



LIVE SHEEP EXPORT TO THE MIDDLE EAST

Breaches of **Australian** and **international** standards





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EXECUTIVE SUMMARY

This document presents clear evidence of breaches of Federal and State Laws, as well as international standards including:

- the Australian Standards for the Export of Livestock;
- the *Australian Meat & Livestock Industry (Standards) Order 2005* (Cth);
- the *Export Control (Animals) Order 2004* (Cth);
- *Animal Welfare Act 2002* (WA); and
- the OIE (World Organisation for Animal Health) guidelines

These breaches occurred across five routine shipments of Australian sheep to the Middle East (Kuwait, Qatar, UAE, Oman) over a seven-month period in 2017. Over four thousand animals died during these shipments.

The treatment of animals on these shipments not only contravenes Australian laws and international standards, it puts at risk our important trading relationship with the Middle East. It also undermines the care and dedication of the farmers who have worked so hard to raise these animals.



The evidence reveals that exporters and shipboard conditions are breaching international standards, the Australian Standards for the Export of Livestock, the WA Animal Welfare Act; and that producers, politicians and the public are being actively deceived as to shipboard conditions.

Also of note is that Australia's Chief Veterinary Officer is both a delegate and Vice-President on the OIE Council. This special representation increases Australia's responsibility and leadership role internationally.

The exporter responsible, Emanuel Exports, has a long history of breaching standards. Since 2005, Emanuel Exports' two directors have been associated with **shipments exceeding 1000 sheep deaths on 37 occasions, including 12 'reportable' incidents since 2006.** Despite this, Emanuel Exports has maintained their export licence.

Evidence from these routine shipments also reveals that Australian **producers, politicians and the public have been actively deceived** by the live export industry as to the standards of care on live sheep shipments.

Emanuel Exports are represented on the Board of the Australian Livestock Exporters' Council, the peak body responsible for setting industry policy,

which has a publicly stated 'no fear, no pain' animal welfare commitment.

The vision comprehensively reveals that export companies are breaching this commitment; that **day-to-day shipboard conditions cause stress and suffering and entire shipments of sheep are being subjected to heat stress and the risk of heat stroke** in the Middle East summer months.

Under the *Export Control (Animals) Order 2004* (Cth), the Secretary of the Department of Agriculture must refuse to grant export permits unless the standards have been, and will continue to be, complied with, and the travel arrangements are adequate for the health and welfare of the animals.

On the basis of extensive evidence filmed across these five routine shipments, the Secretary should not be granting live sheep export permits to the Middle East.

Laws must be upheld. The Federal Government must act.

The Federal Government's 'Australian Position Statement on the Export of Livestock'.



The export of animals obliges all participants in the trade to ensure that the animals' health and welfare is protected to the greatest extent possible and reflects Australian community expectations.

The health and welfare of livestock in the live export chain should be protected by:

- *industry QA programs from place of origin to destination*
- *state and territory legislation, including animal welfare Acts*
- *Australian Government legislation, including the Standards.*

...

The Standards developed in Australia take into account OIE animal welfare guidelines and in most instances exceed these.



Australian Government
Department of Agriculture
and Water Resources

EXTRACT

The Australian Livestock Exporters' Council's 'no fear, no pain commitment'.



Australian livestock exporters' social licence to operate – a cornerstone of our industry – is built around our 'no fear, no pain' commitment in relation to animals under our management.

ALEC Chairman The Hon Simon Crean.



The Standards

The Australian Standards for the Export of Livestock (ASEL)



Australian Government
Department of Agriculture
and Water Resources

ASEL are the regulatory requirements for animal health and welfare that live exporters are required to meet. The Federal government's 'Australian Position Statement on the Export of Livestock' cites that ASEL 'takes into account OIE animal welfare guidelines and in most instances exceed these'.

The following extracts from ASEL establish the guiding principles and required animal welfare outcomes for exporters.

ASEL STANDARD 5: ONBOARD MANAGEMENT OF LIVESTOCK



5.1 Guiding principle

Onboard facilities, management and husbandry must be adequate to maintain the health and welfare of livestock throughout the sea voyage.

