

**Third Session – Forty-Second Legislature**  
**of the**  
**Legislative Assembly of Manitoba**  
**Standing Committee**  
**on**  
**Agriculture and Food**

*Chairperson*  
*Mr. Dennis Smook*  
*Constituency of La Vérendrye*

**Vol. LXXV No. 1 - 6 p.m., Tuesday, April 20, 2021**

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**MANITOBA LEGISLATIVE ASSEMBLY**  
**Forty-Second Legislature**

<b>Member</b>	<b>Constituency</b>	<b>Political Affiliation</b>
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ALTOMARE, Nello	Transcona	NDP
ASAGWARA, Uzoma	Union Station	NDP
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**LEGISLATIVE ASSEMBLY OF MANITOBA**  
**THE STANDING COMMITTEE ON AGRICULTURE AND FOOD**

**Tuesday, April 20, 2021**

**TIME – 6 p.m.**

**LOCATION – Winnipeg, Manitoba**

**CHAIRPERSON – Mr. Dennis Smook**  
*(La Vérendrye)*

**VICE-CHAIRPERSON – Mr. Brad Michaleski**  
*(Dauphin)*

**ATTENDANCE – 6 QUORUM – 4**

*Members of the Committee present:*

*Hon. Ms. Clarke, Hon. Mr. Pedersen*

*Messrs. Brar, Michaleski, Sala, Smook*

**APPEARING:**

*Hon. Jon Gerrard, MLA for River Heights*

**PUBLIC PRESENTERS:**

*Bill 62 – The Animal Diseases Amendment Act*

*Ms. Stefanie Allard, private citizen*

*Ms. Jodi Lazare, private citizen*

*Ms. Miranda Desa, Last Chance for Animals*

*Ms. Kaitlyn Mitchell, Animal Justice*

*Ms. Tracy Groenewegen, private citizen*

*Ms. Jessica Scott-Reid, private citizen*

*Ms. Brittany Semeniuk, Winnipeg Humane Society*

*Ms. Shawn Kettner, private citizen*

*Ms. Sandra Currie, private citizen*

*Mr. Patrick Falconer, private citizen*

*Ms. Elizabeth McCandless, private citizen*

*Mr. Corey Feere, Manitoba Animal Save*

*Mr. Bill Campbell, Keystone Agricultural Producers*

*Mr. Cam Dahl, Manitoba Pork*

*Mr. Cory Rybuck, Manitoba Egg Farmers*

*Mr. Kurt Siemens, Siemens Farms Ltd.*

*Mr. Andrew Dickson, private citizen*

*Ms. Krista Krueger, private citizen*

*Ms. Kristin Lauhm-Jensen, private citizen*

*Ms. Christal Sudoski, private citizen*

*Ms. Carmen Asu, private citizen*

*Ms. Debbie Wall, private citizen*

*Mr. Tyler Fulton, Manitoba Beef Producers*

*Ms. Janice Pennington, private citizen*

*Ms. Accalia Robertson, private citizen*

*Mr. Justin Reineke, private citizen*

*Mr. David Wiens, Dairy Farmers of Manitoba*

*Bill 36 – The Public Health Amendment Act*  
*(Food Safety and Other Amendments)*

*Mr. Phil Veldhuis, Direct Farm Manitoba*

**WRITTEN SUBMISSIONS:**

*Bill 62 – The Animal Diseases Amendment Act*

*Brandi Vezina, private citizen*

*Ashoke Dasgupta, private citizen*

*Kristy Carroll, private citizen*

*Michael Prout, private citizen*

*Ann Walker, private citizen*

*Eugene Szach, private citizen*

*Danae Tonge, private citizen*

*Bonnie Brandt, private citizen*

*Ashley Chihonik, private citizen*

*Robert Driedger, private citizen*

*Larry Palmquist, private citizen*

*Julie Lafreniere, private citizen*

*Victoria Caldwell, private citizen*

*Shari Lee Block, private citizen*

*Scott Tinney, Canadian Coalition for Farm Animals*

*Lynn Kavanagh, World Animal Protection*

**MATTERS UNDER CONSIDERATION:**

*Bill 36 – The Public Health Amendment Act*  
*(Food Safety and Other Amendments)*

*Bill 62 – The Animal Diseases Amendment Act*

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**Clerk Assistant (Ms. Katerina Tefft):** Good evening. Will the Standing Committee on Agriculture and Food please come to order.

Our first item of business is the election of a Chairperson.

Are there any nominations?

**Hon. Blaine Pedersen (Minister of Agriculture and Resource Development):** I nominate Mr. Smook.

**Clerk Assistant:** Mr. Smook has been nominated.

Are there any other nominations?

Hearing no other nominations, Mr. Smook, will you please take the Chair.

**Mr. Chairperson:** Our next item of business is the election of a Vice-Chairperson.

Are there any nominations?

**Mr. Pedersen:** I nominate Mr. Michaleski, please.

**Mr. Chairperson:** Mr. Michaleski has been nominated.

Are there any other nominations?

Hearing no other nominations, Mr. Michaleski is elected Vice-Chairperson.

This meeting has been called to consider the following bills: Bill 36, The Public Health Amendment Act (Food Safety and Other Amendments); Bill 62, The Animal Diseases Amendment Act.

I would like to inform all in attendance of the provisions in our rules regarding the hour of adjournment. A standing committee meeting to consider a bill must not sit past midnight to hear public presentations or to consider clause-by-clause of a bill except by unanimous consent of the committee. If necessary, the Government House Leader (Mr. Goertzen) will call an additional meeting of the Standing Committee on Agriculture and Food to complete the business before it.

Written submissions from the following people have been received and distributed to committee members: Brandi Vezina, private citizen; Ashoke Dasgupta, private citizen; Kristy Carroll, private citizen; Michael Pout [*phonetic*], private citizen; Ann Walker, private citizen; Eugene Szach, private citizen; Danae Tonge, private citizen; Bonnie Brandt, private citizen; Ashley Chihonik, private citizen; Robert Driedger, private citizen; Larry Palmquist, private citizen; Julie Lafreniere, private citizen; Victoria Caldwell, private citizen; Sharon [*phonetic*] Lee Block, private citizen; Scott Tinney, Canadian Coalition for Farm Animals.

Does the committee agree to have these documents appear in the Hansard transcript of this meeting? [*Agreed*]

Public presentations guidelines: Prior to proceeding with public presentations, I would like to advise members of the public regarding the process for speaking in committee. In accordance with our rules, a time limit of 10 minutes has been allotted for presentations, with another five minutes allowed for questions from committee members. If a presenter is not present when their name is called, they will be

dropped to the bottom of the list. If the presenter is not in attendance when their name is called a second time, they will be removed from the presenters' list.

The proceedings of our meetings are recorded in order to provide a verbatim transcript. Each time someone wishes to speak, whether it be an MLA or a presenter, I first have to say that person's name. This is the signal for the Hansard recorder to turn the mics on and off.

Also, if any presenter has written materials for distribution to the committee, please send the file by email to the moderator, who will distribute it to all committee members.

Thank you for your patience.

We will now proceed with public presentation.

We have a presenter this evening who wished—wishes to speak in French, Stefanie Allard. Our usual practice is to allow presenters speaking in French to go first.

Is this the will of the committee, to allow Stefanie Allard to present first? [*Agreed*]

We have another request from presenter Jodie Lazare, who joins us from Nova Scotia. She has requested that she be allowed to present near the beginning of the meeting, as she is a few hours ahead of us.

Is it the will of the committee to allow Jodi Lazare to present next, after Stefanie Allard? [*Agreed*]

### **Bill 62—The Animal Diseases Amendment Act**

**Mr. Chairperson:** I will now call on Stefanie Allard, and ask the moderator to invite them into the meeting.

Please unmute yourself and turn your video on.

