common and lawful in Canada.



For example, Canada is starkly out of step with countries that have either legislatively banned or, via corporate policies, phased out cages for hens and gestation crates for pregnant pigs, including:

- **11 US states have banned or restricted gestation crates and/or the sale of products from animals raised in these conditions.** Eleven US states restrict battery cages, with some also banning the sale of eggs from caged hens.
- **The United Kingdom banned sow crates in 1999 and conventional battery cages for hens in 2012.**^{126,127} In December 2025, England announced that it would phase out the use of all cages for hens as well as farrowing crates for pigs by 2030.^{128,129}
- **The European Union has some of the most comprehensive rules for farmed animals in the world.** It reduced time in gestation crates for pregnant pigs in 2013, requiring group housing four weeks after insemination. Conventional battery cages for hens were banned in 2012, and the EU has indicated consideration of a ban on enriched cages, following a cage-free petition signed by 1.4 million EU citizens. Several EU member states have banned all hen cages.¹³⁰
- **Austria banned all cages for hens.**¹³¹
- **New Zealand phased out gestation crates in 2015.**¹³²
- **Switzerland banned battery cages in 1992.**^{133,134}

These reforms were not purely symbolic. They required meaningful animal welfare improvements on farms, and they imposed timelines backed by law. They signaled that certain baseline conditions—extreme confinement and indefinite cage housing—were no longer acceptable.

Canada has not followed this trajectory.

While NFACC Codes have introduced incremental changes, they still allow production methods that have been prohibited or significantly constrained elsewhere, or allow phase-out timelines that extend well beyond those adopted internationally.

The result is not merely reputational. It is structural. **While peer jurisdictions convert evolving social expectations around animal welfare into legal requirements, Canada negotiates reforms within a consensus-based framework that gives regulated industries substantial influence over pace and content.** Economic feasibility is routinely weighed alongside welfare advancement, blocking or slowing meaningful change.



¹²⁶ Compassion in World Farming. (2022). *End the cage age - Sows investigation - 2022*.

<https://www.ciwf.org.uk/media/7451274/etca-investigation-report-for-media.pdf>

¹²⁷ The Humane League, United Kingdom. (2023, December 28). *Are caged hens legal in the UK? Will caged hens be banned?* <https://thehumane-league.org.uk/article/whats-our-cage-free-campaign-all-about>

¹²⁸ Prior, M., Kennedy, D., & Aikman, I. (2025, December 22). *Hen cages and pig farrowing crates face ban*. BBC News.

<https://www.bbc.com/news/articles/c93wxd27dvko>

¹²⁹ Department for Environment, Food & Rural Affairs. (2025, December 22). *Animal welfare strategy for England*. GOV.UK.

<https://www.gov.uk/government/publications/animal-welfare-strategy-for-england/animal-welfare-strategy-for-england>

¹³⁰ This includes Austria, Luxembourg, Germany, Czechia, Slovakia, and parts of Belgium.

¹³¹ Lessard, M & Ménard, D.B. (2026). *Le bien-être et la sécurité des animaux en agriculture: État du droit*. Observatoire québécois de droit animalier Faculté de droit - Université de Sherbrooke. <https://www.usherbrooke.ca/droit/actualites/nouvelles/details/57921>

¹³² Animal Policy International (2024, March 26). *Report calls on New Zealand to close animal welfare standards gap for imports*.

<https://www.animalpolicyinternational.org/post/report-calls-on-new-zealand-to-close-animal-welfare-standards-gap-for-imports>

¹³³ Studer, H. (2001). *How Switzerland got rid of batter cages*. Pro Tier International. https://www.upc-online.org/battery_hens/SwissHens.pdf

¹³⁴ Compassion in World Farming. (2022). *End the cage age - Sows investigation - 2022*.

<https://www.ciwf.org.uk/media/7451274/etca-investigation-report-for-media.pdf>

4.3 Investigations Reveal Widespread Non-Compliance and Abuse

The preceding sections describe practices that are lawful in Canada. Undercover investigations conducted over the past decade at farms, slaughterhouses, auctions and during transport, however, demonstrate that conditions often fall below even these already-permissive standards. Investigations have shown not only the dismal yet lawful conditions animals endure (including gestation crates, battery cages, mutilations, and on-farm killing methods), but also showed routine non-compliance with transport and slaughter laws, as well as NFAACC Codes guidelines. Investigations have also routinely revealed a second category of concerns—animals suffering with untreated injuries, unsanitary conditions, and frequently, clear-cut acts of abuse.

Beginning in 2012, animal advocacy organizations in Canada began working with employee whistleblowers to get a closer look at the secretive sector. Since then, dozens of undercover investigations brought unprecedented public scrutiny to Canadian farms across nearly every industry—including pig farming and transport, dairy farming, egg farms and hatcheries, veal production, broiler chicken production and transport, turkey production, and slaughterhouses killing pigs, cows, sheep, goats, turkeys, hens, chickens, and other animals. These investigations were covered extensively by Canadian media, including on high-profile TV shows like CTV's W5, CBC's Marketplace, and CTV National News, as well as in the pages of major newspapers.

Footage from farms and slaughterhouses across multiple provinces showed animals suffering from untreated lameness, open wounds, infections, and advanced illness. Animals unable to stand were dragged or pushed. Dead animals were found among the living. In many cases, workers were recorded striking, kicking, or otherwise abusing animals—leading to some of the first prosecutions and convictions for abuse at farms.

At the Chilliwack Cattle Sales, a large dairy facility in British Columbia, undercover footage released in 2014 showed workers kicking, punching, and beating cows with chains and canes, dragging animals with tractors—including a live cow hung in the air by a chain around her neck, and sick and injured animals with open wounds and injuries left untreated.¹³⁵ The investigation led to charges and convictions—an unusual outcome in the

agricultural sector and a stark confirmation that the conduct documented exceeded even the industry's own standards.



In 2014, undercover footage from a Délimax veal farm in Quebec showed baby calves chained by the neck and confined in narrow crates so small they could not even turn around or lie down comfortably.¹³⁶ Workers were seen violently force-feeding and beating calves, grabbing them by the testicles to force them into stalls, and a botched euthanasia attempt carried out with a rifle. The footage also revealed calves suffering from open wounds without proper veterinary care and the routine deprivation of basic natural behaviours, such as interacting with their mothers or playing. One worker was charged and convicted under provincial law.



