

**Investigation at Kawartha Lakes Co-op  
Woodville, Ontario  
Saturday, April 21, 2011  
and  
Saturday, May 21, 2011**

**Location**

580 Woodville Road, R.R.3  
Woodville, ON K0M 2T0  
www.klcauction.ca

**Sale Schedule**

Regular sales every Saturday, 10 am – horses, cull cows, bulls, finished cattle, veal calves, bob veal, replacement and stocker cattle, bred cows, cows with calves, pigs, sheep, goats, poultry

**Observations**

April 21, 2011

**Condition of the hens for sale**

CETFA inspectors attended the auction and inspected the trailer of one of the poultry vendors (licence plate on truck: FZ5 566, pictured right).

The birds outside the trailer on the ground appeared in acceptable condition but none were provided food or water.

Inside the trailer were vastly overloaded transport crates holding poultry, stacked one on top of the another into 4' high columns. No food or water had been provided for any of the birds.

Many of the birds appeared to be in poor condition with heavy feather loss. Some of the birds also had foam in the corner of their eyes, laboured breathing and appeared to have respiratory problems.

A number of crates that had been set to the left inside the entry to the trailer held birds who appeared close to death (the birds' breathing was shallow, they were lying hunched up with their feathers raised and took virtually no notice of their surroundings). We were told these birds had been bought and were waiting to be picked up.



Trailer sick hens discovered in  
Licence plate: FZ5 566

April 21, 2011

**Observations continued**

CETFA inspectors negotiated the release of four hens. When the inspectors opened one of the transport crates to remove a sick hen, they noticed that a dead white leghorn had been left in with the live birds. The inspectors removed the dead bird from the crate, which freed up some space for the remaining birds.



The inspectors had difficulty removing another sick hen as her toe must have been protruding through the bottom of the transport crate when being stacked. A number of other full crates had then been loaded on top, trapping the hen and crushing her toe.



The third hen removed made loud rattling sounds, held her neck extended and breathed through an open beak.

The fourth removed hen, had eyes that were sealed and appeared sunken.

**Conditions under which poultry were transported**

CETFA inspectors observed the practice of how the birds were presented to buyers.

Dead chicken removed from crate

The birds were stuffed into large, mesh sacks without care for their fragile limbs or wings. Many of the birds were 'spent' laying hens and particularly fragile due to months of confinement in battery cages without exercise.

The bags holding the chickens were then thrown into the trunks of the buyers' cars.



Chickens stuffed into mesh bags to be transported from Kawartha Lakes Co-op



Four hens removed from Kawartha Lakes Co-op

When CETFA investigators closely inspected the four removed hens off-site they noticed that all had severe respiratory distress, sneezed, gasped and made rattling and hawking noises. The birds also had inflamed eye membranes and foaming in the corner of their eyes (pictured right). Possible causes for such symptoms include poor housing climate with E.coli, infectious bronchitis or Newcastle disease (*Poultry Signs: A Practical guide for bird focused poultry farming*, 2011).

The hens were split into pairs and brought to two different adoptive homes. Veterinarians were called for both pairs of birds. One veterinarian diagnosed an upper respiratory infection over the phone and prescribed a 5 day course of antibiotics via intramuscular injections into the chest of the birds, which CETFA inspectors and the rescuer administered.

For the second set of hens, a veterinarian attended and diagnosed the birds with the same condition, noting in addition that the hens “had lost approximately 50% of their feathers.” (see Appendix A)

The bird whose toe had been crushed by the column of transport crates was unable to bear weight on the affected foot. One bird also had a large edema to the right of her spine.

The hen with the sealed, sunken eyes eventually opened them when her hydration levels returned to normal.

Two of the birds have since recovered and are doing well, but two died suddenly after doing well for over a month. It is suspected that the birds died from sudden death syndrome.