**Floor Comment:** Bonjour. Je m'appelle Stefanie Allard.

**Mr. Chairperson:** Ms. Allard, could you please turn your video on?

Ms. Allard, you may proceed with your presentation

**Ms. Stefanie Allard (Private Citizen):** Bonjour. Je m'appelle Stefanie Allard et je me présente comme citoyenne indépendante de Winnipeg, Manitoba. Et puis, je veux vous parler ce soir, je veux prendre la parole au sujet Projet de loi 62 qui est un projet de loi sur le bâillon agricole—ou ag gag.

Je m'oppose à cette dangereuse loi qui est de type ag gag pour silencer les citoyens, car l'objectif de la loi sur les—porte sur les maladies animales pour prévenir les épidémies dans les exploitations agricoles. Cependant, cette loi va bien au-delà de cet objectif en empêchant les gens de documenter la souffrance des animaux dans les camions de transport et en refroidissant la défense des animaux.

Une loi de bâillon agricole est conçue pour rendre illégal le fait de—des citoyens—les citoyens concernés de documenter, de dénoncer les conditions dans les fermes, les abattoirs et les camions transportant les animaux. Certaines de ces lois érigent en infraction le fait de pénétrer dans une installation agricole sous de faux prétextes, rendant ainsi illégale la réalisation d'enquête sous couverture dans ces installations.

En raison du potentiel du projet de loi de restreindre les activités de protestation pacifistes et d'avoir un impact sur les droits des individus à la liberté d'expression, il y a même jusqu'à dix professeurs qui ont averti que cette loi viole probablement la Charte canadienne des droits et des libertés.

Les pratiques cruelles, y compris la macération de poussins vivants, la détention de porcs gravides dans des caisses de gestation si petites qu'ils ne peuvent même pas se retourner et la détention de poules pondeuses dans de minuscules cages en batterie si petites qu'elles ne peuvent pas se déplacer et déployer leurs ailes; c'est cruel et c'est inacceptable.

Je veux aussi vous dire que—juste il y a pas longtemps, je conduisais sur l'autoroute en revenant du chalet, et puis je conduisais juste en arrière d'un camion transportant des dindons. C'était une—c'était juste avant Noël, la température était gelante' dehors—donc je crois qu'il faisait comme moins 30 ou quelque chose—et ces cages étaient ouvertes, j'avais des larmes aux yeux. C'était déployable de voir ces dindons dans ces conditions.

\* (18:10)

Je crois qu'on devrait faire plus pour protéger les animaux. J'ai aussi—je veux aussi vous laisser savoir que j'ai vécu en Corée du Sud pendant plus de deux ans et je fréquentais un café internet et juste à côté, on voyait une ferme qui élevait des—d'élevage the chiens. Donc, ils élevaient ces chiens pour de la nourriture et c'était déployable la façon donc ils étaient et les conditions où ils étaient traités.

C'est la même chose dans différents pays; ils ont—c'est—pour nous, nos animaux domestiques—comme

les chiens, les chats, et cetera—on penserait, on laisserait jamais ces conditions être appliqués à nos chiens, nos chats. Mais dans des différents pays autour du monde, c'est—les chiens, c'est la même chose que les porcs ou que les poulets.

Aussi, on a démontré très clairement que les animaux, c'est des êtres. C'est des êtres vivants, c'est des êtres qui ont des émotions et ils sont capables de démontrer de l'amour, de la peur et d'être contents, être excités, être fâchés; ils ont toute une gamme d'émotions, et j'ai beaucoup d'empathie pour les gens qui veulent protéger ces animaux.

Les Manitobains, y inclus les Franco-manitobains comme moi-même, on se soucie beaucoup de la protection des animaux, y compris les animaux élevés et abattus pour l'alimentation. Les animaux peuvent être transportés pour plus de 24 heures sans être donné de l'eau, de la nourriture ou être—avoir de repos. Donc je crois que les conditions qui sont allouées en ce moment ne sont pas bien, ne sont pas constitutionnellement pour une société qui se dit évoluée.

Les particeps—les personnes qui participent à des manifestations paisibles devant les abattoirs documentent régulièrement les conditions épouvantables qui règnent à l'intérieur des camions transportant les animaux vers l'abattoir. Notamment, les blessures sanglantes des animaux souffrant d'épuisement dû à des conditions incroyables comme le froid extrême ou la chaleur extrême, tout entassés l'un par-dessus l'autre. Je l'ai vu moi-même et je crois que la plupart des gens, si on voyait ces conditions, je crois qu'on voudrait avoir des lois qui sont plus strictes et c'est très important d'être transparent.

Donc la transparence, c'est important pour qu'on ait une société qui respecte les lois et—de la Charte canadienne des droits et libertés.

Donc merci beaucoup. C'est ce que j'avais à dire et bonne soirée.

### **Translation**

*Hello, my name is Stefanie Allard, independent citizen from Winnipeg, Manitoba. Tonight I would like to talk about Bill 62, which is a bill on ag gag.*

*I am opposed to this dangerous law, which is an ag-gag type to silence citizens, because the goal of the law regards animal diseases to prevent epidemics, but this law goes way further by preventing people from documenting the suffering of animals in transport trucks and by slowing down the defence of animals.*

*An ag-gag law is created to make illegal—to make documenting farm conditions, slaughterhouses and trucks transporting animals illegal. Some of these laws penalize the fact of entering an agricultural infrastructure illegally.*

*Given the potential of the bill to restrain the pacifist—there are even 10—up to 10 professors who warn that this act infringes in fact on the Charter of Rights and Freedoms of Canada.*

*Cruel practices, including the killing of live chicks and closing up animals in very small gestational pods, keeping them in minuscule cages so that they can't even move around, they can't even spread their wings; it is cruel and it is unacceptable.*

*I also want to tell you that a little while ago, I was driving on the road—I was coming back from the cabin—I was right behind a truck that was transporting some turkeys. It was just before Christmas, the temperature was absolutely freezing outside—I think it was like minus 30 or something like that—those cages, they were open. I was crying, it was absolutely despicable to see those turkeys in these particular conditions.*

*I think that we need to do more to protect animals. I also want you to know that I lived in South Korea for more than two years and I used to go to an Internet cafe and just beside it, you could see a farm where dogs were being bred for food. And it was absolutely despicable the way those animals were being treated and housed.*

*And I mean it is the same thing all over the world in various countries. For us, pets like dogs and cats, you would think that we would never leave them in such conditions. And the conditions that they have in those countries, we don't want them for our pets. But in those countries, you know, dogs are just like pigs or chickens.*

*It was also clearly demonstrated that animals are beings; they are living beings. They have emotions, they can show love, fear; they can show they're happy, they can show they're excited, that they're angry. They have a whole range of emotions.*

*I have a lot of empathy for people who want to protect these animals. Manitobans, including Franco-Manitobans such as myself are very concerned by animal protection, including animals that are raised and killed for food. Animals can be transported for more than 24 hours without being given water, food or any kind of rest. So I think that the conditions that are discussed right now—those conditions are not*

*good right now; they're not constitutionally good for a society that calls itself evolved.*

*People who go into pacific protests so that they can protest those horrible conditions of the animals that are being transported in trucks; those people who protest all the animals that are being wounded, they have bleeding wounds, they are subjected to excruciation conditions like extreme cold or extreme heat, they're completely packed one on top of the other. I have seen this myself and I think that most people, if they saw these conditions, they would want to see acts that are more sensitive. And I think it is very important that we be transparent.*

*Transparency is important so that we may have a society that respects the law and the rights the Canadian Charter of Rights and Freedoms.*

*Thank you very much. This is what I had to say, and good evening.*

**Mr. Chairperson:** Thank you for your presentation, Ms. Allard.

**Hon. Blaine Pedersen (Minister of Agriculture and Resource Development):** Thank you, Ms. Allard, for your presentation; certainly heard what you have to say and, Mr. Chairman, I have no questions for her.

**Mr. Chairperson:** Are there any other questions?

**Mr. Diljeet Brar (Burrows):** Thank you, Ms. Allard. I really appreciate you taking time to share your thoughts with us.

Just wondering how do you look at the role of education and training for the general citizens and the producers to handle this situation in this society?