At Paragon Farms in Putnam, Ontario, undercover footage from 2020 documented mother pigs suffering mental distress while being confined continuously in gestation crates, and a pregnant pig subjected to a “slash and grab” C-section procedure, where the severely ill mother had her abdomen sliced open and the piglets ripped

¹³⁵ Postmedia News. (2014, June 10). Undercover investigation reveals horrific cruelty at B.C. dairy farm, SPCA recommending charges. *The National Post*. <https://nationalpost.com/news/canada/undercover-investigation-reveals-horrific-cruelty-at-b-c-dairy-farm-spc-a-recommending-charges>

¹³⁶ Malarek, V. (2014, April 14). Abuse of veal calves unveiled by hidden camera: A CTV W5 investigation, Cruel Business, reveals horrific cruelty and mistreatment of veal calves in Quebec. *The Toronto Star*. https://www.thestar.com/news/investigations/abuse-of-veal-calves-unveiled-by-hidden-camera/article_c506030e-abc1-559e-9920-e9610a4d5020.html

out of her while she was still conscious.¹³⁷ Piglets were subjected to castration and tail amputation without pain relief, contrary to the NFACC pig Code. The farm pleaded guilty to several offences arising from the mistreatment.

An investigation at a Chilliwack, BC chicken farm from 2017 showed a chicken catching company rounding up birds to transport them to slaughter.¹³⁸ The company hit, kicked, and threw birds, smashed them into walls, tore off their wings while still alive, and sexually abused birds. The investigation led to convictions and fines against two companies under federal animal transport laws.



Elite Farm Services

In 2025, an investigation at Golden Valley facilities in British Columbia,¹³⁹ documenting both conventional battery cages and so-called enriched cages, revealed the severe welfare limitations of all caged systems. Hens were seen kept in overcrowded conditions that restricted their ability to move or navigate their environment, while often living alongside dead or dying cage-mates. Footage captured a hen who had died with her head trapped between cage bars, another who died with an oversized egg lodged in her cloaca, and the use of electric “training wires” to shock hens that attempted to poke their heads outside the cages. There were no charges or convictions in this case.



Golden Valley Facilities

The abuses documented are not the result of a few rogue workers or exceptional circumstances—they are predictable outcomes of an industrial system that prioritizes speed, scale, and profit over animal welfare.

Several of the investigated farms operated within supply-managed sectors or quality assurance programs—systems the industry asserts should guarantee adherence to NFACC Codes. Yet the conditions documented suggested weak auditing, limited oversight, and weak enforcement of the already-insufficient voluntary guidelines produced through the Codes.

Even where prosecutions occurred, they were the exception rather than the rule. Most cases of non-compliance documented through undercover investigations did not result in sustained systemic reform. Instead, enforcement responses tended to focus narrowly on individual workers, leaving broader management practices and structural conditions largely unchanged.

Together, these investigations reveal a pattern of institutionalized cruelty and neglect. The abuses documented are not the result of a few rogue workers or exceptional circumstances—they are predictable outcomes of an industrial system that prioritizes speed, scale, and profit over animal welfare.

Hidden from consumers and normalized within the industry, these practices would remain invisible without the courage of whistleblowers and investigators. The public reaction to these investigations—widespread outrage, media scrutiny, and calls for reform—demonstrates that Canadians do not accept animals being denied basic welfare at every stage of life. These revelations underscore an urgent need for structural reform, focused on enforceable standards and meaningful public oversight.

¹³⁷ Official W5. (2020, November 28). *Alleged animal abuse at an Ontario pig farm*. [Video]. Youtube.

<https://www.youtube.com/watch?v=QYK0Glf9kyw>

¹³⁸ CTV News. (2017, June 12). Undercover video shows ‘sadistic’ chicken abuse on B.C. farms: animal rights group.

<https://www.ctvnews.ca/canada/article/undercover-video-shows-sadistic-chicken-abuse-on-bc-farms-animal-rights-group/>

¹³⁹ Animal Justice. (2025, August 27). *Shocking cage conditions uncovered at Sobeys egg supplier*.

<https://animaljustice.ca/exposes/sobeys-egg-cruelty-exposed>



Part C:

A Framework for Legal Protection



Canada's current approach to farmed animal welfare is structurally deficient. As described in the preceding sections, the absence of comprehensive legislation, reliance on voluntary industry-led standards, fragmented jurisdictional authority, and weak enforcement have produced a system incapable of delivering meaningful or consistent protection for animals raised or killed for food. Animal welfare remains institutionally subordinate to agricultural promotion, national leadership and oversight are absent, and accountability mechanisms are limited.

Addressing these failures requires more than incremental policy changes. Canada must establish a coherent national framework that places responsibility for animal welfare within independent institutions, supported by clear legislation, science-based standards, and credible enforcement.

A modern farmed animal welfare system rests on five mutually reinforcing pillars:

- 1. Comprehensive federal legislation** establishing enforceable standards of care for animals raised or killed for food in line with international best practices;
- 2. Independent standard-setting mechanisms** grounded in scientific evidence and public accountability;
- 3. Dedicated governance structures**, including ministerial leadership and independent oversight;
- 4. A credible enforcement system** capable of ensuring compliance with legislation and welfare standards.

Proposed National Framework

- 1** Comprehensive Federal Legislation
- 2** National Welfare Standards Committee
- 3** Animal Welfare Governance
- 4** Independent Enforcement Agency

Together, these reforms would replace Canada's current fragmented and industry-dominated system with a credible national framework capable of delivering consistent, science-based protections for farmed animals.

The recommendations that follow outline the institutional architecture required to achieve this transformation.

Recommendation 1: Enact Comprehensive Federal Farmed Animal Welfare Legislation

Canada currently lacks federal legislation establishing enforceable minimum standards for the care and treatment of animals raised or killed for food. In the absence of clear statutory protections governing on-farm welfare, the treatment of farmed animals is largely determined through voluntary Codes of Practice developed within industry-dominated processes. As discussed in earlier sections of this report, this framework has proven incapable of delivering timely, science-based, or enforceable welfare protections.