Foaming in the eye of rescued hen  
Indicative of respiratory disease



Neck stretched out to breathe, rattling heard,  
sealed, sunken eyes

May 21, 2011

Conditions under which poultry were transported

CETFA inspectors returned to the auction to see if the handling of the birds documented one month prior was representative of general handling at the facility. The inspectors again documented the rough handling of hens thrown into mesh sacks to be carried and transported away from the sale.



Chickens being stuffed into mesh bags to be transported from Kawartha Lakes Co-op

Condition of the hens for sale

One bird was negotiated for at this sale – a hen who had been used for breeding purposes. The hen had sustained significant feather loss on her back from being repeatedly mounted by roosters.



Breeding hen - feather loss due to repeated matings

## Pertinent Regulations and Violations

### Provincial Regulations

#### 1. Livestock Community Sales Act

Unfortunately the *Livestock Community Sales Act* excludes poultry (see text excerpt below), yet birds constitute a sizable percentage of the animals at Ontario auctions. We urge the Ontario Ministry of Agriculture, Food and Rural Affairs (OMAFRA) to update the *Livestock Community Sales Act* to include all birds and poultry. As birds are as capable of experiencing pain and suffering as other animals, they should be afforded equal protection.

### **LIVESTOCK COMMUNITY SALES ACT**

1. In this Act,

"livestock" means **cattle, goats, horses, sheep or swine, or the young thereof**

#### 2. Animal Health Act

The new *Animal Health Act* should be used to control the presence of diseased animals such as the hens documented in this report at Ontario's livestock sales barns. According to the Act "*commercial operations that receive and handle animals for the purpose of sale*" do fall under the new regulations.

Through the use of this Act, OMAFRA inspectors could help prevent sick animals from being accepted at Ontario's livestock auctions and require that the owner provide medical treatment for those the auction has accepted.

### **ANIMAL HEALTH ACT, 2009**

#### **Purposes**

1. The purpose of this Act are to provide for,

- (a) the protection of animal health in Ontario;
- (b) the establishment of measures to assist in the prevention of, detection of, response to, control of and recovery from hazards associated with animals that may affect animal health or human health or both;
- (c) the regulation of activities related to animals that may affect animal health or human health or both; and
- (d) the enhancement of the safety of food and other products derived from animals that humans may consume or use.

According to **Quarantine orders 21. (1) and (2)** inspectors may quarantine, seize or detain birds or animals they deem a disease risk.

They may also:

- (h) direct the manner in which the owner or custodian of the animals is to provide input or care to the animals;
- (m) require the animal owner or custodian to provide or arrange for the provision of veterinary medical or other health related treatment for the animals in their possession or care;
- (p) require the owner or custodian of an animal to report to an inspector details of mortality or morbidity among animals at or in the premises or on or in the conveyance during the quarantine

## Pertinent Regulations and Violations continued

### Federal Regulations

The means of loading and transporting these sick birds from Kawartha Lakes Co-op is in violation of the *Health of Animals Act* in the following ways:

- 1) The birds were **health-compromised** to such an extent that the means with which they were handled and transported from the auction was likely to cause them undue suffering;
- 2) The **manner in which the birds were handled, loaded and transported** from the sale was likely to cause injury or undue suffering to them;
- 3) The birds were **overcrowded in the mesh sacks** to such an extent that it was likely to cause injury or undue suffering to them;
- 4) The birds were **transported in the overcrowded mesh sacks** which was likely to cause injury or undue suffering to them;
- 5) The birds were **unable to stand in their natural position in the overcrowded mesh sacs**; and
- 6) The birds in the overcrowded mesh sacs were **unable to be fed and watered without being removed and were unable to be inspected**.

### **HEALTH OF ANIMALS ACT PART XII - TRANSPORTATION OF ANIMALS**

#### **SICK, PREGNANT AND UNFIT ANIMALS**

**138.(2)** No person shall load or cause to be loaded on any railway car, motor vehicle, aircraft or vessel and no one shall transport or cause to be transported an animal

**(a)** that by reason of infirmity, illness, injury, fatigue or any other cause cannot be transported without undue suffering during the expected journey;

#### **LOADING AND UNLOADING EQUIPMENT**

**139.(2)** No person shall load or unload, or cause to be loaded or unloaded, an animal in a way likely to cause injury or undue suffering to it.