**Mr. Chairperson:** Ms. Allard, did you have any response to—

**Ms. Allard:** Je crois que, pour moi, je vois la loi qui est plus stricte; donc en respectant la vie des êtres vivants qu'on élève pour la consommation, je crois que c'est très important de—d'avoir des règlements qui sont extrêmement stricts pour que la souffrance et leur vies soient respectées.

Je crois que c'est important qu'on éduque la population des—que en fait la consommation, c'est documenté, c'est des faits scientifiques que la consommation de la viande, en fait ça nuit à notre santé physique et—donc c'est—ce serait important que si nous voulons—je comprends qu'il y a des fermiers, il y a des fermes qui—il y a des opérations, ça fait partie de notre économie, mais on peut élever le coût de la viande pour augmenter le niveau de règlements et de—pour

faire certain que on fait ça d'une façon éthique et d'une façon qui est bien pour tout le monde; notre santé et la santé des animaux.

**Translation**

*I think that, for me, I see the act as stricter; so by respecting life of living beings that we breed for consumption, I think that it's very important to have laws that are extremely strict so that suffering and their lives be respected.*

*I believe that it's important that we educate the public, that consumption be documented. It's scientific facts—it's a scientific fact that meat consumption is not good for our health, our physical health. So it would be important that if we understand that there are farmers and farms that have operations, it's a part of our economy, but we can raise the cost of meat to increase the level of the laws to make sure that we're doing this in an ethical way and in a way that is good for everyone; for our health and the health of animals.*

**Mr. Chairperson:** Are there any further questions from the committee members?

**Hon. Jon Gerrard (River Heights):** Merci pour votre présentation, Mme. Allard.

Je vous demande—vous avez dit que cet projet de loi c'est contre la constitution et c'est à cause qu'il est contre le droit de rassembler, la liberté de réunion. Est-ce que c'est pour cette raison?

**Translation**

*Thank you for your presentation, Ms. Allard.*

*I'm going to ask you, you said that this bill is contrary to the constitution, and it's because it's against the right of assembly and the right of reunions; for that reason?*

**Mr. Chairperson:** Ms. Allard, do you have a response?

**Ms. Allard:** Oui, ça c'est une des raisons: pour le rassemblement. Et aussi, il y a eu des citoyens qui—concernés qui se souciaient du bien-être des—les animaux qui souffraient étaient presque morts; c'est documenté que même avec—il y a des—je crois que c'est deux millions d'animaux qui se font tués juste en se faisant transportés jusqu'à l'abattoir.

Et aussi, c'était pour dire que les personnes qui ont du souci pour les animaux peuvent donner de l'eau, de la nourriture à ces animaux qui sont souffrants; que c'est pas—ça devrait pas être illégal, qu'il devrait pas avoir une infraction de 10 000\$ et puis d'un an de

peine en prison, qui est contraire à les lois qui mettent seulement les gens qui font mal aux animaux de toute cruauté jusqu'à seulement six mois de prison. Donc c'est pas comparable. Il y a des gens qui donnent de l'eau, donnent de la nourriture—

**Translation**

*Yes this is one of the reasons: for gatherings. And also there are been citizens—concerned citizens that were worried about the well-being of the animals that were suffering; they were almost dead. It's been documented that—I think it's about two million animals that are being killed, that are dying during transport to the slaughterhouses.*

*And I also wanted to say that people that worry about the animals can give water or food to these animals that are suffering, and it shouldn't be illegal. There shouldn't be a \$10,000 fine and a one-year imprisonment sanction, because this is contrary to—allows the people that are being cruel to animals. Because people that are being cruel to animals only get six months in jail, so people that give food or water—*

**Mr. Chairperson:** Ms. Allard, your time has expired. [interjection] Ms. Allard, your time for questions has expired. [interjection]

Time for questions has expired. We thank you for your presentation. We will now move on to our next presenter.

We will move on to Jodi Lazare. I will now call on Jodi Lazare and ask the moderator to invite them into the meeting.

Please unmute yourself and turn your video on, Jodi.

\* (18:20)

**Floor Comment:** Yes, hi. Can you see me?

**Mr. Chairperson:** Yes. Jodi Lazare, please proceed with your presentation when you are ready.

**Ms. Jodi Lazare (Private Citizen):** My name is Dr. Jodi Lazare. I am an assistant professor at the Schulich School of Law at Dalhousie in Halifax, and I'm here today to share with you my expertise in Canadian constitutional law, which I have been teaching at Dalhousie since 2014. I've also been teaching a seminar since 2017, called Animals and the Law, and I've also been doing research funded by the social sciences and humanities council of Canada on the constitutional dimensions of animal rights activism, the question of constitutionally protected speech

and the impacts of this kind of legislation across Canada.

I'm here specifically, quite frankly, because I'm concerned, as we've just heard, that Manitoba might be on the verge of adopting an unconstitutional law. I recently signed a letter to this effect, and I want to use my time here to flesh out some of my concerns.

I'm going to focus on two specific provisions of the proposed bill, both related to transport, and I will start with section 13.2(1) and the prohibition on interfering with a vehicle transporting animals.

It's quite clear, of course, who this is targeting: animal rights activists who gather outside of slaughterhouses and carry out what they call vigils by bearing witness to farmed animals during the last moments of their lives. So this looks to me like a direct restriction on the Charter right, as we just heard, to assemble peacefully in public spaces. It is telling people that they cannot carry out these activities.

Now I understand that this kind of activity or this kind of protest, like many peaceful protests in public places, may be inconvenient. Certainly, that is the objective, of course, of protests and dissent, but it is a right guaranteed by section 2(c) of the Charter and all limits on its exercise must be justified by the government.

An interesting thing about freedom of peaceful assembly is that it has really not been the subject of much judicial interpretation, which is why I won't say much more about it, but I think the reason that there is so little relevant discussion in the case law is because the provision is clear. Everyone in Canada has the right to peacefully protest and limits on that right have not, to my knowledge, been justified, at least not at the Supreme Court of Canada.

I'll turn to the next provision: section 13.2(2). And that's the prohibition on interfering or interacting with an animal in transport, which raises a couple of concerns for me.

So, first, it's not entirely clear what it means to interact with an animal. You know, is making eye contact interaction? What about taking photographs? You know, of course, the context is different, obviously, but when I think about having my photograph taken, I certainly consider that as involving some kind of interaction with the photographer. And if taking photos—essential part of bearing witness—if that is not interacting, what if the animal moves and makes contact with the lens or the phone or the hand of the person taking the picture? I think that's probably

an interaction. And what about talking to the animals? Again, is that interaction?

So I don't think the legislation is entirely clear on this, and that lack of clarity, I think, presents some rule-of-law issues. You know, the rule of law is, of course, a central feature of our constitutional democracy and it requires that laws be public and knowable, that people know in advance what they are allowed and not allowed to do. And I'm not sure that this law fulfills that requirement.

Definitions aside, I think that this provision might also conflict with the, of course, again, the right to a peaceful assembly, but also I would argue that it limits freedom of expression. People who protest outside of slaughterhouses, who approach transport trucks with animals on them are carrying out a particular expressive activity. As I mentioned, they are bearing witness to the final moments of animals' lives, attempting to bring them some kind of comfort and documenting and sharing what they see with members of the public. And the law here tells them that they cannot do that, that they cannot express themselves in a particular way.

The Supreme Court of Canada has explained that there are three reasons that the constitution or the Charter protects freedom of expression. First, to promote the pursuit of truth, and Canadian legal scholars describe bearing witness and these activities as an exercise in truth telling and information sharing. So, bearing witness and these types of gatherings are about stimulating criticism of the food system and catalysing change among consumers of animal products. And sure, producers and members of the industry understandably might disagree with that message, but people nevertheless have a right to share it and consumers and the general public have a corresponding right to hear it.

Second, bearing witness is also political speech. It aims, again, to spread awareness about the law and regulation dealing with animal agriculture in Canada and, specifically, the federal regulations governing the transportation of farmed animals. I'm not going to get into the specifics of those regulations—we've heard a little bit already, and I suspect you'll hear more about that tonight. What I will say is that former lead vet with the CFIA, which, of course, sets the maximum transport time, has come out clearly saying that Canada has the worst animal transport regulations amongst developed nations.