Parliament should therefore enact a federal Animal Welfare Act establishing a national legislative foundation for farmed animal protection. Such legislation would transform Canada's current system of voluntary self-regulation into a coherent and enforceable national framework by establishing baseline standards for the treatment of animals used in agriculture, supported by statutory duties of care, clear prohibitions on harmful practices, and meaningful enforcement mechanisms. It would also allow detailed regulations and technical guidance to evolve over time in response to advances in scientific knowledge and changing societal expectations, while grounding the system in principles of transparency, accountability, and evidence-based protection.

Establishing this legislative framework represents the **essential first step in rebuilding Canada's farmed animal welfare system** around the principles of transparency, accountability, and evidence-based protection.



1.1 Federal Jurisdiction

The ability of the federal government to legislate for farmed animal protection is firmly grounded in Canada's constitutional framework.

First, section 95 of the Constitution Act, 1867, establishes that agriculture is an area of shared jurisdiction between the federal and provincial governments. While animal welfare is not explicitly assigned as a head of power, both levels of government clearly possess constitutional authority to legislate in this area. Notably, the federal government already exercises significant authority affecting the treatment of animals used for food production. Existing federal statutes—including the Health of Animals Act and the Safe Food for Canadians Act—govern critical stages of animal use such as transport and slaughter. These laws demonstrate that Parliament has both jurisdiction and precedent for regulating the treatment of animals within the national food system.

Second, Parliament may legislate under the criminal law power, as per section 91(27) of the Constitution Act, to prohibit conduct that causes unnecessary pain, suffering, or distress to animals. Canada's existing Criminal Code animal cruelty provisions are already grounded in this authority, and federal legislation establishing minimum standards of care could similarly be justified as a prohibition against harmful conduct.

Farmed animal production is deeply integrated into national and global supply chains and is increasingly forming part of trade agreements, making federal standards relevant to the integrity of Canadian agricultural markets.

Third, the federal government has authority over inter-provincial and international trade, including the regulation of products moving through national and export markets. Farmed animal production is deeply integrated into national and global supply chains and is increasingly forming part of trade agreements, making federal standards relevant to the integrity of Canadian agricultural markets.



Taken together, these powers provide a strong constitutional foundation for federal animal welfare legislation establishing national minimum standards for animals raised or killed for food. Such legislation would complement—not replace—provincial animal protection laws by creating a consistent federal baseline while allowing provinces to adopt stronger protections where desired.



1.2 Core Statutory Elements

A federal Animal Welfare Act should establish clear legal duties and enforceable standards governing the treatment of animals used in agriculture. At its core, the legislation should recognize animals as sentient beings capable of experiencing pain and suffering, and establish a statutory duty to protect their welfare. The Act should include the following key elements:

Purpose and Principles

The legislation should recognize animals as sentient beings whose welfare is a matter of national public interest, and affirming that animals used in agriculture must be treated in ways that minimize pain, suffering, fear, and distress.

Interpretive principles should ensure that decisions under the Act are guided by the best available scientific and veterinary evidence, along with evolving societal expectations regarding animal sentience and welfare. Welfare interests must not be subordinated to economic or production considerations.

Positive Duties of Care

Federal legislation should establish general positive duties of care applicable to animals raised or killed for food.

International examples illustrate how such duties operate in practice:

- The **United Kingdom** recognizes animals as sentient beings and imposes a statutory duty on owners and keepers to meet animals' welfare needs, including ensuring that animals have a suitable environment, diet, opportunities for normal behaviour, and protection from pain, injury, suffering, and disease.¹⁴⁰
- **New Zealand's** Animal Welfare Act establishes overarching duties of care for all animals, and prohibits their ill-treatment.¹⁴¹
- **Switzerland** explicitly aims to "protect the dignity and welfare of animals", requiring that animals receive appropriate care, freedom of movement, shelter, and opportunities for activity consistent with their biological needs.¹⁴²
- **Sweden** recognizes animal sentience and seeks "to ensure good animal welfare and promote good animal well-being and respect for animals", requiring that animals be managed in ways that promote well-being and allow them to perform strongly motivated natural behaviours.¹⁴³

A Canadian federal framework could similarly establish general duties of care while allowing species-specific requirements to be elaborated through regulations.

¹⁴⁰ UK Legislation. (2006). *Animal Welfare Act 2006*, c. 45. <https://www.legislation.gov.uk/ukpga/2006/45/contents>

¹⁴¹ New Zealand Ministry for Primary Industries. (1999). *Animal Welfare Act 1999*, no. 142. <https://www.legislation.govt.nz/act/public/1999/142/en/latest/>

¹⁴² The Federal Assembly of the Swiss Confederation. (2005). *Animal Welfare Act (AniWa; SR 455)*. <https://www.fedlex.admin.ch/eli/cc/2008/414/en>

¹⁴³ Riksdagen. (2018). *Djurskyddslag [Animal Welfare Act] (SFS 2018:1192)*. https://www.riksdagen.se/sv/dokument-och-lagar/dokument/svensk-forfattningssamling/djurskyddslag-20181192_sfs-2018-1192/

Regulations Establishing Standards of Care

While statutory duties establish a foundational framework, detailed welfare standards should be established through regulations.

Regulations should address:

- housing and confinement systems;
- feeding and water access;
- health management and veterinary care;
- handling and husbandry practices;
- on-farm killing methods; and
- other practices affecting animal welfare throughout production.

Because animal welfare science continues to evolve, regulatory authority is essential to ensure that standards can be updated as knowledge and technology advance.



Prohibitions on Harmful Practices

In addition to general duties of care, regulations should establish clear prohibitions on practices widely recognized as incompatible with modern animal welfare principles.

Canada continues to permit harmful practices that have long been prohibited in other jurisdictions.¹⁴⁴ Federal regulations should prohibit, at minimum:

- **Extreme confinement systems**, including gestation and farrowing crates for pregnant pigs, cages for laying hens, and crates and individual pens for calves used for veal
- **Routine painful mutilations**, such as tail docking pigs and cows, clipping animals' teeth, debeaking birds, hot-iron branding, and castration
- **Inhumane killing methods**, including the use of blunt force trauma, grinding animals alive, or suffocating conscious animals.

Penalties and Deterrence

For federal animal welfare legislation to be credible, violations must carry meaningful consequences.