5.2 Required outcomes

- 1) *The voyage is completed safely.*
- 2) *Adequate livestock services are maintained throughout the voyage.*
- 3) *Onboard care and management of the livestock is adequate to maintain their health and welfare throughout the voyage.*

The OIE (World Organisation for Animal Health)



The OIE (World Organisation for Animal Health) is the international body that sets guidelines for the treatment of animals globally. Australia is one of 181 member countries which are signatories to the OIE.

The Federal Government's 'Australian Position Statement on the Export of Livestock' cites that ASEL 'take into account OIE animal welfare guidelines and in most instances exceed these'.

OIE CHAPTER 7.1. INTRODUCTION TO THE RECOMMENDATIONS FOR ANIMAL WELFARE



7.1.4. General principals...

- 4) *The physical environment should allow comfortable resting, safe and comfortable movement including normal postural changes, and the opportunity to perform the types of natural behaviours the animals are motivated to perform.*

OIE CHAPTER 7.2. TRANSPORT OF ANIMALS BY SEA



7.2.5. Planning the journey

- 8) *Ability to observe animals during the journey*

Animals should be positioned to enable each animal to be observed regularly and clearly by an animal handler or other responsible person, during the journey to ensure their safety and good welfare.

The regulatory obligations

The Federal Department of Agriculture and Water Resources (DAWR) acts as the regulator for Australia's live export trade. **The Secretary of DAWR is responsible for ensuring compliance with the Australian Standards for the Export of Livestock (ASEL) and for approving or refusing individual export permits.**

Under sections 8 and 9 of the *Export Control Act 1982* (Cth), an export licence holder commits an offence if they do not comply with the conditions of their

export licence. Compliance with ASEL is a condition of an exporter's licence.

Under section 17 of the *Australian Meat and Live-stock Industry Act 1997* (Cth), an export licence holder must comply with any orders made. Under the *Australian Meat and Live-stock Industry (Standards) Order 2005* (Cth) – which is one such order – an exporter must comply with ASEL.



Granting and refusal of export permits

Under the *Export Control (Animals) Order 2004* (Cth), the Secretary of DAWR must **refuse to grant export permits if the travel arrangements for livestock are not adequate for their health and welfare, or if he cannot be satisfied that ASEL has been, and will continue to be, complied with.**

EXPORT CONTROL (ANIMALS) ORDER 2004



1A.30 Grant of export permit

- (1) *The Secretary may grant an export permit for live-stock if: ...*
 - (f) *the Secretary is satisfied that: ...*
 - (iv) *the Australian Standards for the Export of Live-stock have been, and will continue to be, complied with in relation to the live-stock; and ...*
 - (h) *the travel arrangements for the live-stock are adequate for their health and welfare.*
- (2) *In deciding whether to grant an export permit to an exporter, the Secretary may take into account whether the exporter has complied with:*
 - (a) *any conditions to which a live-stock export licence under the AMLI Act was subject; and*
 - (b) *any requirements under that Act that otherwise relate to the export of live-stock.*

1A.31 Refusal to grant permit

- (1) *The Secretary may refuse to grant an export permit if the permit would, if granted, allow live-stock:*
 - (a) *to be carried on a ship or aircraft the condition of which there is reason to believe may cause the health or condition of live-stock to deteriorate during an export voyage;...*

Note 2: The Secretary must refuse to grant an export permit if any of the conditions in subsection 1A.30(1) are not met.

Breaches of Australian and International standards:

THE SICK & THE DYING

ASEL STANDARD 5 ONBOARD MANAGEMENT OF LIVESTOCK

- “ S5.7 Any livestock identified as being sick or injured must:
- (a) be given **prompt treatment**;
 - (b) be transferred to a **hospital pen**, if required; and
 - (c) if necessary, be **euthanased humanely** and without delay

OIE CHAPTER 7.2. TRANSPORT OF ANIMALS BY SEA

- “ 7.2.9. Travel
- 2. Sick or injured animals
 - a) Sick or injured animals **should be segregated.**
 - b) Sick or injured animals **should be appropriately treated or humanely killed, in accordance with a predetermined emergency response plan.**







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THE KENIRY REPORT. A REVIEW OF THE LIVESTOCK EXPORT INDUSTRY 2004

Extract Page 42:

The Review concluded that there must be recognition that the livestock export industry cannot afford more bad outcomes and therefore all higher risk voyages should be eliminated. In those circumstances where there is clear evidence of a risk that demonstrably contributes to **adverse outcomes on a predictable basis, exports should not be permitted.**

Breaches of Australian and International standards:

HEAT STRESS

Under Section 19 (3) of the *WA Animal Welfare Act 2002*: '... a person in charge of an animal is cruel to an animal if the animal – (a) is transported in a way that causes, or is likely to cause, it unnecessary harm'.