Finally, the kind of advocacy targeted here prevents individuals from promoting individual



self-fulfillment and human flourishing, which is the third purpose of freedom of expression. Many of the people involved in these activities see this as an expression of their deep-seated, strongly held ethical beliefs about the ways that we interact with animals in the context of animal agriculture.

I'm about halfway through my time, so I'm just going to say one last thing about the limits themselves before I talk briefly about the government's burden of justification, and that's that this is political activism, truth seeking and information sharing. American courts have recognized that that is—that this is a proper subject for public debate. It's what I would characterize as high-value speech, which is a phrase I'm borrowing from the literature on freedom of expression in Canada about the Supreme Court saying on multiple occasions that political speech lies at the heart of freedom of expression. In practical terms, that means that restrictions on speech should be difficult—on this kind of speech—should be difficult for the government to justify. And that will be my final point.

I'm sure that the members of the committee all know that examining legislation for compliance with the Charter is a two-step process. When challenging a law, an individual must first show that a right is limited, and I've taken you through my thinking on that. Next, the onus shifts to the government to show, using concrete evidence, that the limit is reasonable and demonstrably justified in a free and democratic society. Those are the words of section 1 of the Charter. And my concern here is that, respectfully, these limits may not be justifiable, because to my knowledge, there is simply no evidence demonstrating any kind of connection between the activities of activists outside of slaughterhouses and the safety of farmed animals and the food system.

People bearing witness to animals in transport do not give them food, and while they do sometimes give them water when they are in visible distress, there is still no evidence that that carries any kind of risk to animal safety, food safety or biosecurity. In fact, as I'm sure many people here know, in one of the few judicial pronouncements on this kind of activity, an Ontario judge a few years ago rejected the suggestion that giving a thirsty pig on a truck water on a hot day posed any kind of risk at all to the animal or to the food system. The pig was off-loaded and processed as usual, and the accused in that case was, of course, acquitted because giving water to a thirsty animal does not interfere with the legal use of that animal or, as her supporters would put it, because compassion is not a crime.

And then, finally, on a similar note, regarding that same absence of connection between activism and risks to biosecurity, just last month, another Superior Court judge in Ontario rejected the argument that documenting video footage of farmed animals—in that case, mink—had any effect at all on biosecurity, animal safety or farmer safety. In that case, the objective of the accused was very similar to that of members of the save movement to publicize the condition of farmed animals, and he, like the accused in the pig trial, was acquitted, because taking photos or videos did not result in any harm to anyone.

So what this means in constitutional terms is that there is no rational connection under section 1 of the Charter between prohibiting the constitutionally protected activities of activists on roads, outside of slaughterhouses, and the objective of protecting food safety. And that is enough in my view and according to my understanding for the law to fail a Charter challenge.

I will stop here, and I'm happy to take questions.

Thank you so much for your time.

**Mr. Chairperson:** Thank you for your presentation, Ms. Lazare.

The floor is now open for questions.

**Mr. Pedersen:** Thank you, Ms. Lazare, for your presentation. Welcome, to Nova Scotia. We're one of the few legislatures that actually have public hearings, so glad that you were able to present here.

And I have no questions, Mr. Chair.

**Mr. Chairperson:** Thank you.

Do any other committee—the honourable Mr. Brar.

**Mr. Brar:** Just wanted to say thank you, Jodi, for your research and information that you shared with us. Really appreciate it. Thanks.

\* (18:30)

**Mr. Chairperson:** Ms. Lazare, did you have any response to Mr. Brar?

**Ms. Lazare:** Hot damn. I'm glad that people are interested.

**Mr. Adrien Sala (St. James):** Thank you so much, Dr. Lazare, for making time to present to the committee tonight. Great to hear your words and what you've shared.

My question to you is: how do you fear a law like Bill 62 could possibly be abused, or how do you feel like it—what are the impacts of a bill like this once it's passed?

**Ms. Lazare:** Yes. I mean, in terms of abuse, I think it's—even if a judge were to find parts of it constitutional, which I am skeptical about, it still has an extremely chilling effect on activism.

We've seen the impacts in Ontario. You know, Ontario just adopted a very similar bill with very similar transportation provisions, although it's not as specific in terms of, like, food and water. But the result of that is that activists, members of the save movement and groups like them, no longer feel comfortable carrying out their constitutionally protected right to gather and to express themselves freely. So, you know, that is, of course, at the grounds or at the heart of the—or, one aspect of the constitutional challenge that has just been launched against the Ontario government.

So, I mean, in terms of abuse, I would say sort of intimidation on the part of the authorities and a chilling effect on activism and political and democratic speech. In terms of impacts, the same. You know, not only does it chill speech, but it also prevents the public from seeing what a federal court judge has called—has characterized as part of the right to freedom of expression. In a recent case, a federal court of Canada judge said that the right to make ethical choices about food consumption and about—and the right to know about how your food is produced is protected by freedom of expression as well as freedom of conscience.

So, that is one impact, and it's a quite serious one if people are not—are prohibited from learning about how their food is produced and how agricultural farmed animals are transported to slaughter throughout the country and in Manitoba, of course, as well.

**Mr. Chairperson:** Are there any further questions for Ms. Lazare?

**Mr. Gerrard:** Yes.

The right of freedom of assembly, does that include the right to impede or block the progress of the truck on its way to wherever its going?

**Ms. Lazare:** Sure. Like I said, there's very little traditional interpretation of section 2(c) of the Charter, so I can't give you a judicial answer to that. What I can say is that that's what I understand kind of protest activities to be.

You know, you picture large demonstrations and they're—sure, they're inconvenient, but they—the police and authorities, they all understand that Canadians have the right to do that kind of thing, and in many cases, they'll assist them or support them in doing that by blocking roads, by diverting traffic, you know, whatever it is.

And there's really no other explanation for that kind of support on the part of law enforcement other than a respect for constitutional rights.

**Mr. Chairperson:** Are there any further questions for Ms. Lazare?

Seeing none, thank you for your presentation and we will move on to the next presenter.

**Bill 36—The Public Health Amendment Act  
(Food Safety and Other Amendments)**  
*(Continued)*

**Mr. Chairperson:** We will now move back to Bill 36. There's a presenter from Bill 36.

I will now call on Phillip Veldhuis and ask the moderator to invite them into the meeting. Please unmute yourself and turn your video on.

Mr. Veldhuis, can you hear us?

**Mr. Phil Veldhuis (Direct Farm Manitoba):** Yes, I can.

**Mr. Chairperson:** You may proceed with your presentation when you are ready.

**Mr. Veldhuis:** So, I'm speaking to Bill 36, and my name is Phil Veldhuis, and I'm president of Direct Farm Manitoba. Direct Farm Manitoba is the association of farms and farmers' markets that sell directly to Manitoba consumers.

Our association takes our marching orders from a report and a process initiated some years ago with a report ultimately written by Dr. Wayne Lees called advancing the small scale sector, and that has a number of recommendations pertinent to this bill.

I'd like to speak first to section 32(2), which denies the producer of a food product the opportunity to appeal should a food inspector have reasonable—reason to believe that the food might present a hazard. And I certainly understand why the government doesn't want to be held—the responsibility of holding that food in safe and certain conditions. And so it might at first seem reasonable to not have this right to appeal to further return of the product. At the same time, this means that the producer doesn't have any

legal mechanism to address, perhaps, disagreement about whether the concerns of the inspector were in—were reasonable or not.

And so we recommend to the committee that they consider at least the requirement that the inspector be required to preserve samples and evidence and have some mechanism by which a producer could follow up with the food inspection—with Manitoba Health to find out if the opinion of the inspector could be upheld upon—whether it be an informal appeal process or a legal appeal.