#### **PROHIBITION OF OVERCROWDING**

**140.(1)** No person shall load or cause to be loaded any animal in any railway car, motor vehicle, aircraft, vessel, crate or container if, by so loading, that railway car, motor vehicle, aircraft, vessel, crate or container is crowded to such an extent as to be likely to cause injury or undue suffering to any animal therein.

**(2)** No person shall transport or cause to be transported any animal in any railway car, motor vehicle, aircraft, vessel, crate or container that is crowded to such an extent as to be likely to cause injury or undue suffering to any animal therein.

**142.** No person shall transport or cause to be transported animals in a railway car, motor vehicle, aircraft or vessel unless

**(a)** each animal is able to stand in its natural position without coming into contact with a deck or roof

#### **CONTAINERS**

**144.(1)** No person shall load or transport or cause to be loaded or transported a container used in the transportation of animals unless the container is constructed and maintained so that

**(a)** animals therein may, where required, be fed and watered without being removed there from;

**(b)** animals therein may be readily inspected

## Recommendations

1. **Kawartha Lakes Co-op** must take appropriate measures to ensure it is in compliance with provincial animal health regulations and federal transport regulations. This means:

- sick, diseased or dead birds or animals must be segregated and tagged for OMAFRA inspection;
- mesh sacks must not be allowed for moving or transporting poultry;
- whatever the means of conveyance chosen (cardboard boxes, cages, crates etc), the birds must not be overloaded and must be able to stand in their natural position;
- all birds must be handled humanely, with particular care for those who are health-compromised; and
- while not included in the *Livestock Community Sales Act*, it is in the best interest of the auction to provide water for all birds on the premises.

2. **Ontario Ministry of Agriculture, Food and Rural Initiatives** must

- include birds (chickens, turkeys, ducks, geese, show birds, etc.) in the *Livestock Community Sales Act* as while not all Ontario auctions sell birds, those that do sell them in large quantities, therefore birds constitute a sizable percentage of the animals at Ontario auctions;
- enforce the *Animal Health Act* to prevent diseased animals from being brought to and accepted at Ontario's livestock sales barns, and ensure medical treatment or humane euthanasia for those who have been; and
- make the provision of water at auctions a requirement for all animals (including birds).

3. **Canadian Food Inspection Agency** must conduct an immediate investigation at Kawartha Lakes Co-op, enforce the *Health of Animals Act*, and issue sanctions for the violations that have been documented here.

Investigation report provided by:

Twyla Francois  
Head of Investigation  
Canadians for Ethical Treatment of Food Animals  
[www.cetfa.com](http://www.cetfa.com)

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APPENDIX A

**BROOKVILLE VETERINARY CLINIC**

11280 Guelph Line R.R.# 1 Campbellville, LOP 1BO Phone (905) 854-2216 Fax(905) 854-1169

April 28, 2011.

To Whom It May Concern;

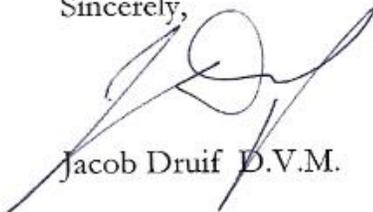
Re: 2 laying hens

Owned by [REDACTED]

The above hens were examined on April 4, 2011 on the premises owned by [REDACTED] Ontario. Both birds were in very thin condition, had lost approximately 50% of their feathers and were mouth breathing with nasal discharge. The clinical signs were consistent with an upper respiratory infection.

The birds were treated with an intramuscular injection of antibiotics and an oral water soluble antibiotic was dispensed for treatment.

Sincerely,



Jacob Druif D.V.M.