Current federal enforcement mechanisms for transport and slaughter standards rely heavily on Administrative Monetary Penalties (AMPs), which are often too small to deter large commercial operations. An AMP is essentially the equivalent to a traffic ticket with a fine attached, rather than a prosecution. An entity that is issued an AMP can choose to contest it, in which case it may be considered and overturned by the Canadian Agricultural Review Tribunal (CART). AMP fines that range from a few hundred to only a few thousand dollars have been criticized as being too low relative to the scale and profitability of agribusiness, such that they may be absorbed as routine business expenses rather than serving as effective deterrents for unlawful conduct that harms animals.¹⁴⁵ Convictions after a prosecution typically result in more meaningful monetary and other penalties than AMPs.¹⁴⁶

¹⁴⁴ See [Section 4.2](#)

¹⁴⁵ Black, V. (2015). Traffic Tickets on the Last Ride. In Sankoff, P., Black, V., & Sykes, K. (Eds.), *Canadian Perspectives on Animals and the Law* (pp. 57-79). Irwin Law Inc.

¹⁴⁶ In [Moonfleet Poultry Inc. v. CFIA](#), a \$13,000 AMP was issued despite significant animal mortality, including incidents in which nearly 596 chickens died after being transported in wet conditions. By contrast, in [R. v. Maple Lodge Farms Ltd., 2013 ONCJ 535](#), a successful prosecution related to the deaths of thousands of chickens due to exposure resulted in \$80,000 in fines and a three-year probation order requiring \$1 million in infrastructure to improve transport vehicles and facilities in order to prevent further deaths.

For federal animal welfare legislation to be credible, **violations must carry meaningful consequences.**

A federal Animal Welfare Act should therefore establish a stronger penalty framework to ensure that enforcement doesn't simply default toward using AMPs, but prioritizes prosecution in appropriate cases.

Whether held accountable through an AMP or prosecution, penalties should be scaled to reflect the number of animals affected, the severity and duration of their suffering, whether violations are repeated or systemic, and the size and financial capacity of the entity responsible.

Escalating sanctions for repeat violations—including higher fines and additional enforcement measures—would help ensure that animal welfare protections are taken seriously across the industry.

1.3 Supporting Producer Transition

Meaningful reform must also recognize the practical realities facing farmers and producers transitioning away from outdated production systems. Federal legislation improving welfare standards could be facilitated by dedicated federal assistance through transition programs and targeted financial support designed to assist producers in adopting higher welfare practices.

Potential measures include cost-sharing programs supporting infrastructure improvements, technical assistance to

support adoption of higher welfare systems, and transitional funding helping producers adjust to new regulatory requirements.

Canada already regularly provides funding to farmers to adopt improved practices, including animal welfare upgrades.^{147,148} Expanding these efforts would promote compliance, reduce economic strain in the agricultural sector, and ensure that animal welfare improvements are both effective and sustainable nationwide.

¹⁴⁷ Agriculture and Agri-Food Canada. (2016, September 23). *Governments invest in on-farm food safety and animal welfare projects*. Government of Canada.

<https://www.canada.ca/en/agriculture-agri-food/news/2016/09/governments-invest-farm-food-safety-animal-welfare-projects.html>

¹⁴⁸ Agriculture and Agri-Food Canada. (2024, October 8). *Government of Canada announces funding to improve animal health and welfare*.

Government of Canada. <https://www.canada.ca/en/agriculture-agri-food/news/2024/10/government-of-canada-announces-funding-to-improve-animal-health-and-welfare.html>





Recommendation 2: Reform Canada's Animal Welfare Standard-Setting Framework

Canada should reform and modernize how farmed animal welfare standards are developed. Although the NFACC Codes contain useful technical guidance, the current framework lacks the independence, transparency, and accountability necessary to ensure that welfare standards reflect contemporary scientific knowledge and public expectations. Because the Codes are voluntary and developed within an industry-led process, reforms can be diluted, delayed, or abandoned when they conflict with commercial interests. This structural limitation has contributed to persistent gaps between Canadian standards and those adopted in many comparable jurisdictions.

Rather than abandoning the Codes process altogether, Canada could reform and modernize this standard-setting framework by transitioning NFACC to a body and process with legislative oversight, created through federal legislation and operating within the framework of the proposed Animal Welfare Act.

Because the Codes are voluntary and developed within an industry-led process, **reforms can be diluted, delayed, or abandoned when they conflict with commercial interests.**

Under this model, Codes of Practice could continue to play a role as interpretive tools that provide detailed guidance on meeting legal duties and regulatory requirements. However, their development would occur within a transparent and legislated process, better protecting the principles of independence from industry control, scientific integrity, and democratic accountability.

2.1 Legislated Standard-Setting Body

A proposed new or transitioned Codes governance committee would serve as an independent national body, responsible for developing and maintaining Codes of Practice within the legislative framework established by the Animal Welfare Act.

Canada can draw useful guidance from New Zealand's National Animal Welfare Advisory Committee (NAWAC), which was established under the Animal Welfare Act 1999 to develop Codes of Welfare that interpret and operationalize statutory animal welfare obligations.¹⁴⁹

While the New Zealand model is not without limitations—Codes can lag behind emerging science and may sometimes reflect industry norms rather than best practices for animal welfare—¹⁵⁰it nonetheless demonstrates how

advisory bodies can function within a statutory framework that provides clear legal authority and public accountability.

Canada could adopt a similar model while addressing these shortcomings through stronger statutory safeguards.

Rather than eliminating technical advisory processes entirely, federal legislation should transform the existing framework into a transparent, government-mandated standard-setting system that preserves expertise while eliminating the self-regulatory failures that currently undermine Canada's animal welfare framework.

