

Submission  
No 12

**INQUIRY INTO PREVENTION OF CRUELTY TO ANIMALS  
AMENDMENT (RESTRICTIONS ON STOCK ANIMAL  
PROCEDURES) BILL 2019**

**Organisation:** WoolProducers Australia

**Date Received:** 31 July 2020

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**Prevention of Cruelty to Animals Amendment  
(Restrictions on Stock Animal Procedures) Bill 2019**

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WOOLPRODUCERS  
AUSTRALIA

Select Committee  
NSW Legislative Council  
Parliament House  
Macquarie Street  
Sydney NSW 2000

Via email only: [portfoliocommittee4@parliament.nsw.gov.au](mailto:portfoliocommittee4@parliament.nsw.gov.au)

31 July, 2020

To whom it may concern

**Re: *Prevention of Cruelty to Animals Amendment (Restrictions on Stock Animal Procedures) Bill 2019***

WoolProducers Australia (WoolProducers) welcomes the opportunity to provide this submission regarding the *Prevention of Cruelty to Animals Amendment (Restrictions on Stock Animal Procedures) Bill 2019* (The Bill) in New South Wales.

WoolProducers is the peak industry representative body for the wool industry. Our membership is comprised of the industry's commercial, superfine and stud breeding sectors. WoolProducers is nationally representative through our State Farming Organisation members and three democratically elected Independent Directors. WoolProducers' policy areas include animal health and welfare, biosecurity, pest management control, natural resource management, drought policy, emergency animal disease outbreak preparedness, and industry development including research and trade.

Animal welfare is a key priority for both WoolProducers, and Australian woolgrowers who are aware of their legal and social responsibilities regarding animal welfare.

WoolProducers supports unbiased scientific, evidence-based approaches to determine clearly defined and measurable welfare states for animals, which must be underpinned by an appropriate legislative framework and enforcement activities.

The Bill proposes:

- (a) to prohibit the performance of the Mules operation on sheep, and
- (b) to require the administration of pain relief in certain procedures involving stock animals.

WoolProducers strongly opposes the current wording of the Bill.

## **WoolProducers Australia opposes the banning of mulesing**

Whilst the long-term goal of the Australian wool industry is to find a viable alternative to surgical mulesing until a suitable alternative is developed, WoolProducers firmly believes that the right to retain mulesing is essential.

Mulesing is an effective once-for-life procedure that offers lifetime protection against breech flystrike. Without the ability to mules, many Merino sheep will have increased dag retention and urine stain, which require more frequent crutching and chemical flystrike prevention. There would also be an adverse welfare outcome for millions of sheep.

According to a CSIRO publication in February, 2020, 'unmulesed Merino sheep have a 6-fold increased risk of breech strike compared with mulesed sheep under the same conditions.'<sup>1</sup>

It is for these reasons that mulesing fits under the following principle for good animal husbandry as per the Australian Animal Welfare Standards and Guidelines (AAWSG) for Sheep:

- assessment of the need to undertake any husbandry procedures that may result in significant short-term pain against alternative strategies for the long-term welfare of the sheep<sup>2</sup>

In many circumstances mulesing with analgesic/anaesthetic (AA)<sup>3</sup> is the highest standard of animal welfare that can be provided to sheep during the course of the animal's life.

To maintain the longevity of the legal ability of producers to mules, WoolProducers is calling for the mandatory application of AA for this procedure.

At a meeting of the WoolProducers Executive in May 2019, the Board ratified the following motion:

*That WPA supports the implementation of mandatory analgesic/anaesthetic (AA) for mulesing policy, through an industry-led approach utilising AWEX's National Wool Declaration-Integrity Program (NWD-IP).*

The wool industry continually works to achieve high levels of animal welfare without government regulations that decide what husbandry practices are allowable on-farm. If the industry does not look to the future and attempt to secure the practice of mulesing (until an alternative preventative or genetic solution is found) by mandating AA for mulesing, there is a very high risk of the practice becoming unacceptable to both markets and regulators.

By mandating the use of AA when mulesing, the Australian wool industry will improve its animal welfare reputation with the community, consumers and all levels of government. This is a key driver of WoolProducers Australia's industry-driven policy to self-regulate the mandatory use of AA when mulesing.

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<sup>1</sup> <https://www.publish.csiro.au/AN/AN18488?jid=ANv60n8&xhtml=0E6C0DD1-9A22-443C-8C4C-2D94C272E4C9>

<sup>2</sup> <http://www.animalwelfarestandards.net.au/files/2011/01/Sheep-Standards-and-Guidelines-for-Endorsed-Jan-2016-061017.pdf>

<sup>3</sup> Note: this policy has been updated from 'pain relief' to 'analgesic/anaesthetic (AA)' in line with the subsequent National Wool Declaration review

Integrity systems in wool supply chains are improving traceability for buyers and in doing so, transparency has also increased throughout the supply chain. Through the National Wool Declaration (NWD), administered by AWEX, woolgrowers can declare the use of AA at mulesing.

WoolProducers policy position to call for mandatory AA for mulesing places industry in a proactive position, in that we are a step-in front of government and therefore public opinion. This was evidenced by the national and Victorian wool industry, represented by WoolProducers and the Victorian Farmers Federation respectively, being ahead of the Victorian Government's decision to mandate AA for mulesing as of 1 July, 2020, meaning that social and political capital was retained by the industry.