This bill revision also, while in general, I think, is—steps forward for our producers who very much want the food system to be simple and manageable. One of the changes is recommending adding the word gathering to the, sort of, food establishments, and that would seem to include, I would think, on any reasonable interpretation, all harvest activities. And so that would, I would think, include all farms and I think that the committee should consider whether that might be overreach. Are they prepared to inspect grain storage as—and grain harvesting as matters under this bill? I—so I recommend that you review that definition.

I also want to bring your attention to some things that are perhaps not here that should be. The roles of Manitoba Agriculture and Manitoba Health continue to be confusing to our producers: the general understanding that Manitoba Ag is responsible for the inspection of farm-facing food production, and Manitoba Health is responsible for public-facing establishments. This is very confusing to a farm that is both, and I don't see the sorts of clarifications in this revision that would help with that.

I also don't see clarifications on things like online sales, online collaboration of farms who might be participating in exempt status, how they are going to be regulated if they collaborate with other—with online platforms or with a farmers' market that's operating online.

We continue to advocate for scale-appropriate regulations. Our farms and our members tend to be smaller operations who do not have multiple operators on site at all time. I know on my own farm, a number of the food safety protocols that I am required to follow require double-signature processes. I'm a one-man show. And so, you know, making sure that, as we build into the future with these food regulations, that we allow for small operators to be compliant and without the large burden of compliance that is, quite frankly, a large-scaled operation can afford but a small one cannot.

\* (18:40)

Many of the existing food safety programs are designed for farms that are producing a very large amount of a very small number of products. And the kind of farm that our association represents tends to be a very diverse farm reaching right into the marketplace with a broad spectrum of farm food products. And the kinds of food safety programs that are going to suit those farms cannot be based on segregation of one food product from another. You can't say the way to make this farm safe is to have only chickens and nothing else, or only vegetables and nothing else. These farms want to be diverse. And so I recommend that you consider in your deliberations the complexity of a small, diverse farm operation.

As we work forward, the important aspects of much of this work will be through the regulations that are imposed under this bill, and I look forward to opportunities to consult with this committee and the minister and Manitoba Health and Manitoba Agriculture as those regulations are further refined.

Thank you very much for your attention today.

**Mr. Chairperson:** Thank you for your presentation, Mr. Veldhuis.

Floor is now open for questions.

**Hon. Blaine Pedersen (Minister of Agriculture and Resource Development):** Thank you, Phil, for your presentation, and I know our department has been in contact with Direct Farm Manitoba. And also I have staff listening in on this tonight, so we will certainly take your perspectives into account and—on further deliberation of the bill, and also in regulations we will be consulting with you also.

So, thank you again for your presentation.

**Mr. Chairperson:** Mr. Veldhuis, did you have response?

**Mr. Veldhuis:** No.

**Mr. Diljeet Brar (Burrows):** Thank you, Phil, for your presentation, and I just wanted to offer an applause for all the Direct Farm Manitoba members because I understand how much—hard did you work for Manitobans during the pandemic, for example, offering online ordering and stuff. So, thank you for that, one and all, all the small producers in Manitoba.

My question to you is: what are your top two asks from the government of Manitoba for improving food safety at farmers' markets in Manitoba?

**Mr. Veldhuis:** Top two—thank you—top two asks for improving food safety? We've repeatedly asked a number of governments over the years for farm-fresh eggs to be at farmers' markets, and that continues to be our No. 1 priority, so much so that I'm not sure I could even come up with a No. 2 offhand.

We—there's farms in Manitoba that can sell an egg at their farm, they can sell it at your door, but they cannot sell it at a farmers' market. And so that seems to be a gap in the regulatory structure. It's the same egg in all three places, and other provinces allow this. And so we—that is—access to eggs at farmers' markets would mean more customers would attend more regularly and would improve access for all.

**Mr. Chairperson:** Are there any further questions?

**Hon. Jon Gerrard (River Heights):** Just thanks so much, Phil.

Just a point of clarification. When you're talking about the diverse approach of small farm operations, what you're talking about is primarily things which would be in regulation.

Would there need to be any changes in the bill as it is to facilitate that?

**Mr. Veldhuis:** I don't think that the bill needs to be revised to allow it, but it would be great to see the bill offer some guidance to the minister's—like, the minister is allowed to exempt or regulate as the minister's office sees fit.

I don't know if it's standard practice for that bill to include guidance as to what would be considered appropriate, and if it were, that we would include—we want these diverse and smaller farms to have the regulatory guidance to be in writing somewhere.

**Mr. Chairperson:** Are there any further questions for Mr. Veldhuis?

Seeing as none, we thank you very much for your presentation, and we will now move on.

That concludes our presenters for Bill 36.

### **Bill 62—The Animal Diseases Amendment Act**

*(Continued)*

**Mr. Chairperson:** We will now move on to Bill 62, The Animal Diseases Amendment Act.

I will now call on Miranda Desa, and ask the moderator to invite them into the meeting.

Please unmute yourself and turn your video on, Miranda. Ms. Desa, you may proceed with your presentation.

**Ms. Miranda Desa (Last Chance for Animals):** Good evening. I'm Miranda Desa, Canadian counsel for Last Chance for Animals or LCA, a non-profit organization dedicated to eliminating animal exploitation through education, whistle-blowing, legislation and media attention.

LCA has been involved in a number of high-profile whistle-blower exposés in Canada, which have led to numerous charges, based on the treatment of animals, and legislative change. In fact, just last month, an LCA animal-cruelty complaint led to the conviction of a Canadian farm for failing to meet appropriate standards.

Moving into the second year of this pandemic, as a society, I believe that we have learned some important lessons about the connection between how we treat animals and disease. As a result, it is now more important than ever that we focus on ensuring appropriate oversight and transparency is in place, rather than restricting access to information about animal agriculture.

I'm here today to discuss the importance of whistle-blowing and the dangers of ag gag legislation. Whistle-blowers are an essential part of our legal system, regulating the treatment of animals, the sanitation of food, the environmental issues and the treatment of workers. Whistle-blowers put themselves on the line to make the world a better place that is safer for everyone. They are an essential source of information in animal agriculture, filling in gaps in regulatory regimes and keeping an eye out for problems at the ground level.

The two key types of whistle-blowers I'm here to discuss today are employee whistle-blowers and undercover journalists. Employee whistle-blowers and undercover journalists obtain information through work—often through working in agriculture. While completing the tasks of their employment, they are required to meet the same standards as all other employees and follow biosecurity protocols.

Whistle-blowers like those that work with LCA work within the parameters of the law to monitor the treatment of animals in agriculture and ensure appropriate standards are being met. Rather than reducing biosecurity, employee whistle-blowers and journalists have historically increased sanitation and animal

welfare by bringing troubling conditions to light and being catalysts for change.

Whistle-blowers are an important source of information about animal agriculture and increase oversight and transparency into how our food system operates. Over the years, LCA has made many whistle-blower complaints about conditions in animal agriculture. These have—complaints have led to charges based on animal welfare and sanitation issues, as well as farm improvements. LCA investigates the treatment of animals and follows the law in doing so.

Whistle-blower complaints like these serve as an important source of information for regulatory authorities, who rely heavily on complaints to ensure appropriate farm animal welfare standards are being met. Just last month, an animal-cruelty complaint by LCA, based on whistle-blower evidence, led to the guilty plea of a Canadian fur farm for failing to meet prescribed standards of care. LCA's complaint into that farm shone a light on numerous troubling issues, over—and over and above, the farm's conviction led to a number of improvements on the farm.

If you're interested in learning more about the important information that is revealed by whistle-blower exposés, I would encourage you to visit [lcanimal.org](http://lcanimal.org) for more information.

\* (18:50)

Decreasing the flow of information out of animal agriculture and placing restrictions on journalists and employee whistle-blowers has no rational connection to improving biosecurity. Rather, such restrictions will remove important avenues for bringing unsanitary conditions, animal cruelty and workplace safety issues to light.