Deaths on live sheep shipments have historically increased significantly during the months from May to October when sheep are exported from Australian winters to the high heat and humidity of Middle Eastern summers. Admissions by the live export industry that **mortalities can double or even triple in certain climatic conditions were first made in 1985.**

Significant and numerous scientific research papers have highlighted the **severe suffering of sheep when subjected to heat stress.** It is known that such extreme conditions are unavoidable on live export vessels during this period, yet shipments have continued.

Sheep were documented suffering from heat

stress from May to October – with the shipment in August 2017 resulting in the deaths of at least 2500 sheep. During this shipment, vessel records show that the surrounding sea temperature was 41 degrees. Water temperature, ambient temperature, humidity, and radiant heat from the vessel engines, all create an oven-like environment that can literally **cook animals alive.** Ventilation cannot reduce temperatures, it can only move existing hot air.

In addition, stocking densities in pens increase the temperature through the **metabolic heat generated by the animals themselves** and prevent many animals from being able to freely reach water during high heat.

It is acknowledged that **for every sheep that dies of heat stress on a live export vessel, a further two will die in feedlots in the days after arrival in destination countries.** This is due to the significant and **irreversible organ damage** resulting from heat stress.



OIE CHAPTER 7.2. TRANSPORT OF ANIMALS BY SEA



7.2.5. Planning the journey

2. Preparation of animals for the journey

- c) (...) In some extreme conditions of heat or cold, animals should not be transported at all.



ASEL STANDARD 5: ONBOARD MANAGEMENT OF LIVESTOCK

- “ “ **S5.1** *The onboard management of livestock for export by sea must ensure that the health, welfare and physical needs of livestock are met during the voyage.*

OIE CHAPTER 7.2. TRANSPORT OF ANIMALS BY SEA

“ “ **7.2.5. Planning the journey**

4. *Vessel and container design and maintenance*
 - e) *Vessels should have adequate ventilation to meet variations in climate and the thermo-regulatory needs of the animal species being transported. The ventilation system should be effective when the vessel is stationary.*
7. *Space allowance*
 - b) *the amount of space required, including headroom, depends on the species of animal and should allow the necessary thermoregulation.*





During export voyages, the conditions that favour heat stress are long periods where very high environmental temperatures are in place for much of the **day and night** (providing little or **no period of respite** where animals can shed heat)

Extract from the MLA Veterinary Handbook



Severe Heat Stress: Drooling, respiratory rate greater than 180 bpm, **open mouth panting and tongue out (panting score greater than 2.5).**

(McCarthy 2005)



The high risk to sheep exported from Australia during summer in the Middle East is sufficient to warrant consideration of **restriction of trade during this period.**

Ref: Phillips, C 'The welfare risks and impacts of heat stress on sheep shipped from Australia to the Middle East' The Veterinary Journal 218 (2016)



In high humidity, the manure pad will melt and become boggy, covering animals in a 'faecal jacket'. This exacerbates heat stress in sheep, results in decreased levels of hygiene, increased levels of infection, and increased ammonia emissions causing health risks to both livestock and crew.

If body temperature is raised beyond the level that animals can tolerate then there is a risk of organ dysfunction, and even death.

"If stuck animals are not identified and removed, they can die from continued **trampling, suffocation, dehydration and/or starvation.**"

Former live export veterinarian, Dr Lynn Simpson



ASEL STANDARD 5: ONBOARD MANAGEMENT OF LIVESTOCK

- “ S5.1 *The onboard management of livestock for export by sea must ensure that the **health, welfare and physical needs** of livestock are met during the voyage.*



Breaches of Australian and International standards:

STOCKING DENSITY

According to the Federal Department of Agriculture's website, each animal on a live export vessel, 'must have access to food and water on demand and enough space to lie down'. The evidence provided across five routine shipments reveals this statement to be false and that both Australian and International standards are being breached.