Mandate and Functions

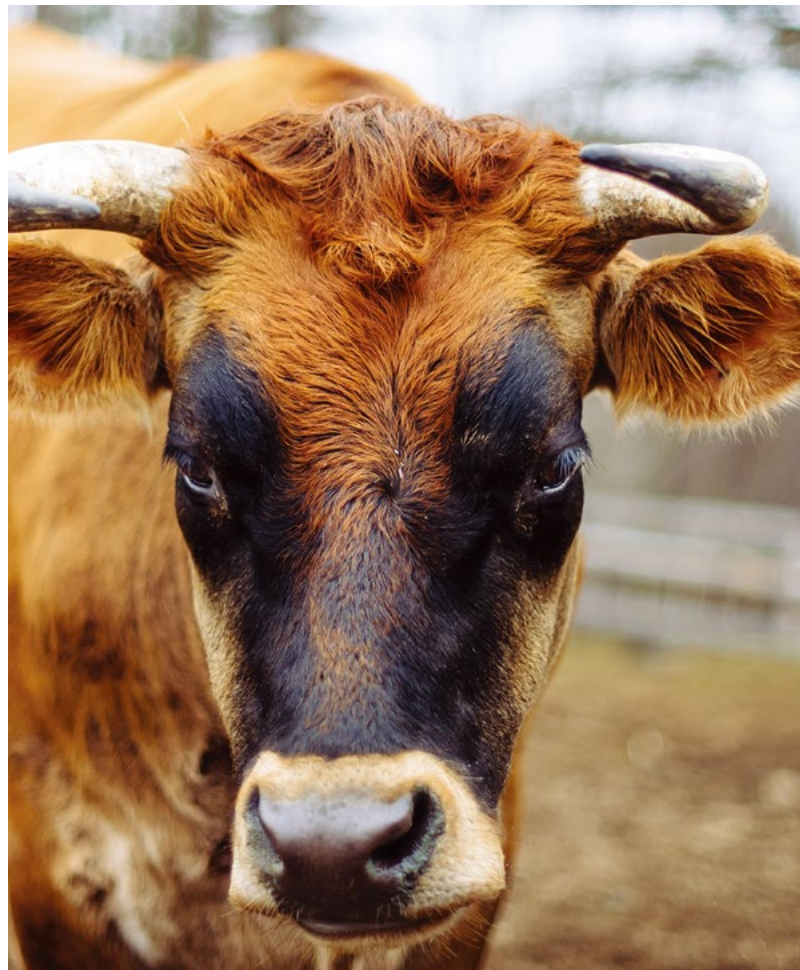
Within the legislative framework, the Codes governance committee would be responsible for developing and maintaining Codes of Practice that provide practical guidance on complying with federal animal welfare laws and regulations.

These Codes would function as official interpretive tools supporting the implementation of statutory duties of care and regulatory standards.

In particular, Codes would:

- Provide practical guidance to producers on meeting regulatory obligations.
- Support inspectors and regulators in evaluating compliance.
- Assist courts and enforcement authorities in interpreting statutory duties.

By embedding a Codes process within legislation, the federal government would ensure that technical guidance remains aligned with statutory principles and enforceable standards.



¹⁴⁹ New Zealand Ministry for Primary Industries. (1999). *Animal Welfare Act 1999, no. 142*. <https://www.legislation.govt.nz/act/public/1999/142/en/latest/>

¹⁵⁰ Dale, A. (2009). Animal welfare codes and regulations – The devil in disguise?. In Sankoff, P., & White, S. (Eds.) *Animal Law In Australasia* (pp. 174–212). The Federation Press.



Balanced Representation

To ensure independence and credibility, the Codes governance committee's composition should be defined in legislation rather than determined through discretionary, industry-dominated appointment processes.

Membership should support evidence-based decision-making and prevent dominance by industry interest groups, while still including practical expertise.

Members should be selected through an arm's-length public appointment process, with expertise spanning multiple disciplines relevant to animal welfare and agricultural systems.

A balanced Codes governance committee structure could include:

- experts in veterinary medicine
- experts in animal welfare science;
- experts in animal behaviour;
- experts in law, regulation, and enforcement;
- agricultural sector representatives with practical production experience;
- experts in ethics and public policy; and
- representatives from animal protection organizations.

This structure would preserve practical expertise while ensuring that no single interest group—including the regulated industry—can dominate decision-making.

Science-Based Standards

Codes of Practice must be statutorily required to reflect current scientific knowledge, available technology, and evolving societal expectations regarding animal welfare.

Legislation should therefore require that Codes be developed on the basis of the best available scientific and veterinary evidence. Scientific advisory committees or expert review processes may be used to ensure that welfare standards reflect contemporary research and accepted professional practices.

Codes of Practice must be statutorily required to reflect **current scientific knowledge, available technology, and evolving societal expectations regarding animal welfare.**

Practical and economic considerations may inform implementation timelines, but they should not override minimum welfare standards established in legislation.

Transparency and Public Participation

A legislated standard-setting process must operate transparently and allow meaningful public participation. Accordingly, federal legislation should require that:

- the Codes governance committee should seek public input on Codes priorities before creating or revising a Code;
- draft Codes be released for public consultation;
- supporting scientific reports be published; and
- final Codes and explanatory materials be made publicly available.

In addition, the committee should be required to publish regular public reports describing its activities, ongoing reviews, and planned revisions to existing Codes.

These measures would help ensure that the development of welfare standards occurs through open, accountable processes rather than closed stakeholder negotiations.

A legislated standard-setting process must operate transparently and allow meaningful public participation.

Mandatory Review Cycles

Animal welfare science and agricultural practices continue to evolve. To ensure that standards remain progressive and evidence-based, legislation should require mandatory periodic review of Codes of Practice.

For example, Codes could be reviewed every five years, with earlier review permitted where significant scientific or technological developments occur.

Mandatory review cycles would help prevent the prolonged delays that have characterized revisions under the current voluntary NFACC framework.

Ministerial Approval and Legal Alignment

Under a statutory framework, final approval of Codes of Practice should rest with the responsible minister following public consultation.

This requirement would ensure that Codes align with the purposes and principles of the Animal Welfare Act and that they remain consistent with statutory obligations and regulatory standards.

Government approval would also provide democratic oversight, ensuring that the development of welfare standards reflects both scientific expertise and public accountability.

2.2 Transforming the Current System

Canada urgently needs an independent, legislated reform of NFACC, one that reflects contemporary science, public values, and global best practices—just as countries like New Zealand and the United Kingdom already do with their own legislated Codes systems.

Reforming does not require discarding the technical knowledge developed through existing Code processes. Instead, it requires placing that expertise within a legislative framework capable of ensuring independence, transparency, and accountability.