Bill 62, the animal disease act, will make some significant changes to The Animal Diseases Act. It will amend the act—and you know this, but—to create what it calls biosecurity zone areas with restricted access on farms and in slaughterhouses, and the act will require consent from the owner of any animals in these zones for access, or consent from the occupier of the zones, if no animals are present, to enter. Consent will also be required to interact or interfere with animals with these zones or in transport, as well as to interfere with any vehicles transporting commercial animals.

Now, trespassing or breaking into farms, slaughterhouses and transport trucks in Manitoba is already illegal. It is also already illegal to damage private property or to harm farm animals. And as a

result, it's our position that these new restrictions are unnecessary to protect biosecurity. And you'll hear a lot from others today, I think, on that point as well.

But at this point, precisely what's meant by biosecurity zone is unclear, as it will be expanded on in the regulations, and what exactly is meant by interact or interfere is also unclear, although the text of the bill tells us that it would be broad, as it would include things like providing water and food to animals. And again, what exactly is meant by consent is not clear, as it's not yet defined.

But other similar legislation in Ontario and Alberta have included language invalidating consent where it's been obtained on what those acts call false pretenses. I don't see that language yet and I'm hopeful that it will remain that way. Requiring people—because false-pretenses language requires people who intend to gather information to whistle-blow about hygiene and safety, the treatment of animals and environmental issues to get consent in advance to collect that information, with very limited exceptions. Requiring this kind of consent criminalizes whistle-blower 'exposés' into our food chain and severely punishes whistle-blowers acting in society's best interest.

Laws that restrict information out of agriculture are known as agriculture gag laws, more commonly called ag gag laws. Ag gag laws make it a crime to reveal the truth. They are a severe erosion and oversight in transparency and an unjustified intrusion on freedom of expression. Access to this kind of information allows for consumers to make informed choices, it holds producers accountable for the practices they follow and allows for whistle-blowers to report troubling conditions to regulatory authorities.

Restricting the access of journalists and employee whistle-blowers and people would significantly limit the flow of information out of animal agriculture. Restricting access to this information moves away from safety, transparency and accountability. And Manitobans want and deserve to know where their food comes from and how animals raised for food are treated.

Ag gag laws prevent whistle-blowers and—from revealing truthful information about unsanitary conditions, animal cruelty and unsafe working conditions in animal agriculture. They're a threat to freedom of expression as well as our health and well-being.

Ag gag laws prevent Canadians from being able to make informed decisions about the products they purchase and the businesses they support. They also prevent whistle-blowers from being able to hold producers accountable when they violate laws that endanger our health and the well-being of animals in agriculture.

With COVID outbreaks having occurred in meat processing plants and farms in Manitoba, oversight and transparency are more important than ever. There have been at least two large outbreaks: one at Exceldor 'poultry' plant and the other at Maple Leaf Brandon's pork facility. Limiting whistle-blowing only increases the risk for more of this.

It is disappointing at this time, as we see governments across Canada moving to stop access to this kind of information instead of focusing on the pandemic and making sure appropriate oversight is in place. Concerned Canadians have a right to know what is happening on farms and in slaughterhouses because it can directly affect the health and safety of the public.

It is disappointing to see ag gag laws popping up across Canada copied from similar laws in the United States. This is happening long after many states have had their ag gag laws overturned as violations of the constitution.

The current pandemic has shown us there's a strong connection between the sanitary treatment of animals and disease. And now is not the time to shut down whistle-blowing in Manitoba; we need it now more than ever.

Thank you for your time, and I'd be happy to answer any questions you may have.

**Mr. Chairperson:** Thank you for your presentation. The—do members—

The Honourable Mr. Pedersen.

**Hon. Blaine Pedersen (Minister of Agriculture and Resource Development):** Thank you, Miranda, for your presentation, very thoughtful and thank you.

No questions, Mr. Chairman.

**Mr. Diljeet Brar (Burrows):** Thank you, Miranda. Thanks for the wonderful information you shared with all of us.

While working with Last Chance for Animals, you must have gone through some situations or some incidences at the factory farms or family farms.

So how do you say—how do you see the complaints and the intensity of such incidences at factory farms versus family farms?

**Ms. Desa:** Well, I think that the—I mean, we see a lot of problems with large-scale industrialized farms because of the scale of the operations and the number of animals that are in place. But we also see problems with small family farms as well. You know, some of these family farms have practices in place about how they treat animals; some of these farms don't have practices in place and, you know, have less standards as well.

So I don't think it's fair to draw a distinction between the small and the large farms, although the larger farms have greater potential given the number of animals from—in terms of a pandemic risk and in terms of those kinds of hazards.

But all farms, you know, they have potential issues and it's important to have appropriate oversight and transparency into all of them.

**Mr. Brar:** Thank you, Miranda.

A follow-up question is: other than bringing new legislation to address these issues in this industry, what options do you suggest to address these issues? *[interjection]*

**Mr. Chairperson:** Ms. Desa.

**Ms. Desa:** Thank you.

I think it's important that legislation have—you know, legislation allow for whistle-blowing and to ensure that these brave individuals are not punished when they come forward about things that they see in the course of their employment or things that people see in other situations. Canada, unfortunately, already doesn't have very good laws to protect whistle-blowers.

Additionally, if we're looking to work on biosecurity, I would suggest legislate—I would suggest looking also at standards of care in terms of ensuring legislation that sets out an actual standard that needs to be followed rather than legislation that has loopholes. You know, it sets a standard, then puts in place exceptions in standards of care for excepted industries.

So I would suggest that having more concrete legislation about the standards that ought to be followed would be helpful as well.

**Mr. Chairperson:** Are there any further questions?

**Hon. Jon Gerrard (River Heights):** Yes.

I'm curious. You mentioned the United States—that a number of laws have been thrown out.

Would they be laws which would have similarities to this law, and can you give us a little more detail?

**Ms. Desa:** Certainly. Some of the laws that have been thrown out have had some similarities in the sense that the laws dealt with restricting information out of animal agriculture and dealt with things that would affect whistle-blowing as well as, you know, in terms of having the ability for people to report what they observe in terms of reporting it to authorities and spreading that among people.

\* (19:00)

Because, I mean, in the US you're looking at freedom of speech, and here we're looking at freedom of expression. But freedom of expression is premised on fundamental principles and values that promote the search for and the attainment of truth, participation in social and political decision making and an opportunity for the individual self-fulfillment through expression.

So, in this case, things that prevent people from getting important information through whistle-blowing or out of what's going on in animal agriculture, those are kinds of things that we view as a high level protected speech and similar kinds of things that, you know, interfering with them has been found to be problematic in the United States.

**Mr. Chairperson:** Thank you for your presentation.

Are there any further questions for—seeing no further questions, thank you for your presentation, Ms. Desa.

We will now move on to the next presenter.

I will now call on Ms. Kaitlyn Mitchell, Animal Justice, and ask the moderator to invite them into the meeting.

Please unmute yourself and turn your video on. Ms. Mitchell, you may proceed with your presentation when you are ready.

**Ms. Kaitlyn Mitchell (Animal Justice):** Thank you very much for the opportunity to present this evening. My name is Kaitlyn Mitchell, and I am a lawyer with Animal Justice, Canada's only national, not-for-profit organization focused on using the law to protect

animals. Animal Justice is based in Toronto, but I live here in Winnipeg.

Now, a group of animal protection organizations has provided more detailed written comments to you, and due to the committee's rules, Animal Justice did not sign onto those comments, but I do commend those comments to you; they've set out in a little bit more details some of the concerns with the bill.

So, in the interests of time, I will focus my comments tonight on two overarching concerns with the bill. First is the prohibition on interacting with farmed animals, and second is the prohibition on giving farmed animals food and water. And we're concerned about this bill because, as you've already heard tonight, it is an example of an ag gag law. These originated in the United States and, in the past year and a half we've begun to see them cropping up in Canada as well. These laws are aimed in whole or in part at preventing individuals from observing, documenting and publicly exposing the conditions in which farmed animals are raised, transported or slaughtered.

So, as mentioned, the first overarching concern that I would like to discuss is that Bill 62 would create a new and incredibly broad offence of interacting with farmed animals. I'll focus my comments on section 13.2(2), which applies to animals in transport, but 13.1(3), which applies to animals in a biosecurity zone is also troubling.