Sheep are confined in over-crowded pens for up to 3 weeks. **Incredibly, when these stocking densities were determined, the welfare needs of animals to access food, water and rest were never taken into account.** Instead, it was how many animals could fit in pens.

As a result **current standards do not allow sheep the room to lie down without fear of being trampled, and prevent ready access to food and water** for many animals, including in high temperatures when access to water for each animal

needs to be ensured. **The most basic recognised health and welfare needs of individual animals are being denied in an already stressful shipboard environment.**

The sheer volume of sheep in pens, and the metabolic heat created by their bodies, also contributes to **increases in temperature during the high risk heat stress period.**

Exporters have actively opposed any reduction in stocking densities due to reduction in profits.



Permissible stocking densities prohibit sheep from having ready access to food and water.

OIE CHAPTER 7.2. TRANSPORT OF ANIMALS BY SEA



7.2.9. Travel

1. *General considerations*
 - d) *Adequate access to suitable feed and water should be ensured for **all animals in each pen.***





OIE CHAPTER 7.2. TRANSPORT OF ANIMALS BY SEA

7.2.5. Planning the journey

7. Space allowance
 - b) Each animal should be able to assume its natural position for transport ... When animals lie down, there should be **enough space for every animal to adopt a normal lying posture.**

ASEL STANDARD 5: ONBOARD MANAGEMENT OF LIVESTOCK

S5.5

All livestock on the vessel **must have access to adequate water** of a quality to maintain good health and suitable feed to satisfy their energy requirements, taking into consideration any particular needs of the livestock species, class and age.



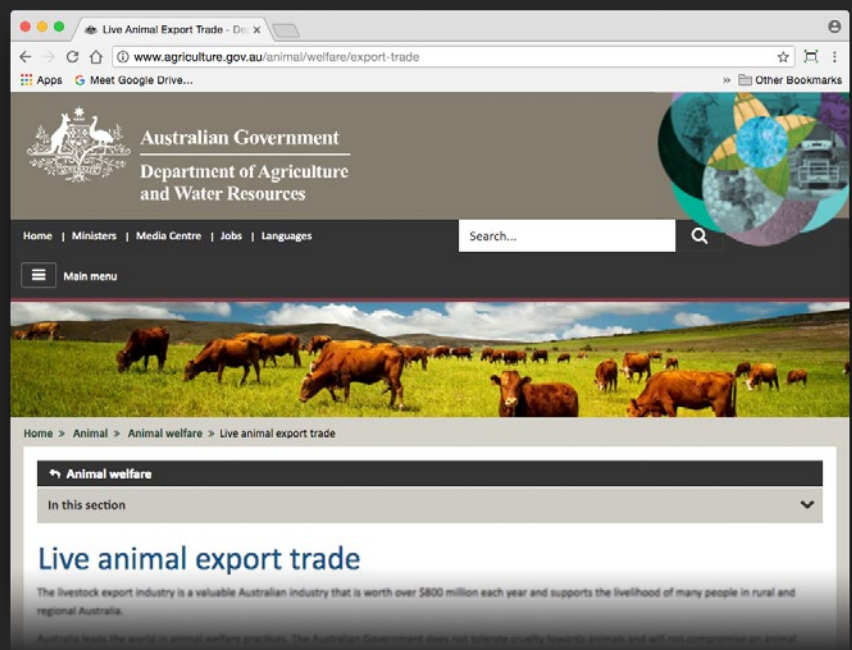






Each animal **must** have access to food and water **on demand** and enough space to **lie down**.

DAWR 'Live Animal Export Trade': <http://www.agriculture.gov.au/animal/welfare/export-trade>



Breaches of Australian and International standards:

EWES AND LAMBS



ASEL STANDARD 1: SOURCING AND ON-FARM PREPARATION OF LIVESTOCK



S1.11

Ewes with a weight of 40 kg or more and all does (goats) must only be sourced for export as slaughter and feeder animals if they have been pregnancy tested by ultrasound within 30 days of export and certified not to be pregnant, by written declaration, by a person able to demonstrate a suitable level of experience and skill.





OIE 7.2 TRANSPORT OF ANIMALS BY SEA.



7.2.7. Pre-journey period

3. Fitness to travel.

- c) Animals that are unfit to travel include but may not be limited to:
 - vii) pregnant animals which would be in the final 10% of their gestation period at the planned time of unloading.