Whilst WoolProducers does not support unnecessary regulatory burden being placed on woolgrowers, WoolProducers believes that seeking mandatory use of AA, is a way to stop potential government regulation of banning mulesing as an animal husbandry procedure.

Through promoting the industry funded and led National Wool Declaration-Integrity Program (NWD-IP) as the mechanism to demonstrate AA usage through the NWD-IP's audit program, the requirement for government intervention on this issue is further reduced.

#### National Wool Declaration – Integrity Program

There are currently 5 part time NWD-IP inspectors employed within the program to undertake audits, with the NWD-IP requiring:

- i. 2% of non-compliance will be detected with a 99% confidence level
- ii. 225 Non Mulesed (NM) and Ceased Mulesed (CM) declaration audits (on-farm, with a sample size of 200 sheep)
- iii. 200 pain relief authentications (desktop)
- iv. 1000 verifications that the correct Mulesing Status appears in sale catalogues (desktop)

Utilising the NWD-IP program, government will not have to allocate resources to an auditing process, and it would not 'open the gate' to government inspectors coming onto properties to undertake audits.

WoolProducers, the New South Wales Farmers' Association (NSWFA), the Tasmanian Farmers and Graziers Association (TFGA), WA Farmers, Livestock SA and the Victorian Farmers Federation (VFF), all currently have policy positions supporting mandatory use of the NWD by making it a condition of sale. This will provide greater transparency in the industry as all farmers would then be required to declare the mulesing status of their clip.

Currently growers can declare their clips on the NWD to be mulesed (M), non-mulesed (NM), mulesed with analgesia/anaesthetic (AA) or ceased mulesed (CM).

There is some concern that adopting a mandatory AA policy could lead to government intervention at a farmgate level. It must be noted that under various existing state legislation there is already requirements for AA to applied for mulesing over certain ages and prohibition of mulesing for sheep over 12 months, meaning that a precedent is already set for government intervention and therefore this concern is largely unfounded.

WoolProducers understands that it is highly unlikely that there will be uniform implementation of this policy across the country as it is ultimately up to jurisdictions if and when they choose to adopt this policy.

Under the Australian Animal Welfare Standards and Guidelines (AAWSG)<sup>4</sup> for Sheep there is already a Standard in place that requires the mandatory application of AA based on the age of an animal therefore negating the concern.

Currently the Australian Animal Welfare Standards and Guidelines for Sheep contains **Standard 7.3:**

*‘A person must not mules sheep that are 6–12 months old without using appropriate pain relief.’*

A simple amendment could be made to this Standard to reflect WoolProducers’ position:

*‘A person must not mules sheep without using appropriate pain relief.’*

WoolProducers acknowledges that while the AAWSG have not been regulated in many states, it is the mechanism that is charged with harmonising animal welfare regulation/legislation across the jurisdictions, which were endorsed by all state and territory governments in 2016.

In calling for mandatory AA, WoolProducers is not preferencing pre- versus post-AA application. We are instead calling for AA to be applied during the course of the mules operation, as we do not want producers burdened with the cost of two AA products as the minimum industry standard. There are now three registered AA products available for producers to use for mulesing so our policy position enables woolgrowers to determine which product is appropriate for their enterprise and production system.

### **WoolProducers Australia opposes the mandatory administration of pain relief for husbandry procedures other than for mulesing**

WoolProducers is only seeking the mandatory application of AA for mulesing and not for any other husbandry procedure.

As stated above, WoolProducers believes that by mandating the use of AA when mulesing, the Australian wool industry will improve its animal welfare reputation with both the community and consumers and also all levels of government. This is a key driver to WoolProducers Australia’s industry-driven policy to self-regulate the mandatory use of AA when mulesing.

There is also benefit to the industry by mandating AA for mulesing relating to social licence and market access. Some wool buyers have suggested that pain relief is required to respond to retailer and consumer demands in relation to animal welfare and the lack of pain relief may jeopardise access to some markets and/or reduce demand for Australian wool.<sup>5</sup>

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<sup>4</sup> <http://www.animalwelfarestandards.net.au/files/2011/01/Sheep-Standards-and-Guidelines-for-Endorsed-Jan-2016-061017.pdf>

<sup>5</sup> See <https://www.abc.net.au/news/rural/2017-08-09/italian-buyers-frustrated-by-ongoing-mulesed-woolproblem/8744944>, and <https://www.abc.net.au/news/2018-03-10/wool-buyers-push-for-more-action-against-sheepmulesing/9526650>

WoolProducers also believes another supporting facet to requiring mandatory AA for mulesing and not for other animal husbandry procedures, is that there are not any other industry auditing programs specifically established for compliance with other husbandry procedures, as is the case for mulesing and the NWD-IP. For example, the Livestock Production Assurance (LPA) audits only seek an understanding of the AAWSG's.

Therefore, there is no further regulatory burden or cost associated with the auditing process of this procedure.

The underlying reason for mandating pain relief is to ensure the legal right to continue mulesing, which must be retained for good animal welfare outcomes.

Should you wish to discuss our submission further, please do not hesitate to contact me on  
or via email .

Kind regards

Jo Hall

Chief Executive Office