Section 13.2(2) is virtually identical to section 6(2) of Ontario's recently enacted ag gag law and, in fact, it appears much broader, in fact, than Ontario's law. So, like Ontario, it appears to be targeted at individuals who engage in peaceful protest activities on public property near slaughterhouses. It will capture a vast array of harmless activities and, without definition, it's hard to really even conceive what it means to interact with an animal in transport. Does it include speaking to animals? Making eye contact? What if you take their photograph? What if they nudge you or otherwise come into contact with you when you're near the truck?

Professor Jodi Lazare has already presented this evening on the potential unconstitutionality of Bill 62. I agree with her analysis and her conclusions, but rather than echoing her presentation, I will instead focus on the broader legal context in which Bill 62 is being introduced.

Canada has some of the worst animal transport standards in the industrialized world. Cows and sheep

can be legally transported up to 36 hours without food, water or rest. Horses and pigs can be legally transported up to 28 hours without food, water or rest. Animals are transported year-round during our extremely cold Manitoba winters and on balmy summer days. Canadian Food Inspection Agency, or CFIA, data shows that in federally inspected slaughterhouses alone, more than 1 million animals arrive dead each year, having died during transport. Nearly 9 million more are classified as condemned, meaning that due to conditions discovered before or after they are slaughtered, they cannot be consumed by humans.

The reasons for an animal being classified this way would include bruising, frostbite, emaciation and other conditions. So, again, this data includes only federally regulated slaughterhouses. It does not include provincial slaughterhouses. So the numbers of animals dying in transport are actually much larger.

Individuals protesting on public property near transport trucks raise awareness about these cruel conditions and, at times, these individuals are able to observe and document conditions inside trucks. As a lawyer, I am often contacted by individuals who have gathered footage showing conduct that appears to violate federal transport standards. I'm then able to use this footage and information to submit law enforcement complaints to the CFIA and provincial enforcement agencies.

The footage that I'm forwarded, frankly, is often heartbreaking. It has included pigs dead in sweltering vehicles [*inaudible*] some are foaming at the mouth and in clear distress; animals bleeding from open wounds, some of them caught in crates in clear distress as they struggle to free themselves; and feather-bare chickens with bright red skin exposed to freezing temperatures.

Because the vast majority of animals raised and slaughtered for food spend their lives indoors on private property, it's only during transport that members of the public can generally see the animals and observe their treatment.

Now, I want to be clear that prohibiting individuals from interacting with farmed animals and restricting peaceful protest activities outside of slaughterhouses does nothing to protect biosecurity. Animal Justice has reviewed CFIA records related to biosecurity incidents and disease outbreaks at Canadian farms going back nearly 20 years. This data shows not a single disease outbreak or biosecurity

breach linked to the activities of animal protection advocates or protesters.

All of the incidents were caused by farm owners and operators themselves and they were caused by things like shared needles or equipment; workers entering multiple facilities; feeding animals other animals, as in the case of mad cow disease; or viruses that move back and forth between animals and workers, as we've seen very recently with COVID-19 outbreaks at mink farms in BC. And, in Manitoba, some of these incidents have included an anthrax outbreak that led to 146 farms in Manitoba and Saskatchewan being quarantined, an H5N2 avian flu outbreak at a turkey breeding operation north of Winnipeg and several outbreaks of porcine epidemic diarrhea virus.

So, I've provided you a brief to complement my presentation tonight and that brief sets this out in a little more detail, so I'll leave that to committee members to review but what I really want to say is that taking photographs or videos of animals in a transport truck does not pose a biosecurity risk. Peaceful protestors do not pose a risk to animals or food safety.

The second main concern that I have is that sections 13.1(3) and 13.2(2) would make it an offence to give a farmed animal food or water. This is completely unnecessary. This is not a pressing issue. There are no groups of animal rights activists running around Manitoba looking for farmed animals to give food and water to. You know, we're in the midst of a pandemic and I struggle to understand why prohibiting giving food and water to animals is a priority at this or, frankly, any other time.

Second, in the extremely rare instance where an individual does give a farmed animal food or water, they are not harming the animal, particularly when an animal is exhibiting signs of thirst, malnourishment or heat exhaustion. Giving the animal food or water would, in fact, alleviate their suffering and it should not be an offence.

You've already heard that on rare occasions when individuals give an animal—such as a thirsty pig in a hot transport truck—when they give those animals water, those animals have nonetheless entered the food system and been slaughtered. So no harm has actually been caused to the food system either.

Now, I expect some supporters of the bill may say it's necessary to make it an offence because, you know, who knows what a person is really giving an animal, but this is not a convincing argument. It is



already illegal to give a farmed animal a poisonous or injurious substance. If an individual were to do so, they would be violating The Animal Care Act and also the Criminal Code of Canada.

Finally, the offence is plainly illogical and I would say excessively punitive. If Bill 62 is passed as is, it will result in severe penalties and even imprisonment for acts of compassion. It would mean that an individual in Manitoba who has a pig, either a pet or one they're raising for meat, if such an individual fails to provide the animal with adequate food and water, they leave the animal exposed to the elements or even if they violently abuse that animal, they could go to jail for a maximum of six months, in addition to some \$10,000 in fines.

\* (19:10)

In contrast, a concerned citizen, who gave that very same animal food or water, could go to jail for up to a year, in addition to, again, \$10,000 in fines. And I say to you that this is plainly unjust and illogical.

So, in conclusion, without significant amendment, Bill 62 would violate animal protection advocates' rights to expression and peaceful protest, as you've already heard. It'll make it harder to document and expose the suffering of animals in transport, keeping consumers in the dark about where their food comes from and silencing animal protection advocates under the guise of biosecurity.

Regardless of one's views on the ethics of industrial animal agriculture, this should be deeply concerning to all Manitobans. In a free and democratic society, we have the right to engage in public debate and discussion on important issues like food safety *[inaudible]*.

Thank you very much again for the *[inaudible]* answer your questions.

**Mr. Chairperson:** Thank you for your presentation, Ms. Mitchell.

Do members of the committee have questions for the presenter?

**Mr. Pedersen:** Thank you, Ms. Mitchell—excuse me—for your presentation and I have your written submission here that I will review later.

**Ms. Mitchell:** Thank you very much.

**Mr. Brar:** No questions. Just want to say thank you.

**Ms. Mitchell:** My pleasure.

**Mr. Chairperson:** Are there any other—

The Honourable Mr. Gerrard.

**Mr. Gerrard:** Yes. My question is this: earlier on there was a question of whether photographing or videoing an animal would be considered interacting. Would—I mean, at least, one presumes, that you should have a definition of interaction that would exclude 'photoing' or videoing. *[interjection]*

**Mr. Chairperson:** Ms. Mitchell.

**Ms. Mitchell:** My apologies.

Yes. I agree with you, but I would say that it would need to go much further than that, because the notion of interacting is so broad that—you know, we focus a lot on videotaping and photographing, and that's for good reason. But it would capture a much broader range of activity and potentially just create a chilling effect for any protests that happen, even on public property, even without disrupting vehicles. But if they occur near those vehicles it's really hard to say what activities could and could not be construed as interaction. Certainly individuals at vigils, they do speak to animals often and they do so and they're there to show those animals compassion. Speaking to somebody is clearly interacting and there is obviously, clearly, no biosecurity risk from that either.

So I agree with you that certainly we would need to be clear that photographing and videotaping is not caught, but I would urge you to still reject any notion that it is an offense to interact with animals, because, again, it captures such a broad range of really integral truth-seeking and political expression.

**Mr. Gerrard:** Thank you.

**Mr. Chairperson:** Are there any further questions for Ms. Mitchell?

We thank you very much for your presentation.

And we will now—we have received another written submission from Lynn Kavanagh from World Animal Protection. Is it the will of the committee to include this in Hansard? *[Agreed]*

We will now move on to the next presenter for Bill 62, Tracy Groenewegen.