ASEL STANDARD 1: SOURCING AND ON-FARM PREPARATION OF LIVESTOCK



S1.11

- (a) *all female Damara sheep breeds sourced as feeder or slaughter must be pregnancy tested within 30 days of export by ultrasound and certified not to be pregnant, by written declaration, by a person able to demonstrate a suitable level of experience and skill.*





“The birth of a lamb at sea usually leads to the **lamb dying from difficulty in finding the mother, infections from the environment, trampling by adult sheep in the crowded pens**, or they may be euthanased by the onboard vet to prevent the added complication of a shipment’s rejection and further suffering for the entire consignment.”

Former live export veterinarian, Dr Lynn Simpson

Breaches of Australian and International standards:

IMPACTS OF ROUGH SEAS

Anecdotal evidence suggests that the movement of ships causes **significant stress**. Stockpeople on the ships tell you that mortality rates increase and sheep suffer to a larger extent during high seas.

Welfare Pulse – NZ MAF publication. Issue 10 – March 2012 . Clive Phillips and Eduardo Santurtun, Centre for Animal Welfare and Ethics, University of Queensland





Ruminant livestock cannot vomit from their mouths, which is probably because of the large size of their rumen, but they can **experience 'internal vomiting'** which is the shunting of abomasal and duodenal contents towards the rumen. We therefore have no real reason to expect that they do not experience motion sickness in the same way as other mammals.

Welfare Pulse – NZ MAF publication. Issue 10 – March 2012. Clive Phillips and Eduardo Santurtun, Centre for Animal Welfare and Ethics, University of Queensland



There are three principal types of movement that sheep are subjected to on ships: roll (side to side), pitch (end to end) and heave (up and down). In addition, large waves may slam into the side of the vessel, moving the ship sideways.

Welfare Pulse – NZ MAF publication. Issue 10 – March 2012 . Clive Phillips and Eduardo Santurtun, Centre for Animal Welfare and Ethics, University of Queensland

Human health and the environment:

IMPACT ON CREW

There is no international training or competency requirement to work on a live export vessel. Many crew are trained on the job so they do not arrive with any knowledge of or training in livestock management or animal health, behaviour and safety.

On a daily basis, crew members are exposed to pathogens from sick and injured animals, often occurring in the form of conjunctivitis and infected sores and boils. In addition, there is the potential to contract other zoonotic diseases such as scabby mouth, ring worm and some strains of salmonella.

The time of highest heat for the animals is also a time of peak workload for the crew members.

During extreme heat, crew will also suffer from heat stress and ammonia toxicity. Symptoms include severe dehydration, muscle cramps, dizziness and fainting.

It is the lower ranking crew members who are tasked with the putrid job of removing dead and decomposing bodies, which also exposes them to risk of disease.

"I wish someone from IMO [International Maritime Organization] would accompany one of these voyages, especially in summer, and see if they approve of what these seafarers endure."

Former live export veterinarian, Dr Lynn Simpson



Human health and the environment:

ENVIRONMENTAL IMPACT

Waste storage tanks are very rarely used on live export ships. **Instead, dead bodies, urine and untreated faecal waste are dumped directly into the ocean.**

The average live export vessel carrying 70,000 sheep will accumulate approximately 126,000 litres of manure per day, dumping thousands of tonnes of sewage into the ocean over the duration of a 21 day voyage.