A legislated Codes governance committee would preserve the practical guidance currently provided through the Codes of Practice while eliminating the structural weaknesses of the existing voluntary model. Without reform, Codes will continue to function primarily as voluntary guidelines shaped by industry interests, attracting significant public mistrust, rather than as credible tools for improving animal welfare and supporting effective enforcement of national standards.

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Recommendation 3: Establish an Independent Federal Governance Structure for Animal Welfare Oversight

The preceding recommendations establish the legislative and regulatory foundation for a national farmed animal welfare framework. Federal legislation would set enforceable duties of care and regulatory standards, while a statutory national committee would ensure that Codes of Practice are developed through transparent, science-based processes.

For this framework to function effectively, Canada must also establish clear governance structures responsible for overseeing animal welfare policy and ensuring that these laws and standards are implemented consistently. At present, responsibility for farmed animal welfare largely resides within departments whose primary mandate is to promote agricultural production and market growth. This institutional arrangement creates a persistent conflict of interest in which the same government bodies responsible for advancing the agricultural sector are also responsible for overseeing animal welfare protections.

In practice, this dynamic contributes to delayed reforms, diluted regulatory standards, and limited enforcement. **Welfare considerations are frequently balanced against economic concerns rather than treated as a core public**

policy objective in their own right. Animals are treated primarily as units of economic production, rather than as sentient beings whose welfare matters.

Over time, this structure produces regulatory stagnation. Animal welfare standards lag behind scientific evidence, public expectations, and international best practices—not because solutions are unavailable, but because the institutional structure discourages reforms that challenge entrenched economic interests.

Addressing this conflict requires establishing governance structures that ensure animal welfare is considered independently within federal decision-making.

A reformed governance framework should therefore separate responsibility for animal welfare from institutions whose primary mandate is agricultural promotion. This separation would improve policy coherence, strengthen public confidence in regulatory decision-making, and ensure that welfare considerations are evaluated on their own merits.

Two institutional approaches could achieve this objective.

Animal welfare standards lag behind scientific evidence, public expectations, and international best practices—not because solutions are unavailable, but because the institutional structure discourages reforms that challenge entrenched economic interests.

3.1 A Minister Responsible for Animal Welfare

One approach would be the appointment of a Minister responsible for animal welfare, even without the creation of a fully independent department.

Under this model, a Minister of Animal Welfare would sit at the federal Cabinet table, providing high-level political leadership and ensuring that animal welfare considerations are represented within government decision-making. The minister would be supported by a dedicated policy team responsible for developing national animal welfare strategies, legislation, and regulations.

This governance model would allow the minister to:

- advocate for animal welfare priorities across federal policy processes;
- coordinate interdepartmental initiatives affecting animal welfare;
- oversee the development of federal legislation and regulations governing animal welfare; and
- ensure that welfare considerations are reflected in federal programs and funding decisions.

While this approach would not provide the full institutional independence associated with a stand-alone department, it would elevate animal welfare at the Cabinet level and within the federal policy landscape, and reduce the structural conflict created by placing welfare oversight solely within agriculture-focused institutions.

By leveraging Cabinet influence and cross-departmental coordination, a dedicated minister could drive policy coherence, support evidence-based decision-making, and facilitate cross-departmental collaboration while operating within existing government structures.

The growing importance of animal welfare within government decision-making is increasingly reflected in the structure of executive leadership in other jurisdictions. In 2024, the European Commission elevated animal welfare within its executive leadership by establishing the portfolio of Commissioner for Health and Animal Welfare, marking the first time animal welfare has been explicitly included in the title of a European Commissioner. While the role encompasses broader health policy responsibilities, its creation signals the increasing recognition that animal welfare warrants dedicated leadership at the highest levels of government.

In Canada, ministerial positions have been created over time to be responsive to changing social priorities. For example, Canada created a Minister responsible for the Status of Women in 1971, a Minister of Seniors in 2019, a Minister of Mental Health and Addictions in 2021, and a Minister of Jobs and Families in 2025.

While a dedicated minister would provide essential political leadership within the executive branch of government, effective governance also requires independent oversight. In many areas of Canadian public policy, ministerial responsibility is complemented by statutory officers who report directly to Parliament and provide independent scrutiny of government performance. A similar model could strengthen animal welfare governance by pairing executive leadership with independent oversight.



3.2 A Commissioner of Animal Welfare

A second—and potentially complementary—approach would be the creation of an independent Commissioner of Animal Welfare, established through federal legislation.

Under this model, the Commissioner would function as an independent statutory officer with clearly defined investigative and reporting powers. Unlike a minister, the Commissioner would report directly to Parliament rather than to a Cabinet minister. This structure would allow the Commissioner to provide candid, evidence-based assessments of government performance without political direction or departmental influence.

Comparable oversight roles already exist within Canada's governance framework. Examples include:

- the Commissioner of the Environment and Sustainable Development, who audits federal environmental programs and reports findings directly to Parliament;
- the Privacy Commissioner, who oversees compliance with federal privacy laws;
- the Parliamentary Budget Officer, who provides independent and non-partisan financial and economic analysis; and
- the Canadian Human Rights Commission, which monitors and promotes compliance with federal human rights legislation.

These institutions demonstrate how independent statutory officers can provide objective scrutiny of government action while remaining institutionally separate from executive departments.

In the context of animal welfare, a Commissioner could perform several core functions, including:

- monitoring implementation of federal animal welfare legislation and policies;
- evaluating enforcement practices across federal agencies;
- identifying systemic gaps or failures in animal welfare governance;
- conducting investigations into significant welfare concerns; and
- publishing regular public reports and recommendations.

Although the Commissioner would not exercise direct regulatory or enforcement authority, the ability to produce independent public reports and recommendations would provide an important mechanism for transparency and accountability.



3.3 Precedent and Rationale

Independent oversight bodies dedicated to animal welfare are increasingly common internationally.

For example:

- **Austria operates an Animal Protection Commission¹⁵¹** under its Animal Welfare Act, which provides guidance and recommendations on key animal welfare matters and policy issues, reviews legislation and policy proposals, issues formal recommendations, and publishes reports.
- **Germany requires consultation with an Animal Welfare Commission¹⁵²** when developing regulations under its Animal Protection Act, and appointed its first Animal Welfare Commissioner in 2023—a role that serves as a national advocate and oversight voice for animal welfare, provides policy advice and recommendations, and produces public reports and recommendations.
- **The United Kingdom relies on the Animal Welfare Committee¹⁵³** to provide independent advice across farm, transport, and slaughter contexts to the Department for Environment, Food and Rural Affairs and the Scottish and Welsh governments.
- **Malta appointed an Animal Welfare Commissioner** in 2018.

These models reflect a growing recognition that independent oversight improves the quality, transparency, and credibility of animal welfare policy.

Establishing similar governance structures in Canada would align federal animal welfare policy with emerging international best practices.



Together, a ministerial role and a commissioner role would provide both executive leadership and independent scrutiny—**two governance functions that are essential to a credible and accountable national animal welfare framework.**

¹⁵¹ Federal Ministry of Agriculture and Forestry, Climate and Environmental Protection, Regions and Water Management. (2004). *Federal Act on Animal Welfare (Tierschutzgesetz – TSchG)*, *Federal Law Gazette I* 2004/118.

<https://www.bmluk.gv.at/en/topics/agriculture/agriculture-in-austria/animal-production-in-austria/animal-welfare-act.html>

¹⁵² World Animal Protection. (2020). Animal Protection Index: Germany. <https://api.worldanimalprotection.org/country/germany>

¹⁵³ Department for Environment, Food & Rural Affairs. (n.d.). *Animal Welfare Committee (AWC)*.

<https://www.gov.uk/government/groups/animal-welfare-committee-awc>



Recommendation 4: Strengthen Enforcement and Compliance Mechanisms

The federal animal welfare framework proposed in this report—consisting of a comprehensive Animal Welfare Act, science-based Codes developed through a statutory committee, and strengthened independent governance oversight—must be accompanied by a modern enforcement system capable of ensuring compliance across the animal agriculture sector.

To ensure that federal animal welfare legislation produces real improvements in the treatment of animals, Canada must establish an enforcement system that is specialized, transparent, and capable of addressing systemic non-compliance.

Several institutional approaches could be used to implement a strengthened enforcement system.

4.1 Institutional Approaches

Establish A Dedicated Federal Animal Welfare Enforcement Agency

One approach would be the creation of a specialized federal enforcement agency responsible for administering animal welfare legislation and conducting inspections across all stages of farmed animal use, including at breeding operations, farms, transport, auctions, and slaughter. It would have the authority to investigate violations, conduct inspections, and enforce compliance with federal welfare standards.

Such an agency would operate independently from departments responsible for promoting agricultural production, reducing potential conflicts of interest in enforcement decisions. It could report directly to the proposed Minister of Animal Welfare, ensuring that enforcement priorities focus on animal welfare rather than trade or economic objectives. This separation can help eliminate both real and perceived regulatory capture.

A Specialized Enforcement Unit within the CFIA

Alternatively, the federal government could establish a dedicated animal welfare enforcement unit within an existing federal regulatory body—in this case, the CFIA, which currently enforces laws relating to transport and slaughter.

Under this model, enforcement staff would operate within an established agency but would function under a specialized mandate focused exclusively on animal welfare. Clear operational separation from agricultural promotion functions would be essential to ensure independence and credibility. In this model, the CFIA would retain full enforcement authority over farms, transport, and slaughter, but would operate under a dual reporting system, where accountability would be expanded

to include reporting to the Minister of Animal Welfare in addition to the Minister of Health.

This enhanced accountability structure is intended to prevent welfare priorities from being subordinated to agricultural or trade objectives, while retaining the efficiencies of a single enforcement agency.

Both models could support the consistent application of federal welfare standards, provided that enforcement personnel possess appropriate expertise and operate within a framework designed to ensure independence from industry influence.

4.2 Independent and Specialized Enforcement

Animal welfare enforcement should be carried out by inspectors with specialized training and expertise in animal welfare science, veterinary care, and agricultural production systems.

These inspectors should have authority to:

- conduct regular and unannounced inspections of farms, transport operations, and slaughter facilities;
- review records and documentation related to animal care and management;
- issue compliance orders requiring corrective action where violations are identified; and
- initiate enforcement proceedings where serious or repeated violations occur.

Regular inspection regimes are a common feature of animal welfare enforcement systems in many jurisdictions. Routine monitoring helps ensure that compliance problems are identified early and that systemic welfare risks are addressed before they escalate into severe harm, and without a complaint first needing to be made.

Animal welfare enforcement should be carried out by inspectors with **specialized training and expertise in animal welfare science, veterinary care, and agricultural production systems.**

4.3 Meaningful Penalties and Deterrence

As described in Recommendation 1, for animal welfare legislation to be credible, enforcement must be supported by penalties capable of deterring violations.

A strengthened enforcement framework should therefore include substantial financial penalties and escalating sanctions for repeat offenders, with an emphasis not simply on AMPs.

Scaling penalties to the economic capacity of regulated entities **helps ensure that enforcement measures cannot simply be absorbed as routine business expenses.**

In addition to financial penalties, enforcement authorities should have access to a range of regulatory tools, including time-bound compliance orders requiring corrective action to improve housing, access to veterinary care, or changes to handling practices; mandatory follow-up inspections to verify compliance; authority to seize animals and provide care for them; suspension or revocation of licenses or permits to carry on business; and additional sanctions where repeated violations occur.

Together, these measures would ensure that enforcement mechanisms provide meaningful incentives for compliance with animal welfare standards.

4.4 Transparency and Public Reporting

Public transparency is essential to maintaining confidence in the enforcement of animal welfare laws.

Accordingly, the federal government should publish regular public reports on enforcement outcomes, including inspection activities, violations identified, enforcement actions taken, and compliance trends across the agricultural sector.

Public reporting allows policymakers, industry stakeholders, and the broader public to assess whether animal welfare protections are being implemented effectively.

4.5 Ensuring Effective Implementation of Federal Welfare Standards

Establishing credible enforcement mechanisms is essential to ensuring that Canada's proposed animal welfare legislation and standards translate into meaningful improvements in the treatment of animals raised or killed for food.

By combining specialized inspection authority, meaningful penalties, transparent reporting, and support for compliance, Canada can create an enforcement system capable of ensuring that animal welfare protections are applied consistently and effectively across the agricultural sector.