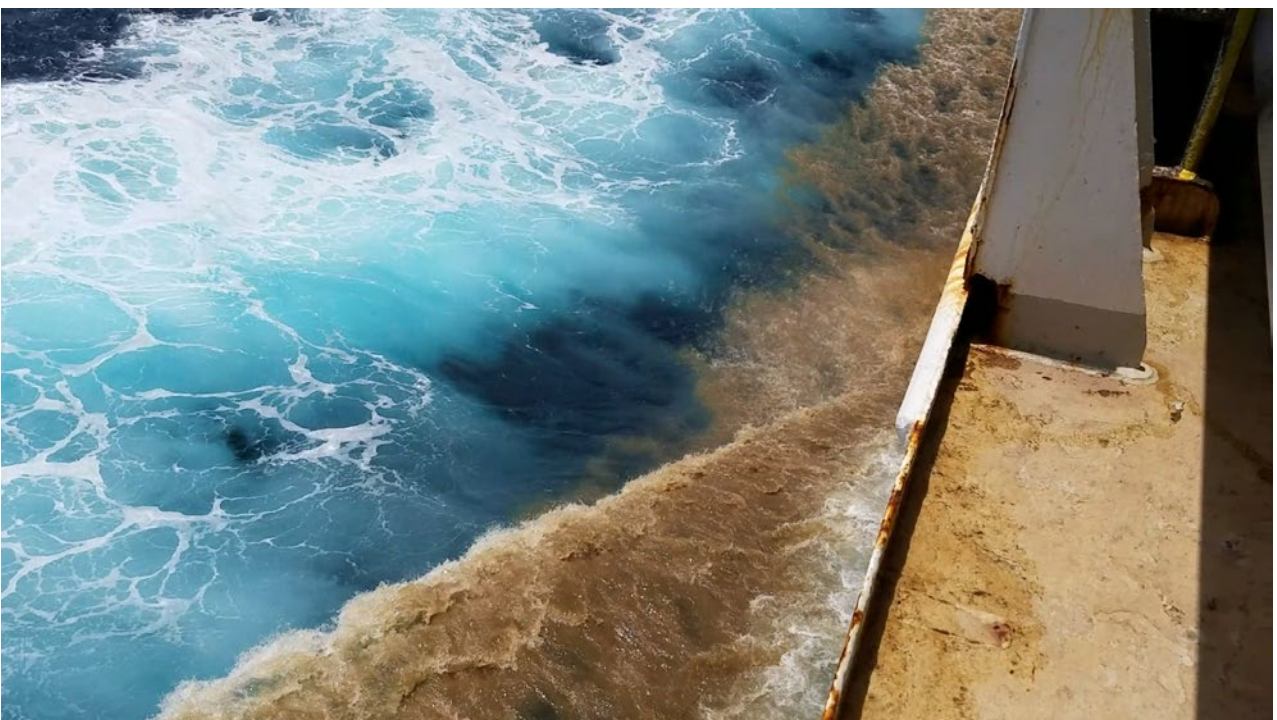
Dead sheep are primarily disposed of in two ways: as whole carcasses bagged then craned directly into the ocean; or as bone and blood after being passed through a maceration machine (or 'hogger').

The *International Convention for the Prevention of Pollution from Ships* dictates strict standards for the discharge of waste from livestock vessels. **Video evidence confirms breaches of these regulations.**

The effluent **shall not produce visible floating solids in, nor cause discoloration of the surrounding water.**

Annex IV-Regulations for the Prevention of Pollution by Sewage from Ships (MARPOL 73/78), Reg 8(1)(b)(ii)





CONCLUSION

Over the past four decades, over 3 million sheep have perished enroute to the Middle East.

The off-shore nature of the live export trade has **allowed exporters to operate without regulatory oversight despite the mortality statistics confirming the large-scale animal suffering** occurring on vessels.

The evidence provided from five routine sheep shipments to the Middle East during 2017 has **revealed wide-spread regulatory breaches** as well as the nature of the extensive and distressing animal suffering occurring on vessels.

In addition, the evidence reveals that export **permits being granted under the *Export Control (Animals) Orders (2004) for sheep shipments to the Middle East would be unlawful*** – in that exporters are not meeting the necessary standards required, and the travel arrangements on ships are not adequate for the health and welfare of the animals.

The live sheep trade to the Middle East is a small and diminishing trade increasingly being replaced by chilled and boxed meat exports to the region – now our largest importer of Australian sheep meat. However, for individual animals still exported live,

their suffering, especially during the Middle East summer months, is extreme.

The provision of this extensive evidence **requires the exporter and the live sheep trade to be fully investigated and examined in terms of regulatory non-compliance**, which includes breaches of Federal and State laws and World Organisation for Animal Health (OIE) guidelines.

In light of this new evidence, were the Secretary of the Federal Department of Agriculture and Water Resources to approve export permits to the Middle East during the May to October high heat stress period – he would effectively be **approving and facilitating breaches of Australian laws**.

In light of this new evidence, were DAWR to approve export permits to the Middle East during the May to October high heat stress period – they would effectively be approving and facilitating breaches of Australian laws.





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