Such a system would complement the legislative and governance reforms proposed in earlier recommendations and help ensure that Canada's farmed animal welfare framework operates as a coherent and accountable national system.



Conclusion

Canada's current animal welfare framework falls woefully short of the expectations Canadians hold for the humane treatment of animals raised or killed for food. Practices that cause significant and chronic suffering—including extreme confinement in metal cages, painful amputations and other procedures, and intensive production pressures—have become normalized across industrial farming systems that affect hundreds of millions of animals each year.

This outcome is not accidental. It is the predictable consequence of a governance model in which governments have largely declined or failed to establish standards of care for animals on farms. Instead, farmed animal welfare is left to be shaped through voluntary, industry-dominated Codes of Practice that lack independence, transparency, and legal force. The result is a system that has failed to protect farmed animals, eroded public

trust, and left Canada increasingly out of step with peer jurisdictions and international progress.

Canada has the authority and the opportunity to change course. By establishing comprehensive federal farmed animal welfare legislation, independent governance, and transparent, science-based standards supported by meaningful enforcement, Canada can build a system that reflects contemporary knowledge, aligns with international best practices, and reflects Canadian values and public concern for farmed animals.

The question is not whether reform is possible. It is whether Canada will act to ensure that the treatment of animals raised or killed for food is governed by transparent public law and enforcement, rather than private industry standards that have been shown to fail farmed animals.



Appendix A:

Type of Animal	Max Transport Interval without Food, Rest and Water,
Ruminants (e.g., cows, sheep)	36 hours without food, rest, and water
Animals with a simple stomach (e.g., horses, pigs, birds, reptiles)	Horses and pigs - 28 hours without food, rest, and water All other animals - 36 hours without food, rest, and water
Newly hatched birds	72 hours without food, rest, and water from the time of hatching
Broiler chickens (i.e., chickens bred and killed for meat production), spent hens (i.e., chickens formerly used for commercial egg laying), and rabbits	24 hours without water 28 hours without food
Livestock, camelids, and cervids (e.g., deer) of 8 days of age or less, and ruminants (e.g., cows, sheep) too young to be fed exclusively hay and grain	12 hours without food, rest, and water
Compromised animals (e.g., animals in a period of peak lactation, minor rectal or vaginal prolapse, not fully healed after a procedure including castration or dehorning)	12 hours without food, rest, and water

Appendix B:

Province/Territory	Legislation	Exemption language	NFACC Codes Reference	Legal Status and Function of Codes
Alberta	Animal Protection Act, RSA 2000, c A-4 Animal Protection Regulation, Alta Reg 203/2005	Prohibition does not apply to distress resulting from activities carried on in accordance with <u>reasonable and generally accepted practices</u> .	None. Not explicitly referenced in Statute or Regulations	Compliance with NFACC Codes may be used as a defence
British Columbia	Prevention of Cruelty to Animals Act, RSBC 1996, c 372 Animal Care Codes of Practice Regulation, BC Reg 34/2019	A person must not be convicted if the distress results from an activity carried out in accordance with prescribed standards of care or <u>reasonable and generally accepted practices</u> .	Direct reference in Regulations	Compliance with NFACC Codes is a defence
Manitoba	The Animal Care Act, CCSM c A84 Animal Care Regulation, Man Reg 126/98	Prohibition does not apply to an <u>accepted activity</u> carried out consistent with prescribed codes, <u>generally accepted practices</u> , or is otherwise <u>reasonable</u> without causing needless suffering.	Direct reference in Regulations	Compliance with NFACC Codes is a defence
New Brunswick	Society for the Prevention of Cruelty to Animals Act, RSNB 2014, c 132 General Regulation, NB Reg 2000-4	A person shall not be convicted for treating an animal in a manner <u>consistent with prescribed codes, generally accepted practices</u> , or otherwise <u>reasonable</u> .	Direct reference in Regulations	Compliance with NFACC Codes is a defence
Newfoundland and Labrador	Animal Health and Protection Act, SNL 2010, c A-9.1 Animal Protection Standards Regulations, NLR 36/12	Prohibitions do not apply where the distress results in the course of an <u>accepted activity</u> (or prescribed by Regulations).	Direct reference in Regulations	Compliance with NFACC Codes Required
Nova Scotia	Animal Protection Act, SNS 2018, c 21	An animal is not in distress if the condition results from an activity prescribed by the Regulations or agricultural practices carried out in accordance with NFACC codes of practice.	Direct reference in Statute	Compliance with NFACC Codes is a defence

Ontario	Provincial Animal Welfare Services Act, 2019, SO 2019, c 13 Standards of Care and Administrative Requirements, O Reg 444/19	Prohibitions do not apply to activities carried on in accordance with <u>reasonable</u> and <u>generally accepted practices</u> .	None. Not explicitly referenced in Statute or Regulations	Compliance with NFACC Codes may be used as a defence
Prince Edward Island	Animal Welfare Act, RSPEI 1988, c A-11.2 Animal Welfare Regulations, PEI Reg. EC194/17	Activities are not a contravention if they follow and are consistent with <u>reasonable and generally accepted practices</u> or are otherwise <u>reasonable</u> and do not cause unnecessary suffering.	Direct reference in Regulations	Compliance with NFACC Codes Required
Quebec	Animal Welfare and Safety Act, CQLR c B-3.1	Prohibitions do not apply to activities carried on in accordance with <u>generally recognized rules</u> .	Not explicitly referenced in Statute or Regulations but referenced in Application Guide, used to interpret them	Compliance with NFACC Codes may be used as a defence
Saskatchewan	The Animal Protection Act, 2018, SS 2018, c A-21.2 The Animal Protection Regulations, 2018, RRS c A-21.2 Reg 1	An animal is not in distress if it is handled in a manner <u>consistent with a standard, code of practice or guidelines that is prescribed as acceptable or in a manner that is otherwise reasonable in the circumstances</u>	Direct reference in Regulations	Compliance with NFACC Codes is a defence
Yukon	Animal Protection and Control Act, SY 2022, c 13 Animal Protection and Control Regulation, YOIC 2024/62	Circumstances prescribed by the Regulations.	Direct reference in Regulations	Compliance with NFACC Codes Required
Northwest Territories / Nunavut	No standalone animal protection act in force.	N/A	N/A	N/A

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