I will now call on Tracy Groenewegen and ask her if she could give me the proper pronunciation of her name. I will ask the moderator to invite them into the meeting. Please unmute yourself and turn your video on.

Hi, Tracy. Before I acknowledge you, could you please give me the proper pronunciation for your last name?

**Ms. Tracy Groenewegen (Private Citizen):** Groenewegen.

**Mr. Chairperson:** Groigen [*phonetic*]?

**Ms. Groenewegen:** Groenewegen.

**Mr. Chairperson:** Groenewegen. Thank you very much. You may proceed with your presentation.

**Ms. Groenewegen:** Okay, thank you.

Good evening. So my name is Tracy Groenewegen and I'm speaking tonight to register my opposition to Bill 62 as both an animal advocate and a concerned citizen.

So much of what I have to say echoes what has been said in the presentations so far. Nonetheless, I will go through with everything.

So, what I find most disturbing about Bill 62 are the provisions around interfering with a vehicle transporting a so-called commercial animal and interacting with animals in transport, including providing food and water.

These provisions clearly target animal advocacy groups such as Manitoba Animal Save and other save groups who hold vigils on public roads outside the slaughterhouses, bear witness to the suffering of farmed animals and take photos and videos to document how animals are treated in the animal agriculture industry—and yes, sometimes provide water to thirsty animals on transport trucks where it is possible and safe to do so.

Bill 62 is nothing less than an attack on the MO of the save groups. Holding vigils, bearing witness and offering farmed animals perhaps the only moment of compassion they've had their whole lives before they're slaughtered is a particular strategy of peaceful activism, and this bill essentially criminalizes this strategy.

As such, it seems to me a pretty clear violation of our Charter-protected rights to freedom of expression and peaceful assembly, and as I'm sure this committee is aware—and as we've heard a little bit tonight—Canadian legal experts have also sounded the alarm over this bill and warned that it may very well be unconstitutional.

Bill 62 is not an isolated legislative incident; it's part of a larger phenomenon, as we've heard tonight,

known as ag gag laws. Such laws are designed to make it illegal for concerned citizens to document and expose conditions on farms, in slaughterhouses and on animal transport trucks.

Ag gag laws originated in the US at the request of the agriculture industry in response to images of suffering animals making it on the nightly news. Now, ag gag laws have made their way to Canada and have been passed in PEI, Alberta, Ontario, and now a federal bill, Bill C-205, is currently being considered as well.

The wording of Bill 62 is virtually identical to parts of Ontario's recently enacted ag gag law, which has been widely criticized as unconstitutional, as we've heard, and is currently being challenged in court. Such a challenge is not unprecedented; in at least six US states, ag gag laws have been struck down as unconstitutional.

Even in Manitoba, Bill 62 appears to be part of a larger trend toward curtailing peaceful protest. It is complemented by bills 63 and 57, bills which similarly privilege the interest of private corporations, industry groups and private property owners at the expense of citizens' basic constitutional rights.

And as I'm sure the committee is aware, the Charter states that the rights and freedoms set out in it are, quote, subject only to such reasonable limits prescribed by law as can be demonstrably justified in a free and democratic society. End quote.

In other words, restricting our Charter-protected rights must be warranted by some real issue of pressing concern, and in enacting legislation which limits our rights, the onus is on the government to demonstrate why legislation is justified.

The Manitoba government claims that Bill 62 is intended to protect biosecurity but has brought no evidence to bear to back up this claim. In a Winnipeg Free Press article dated March 11th, Agriculture Minister Blaine Pedersen is reported to have said that trying to provide water to animals being transported poses food safety risks.

The minister is then quoted as saying, quote: Are they contaminating that water, which would contaminate that hog, which would contaminate the food system? Notice that he phrased it as a question rather than a fact based on evidence. I can't imagine this passes any reasonable litmus test of demonstrable justification.

And in fact, I have it on good authority, as we've heard tonight, that there had never been a single documented case of a biosecurity or food safety risk created by someone giving water to animals or photo documenting them inside transport trucks

And as a participant at some of these vigils, I can attest that the people who do this kind of advocacy work are among the kindest, most caring people I've ever met who believe strongly in the rights and welfare of animals, as well as in various other social causes and are not out to poison animals or the food system.

\* (19:20)

At any rate, it's already a criminal offence to give a poisonous or injurious substance to an animal, so Bill 62 adds no value in this regard.

In light of the lack of evidence of biosecurity risk and the fact that The Animal Care Act, as well as the Criminal Code, already address poisoning animals, it's clear that the true motivation behind Bill 62 is to keep animal advocates away from biosecurity areas and transport trucks so that they can't take photos or videos and publicize what goes on in the animal agriculture industry.

As we've heard, the terms interfere and interact are incredibly vague, and I suspect this is deliberate so as to deter concerned citizens from getting anywhere near those trucks. Not only does this violate our rights to freedom of expression and peaceful assembly, it serves to reduce transparency even further in an industry that's already so hidden from public view and has so little government oversight.

Animal welfare on farms is not regulated by the Province or the federal government; rather, the farming industry essentially creates its own guidelines for treatment of animals on farms, and these guidelines allow for considerable animal cruelty, such as the maceration of live chicks.

The only legal protections for farmed animals apply to transport and slaughter, and these too are grossly inadequate. In fact, the maximum prison term for a first-time offender convicted of animal abuse under The Animal Care Act is just six months, half the maximum term for providing water to a farmed animal without consent under Bill 62.

In the context of weak protections and lack of oversight, animal advocates play an important role in holding the animal agriculture industry accountable

where otherwise there would be no real accountability. Footage captured by concerned citizens in Manitoba, including those taking part in vigils organized by Manitoba Animal Save and other save groups, has shown, for example, pigs overcrowded in trucks, heat-exhausted and thirsty and in clear distress. I myself have witnessed pigs foaming at the mouth on a truck outside the Maple Leaf slaughterhouse in Brandon.

Photos and videos taken of animals on transport trucks are not just fodder for animal advocacy efforts on social media. They're used to back up complaints made by these groups to the Canadian Food Inspection Agency.

Bill 62 blatantly targets a particular approach to animal advocacy that aims to shed light on a brutal industry, and it sets out penalties that are extreme. The chilling effect it will have on this kind of advocacy work will only serve to keep the maltreatment of farmed animals even more hidden than it already is.

This is a step in the wrong direction when, more than ever, people are thinking about their food and consumer choices from an ethical perspective and are craving more transparency and information to help them make decisions they can feel good about.

We live in a free and democratic society. We should be directing our legislative efforts towards strengthening protections for animals and increasing transparency, rather than criminalizing those who work to expose animal suffering in an effort to make positive change.

Bill 62 is insidious at best. If it passes in its current form, it may very well be the next ag gag bill in Canada to be challenged in court. I ask that the committee strongly consider at least amending this bill, such as by removing the prohibition on interacting with animals in transport.

That's all. Thank you.

**Mr. Chairperson:** Thank you for your presentation.

Do members of the committee have questions for the presenter?

**Mr. Pedersen:** Thank you, Tracy, for your presentation. And, Mr. Chairman, I have no questions.

**Mr. Brar:** Tracy, thank you so much for your presentation.

Just wondering what would you want changed in this legislation or removed at all from this legislation, as per your experience and research studying this one.

**Ms. Groenewegen:** Well, as I've said, I think at the very least the provisions around interfering and interacting with animals in transport should be removed. Or, like others have said tonight, they have to be a lot more clearly defined so that people have an understanding of what exactly is not being allowed.

We know when we talk about interacting and interfering, because right now those terms are so broad that that's where that chilling effect really comes in, because people don't want to, you know, get anywhere near those trucks, you know, for fear of finding out that they've interacted with an animal and now are facing a \$10,000 fine or up to a year in jail.

So, as I've said, you know, if—I mean, the whole bill is quite frankly alarming. Like, the biosecurity zone piece, it leaves the door open for further stipulation of what constitutes a zone, potentially even public property outside of slaughterhouses. That would be very, very problematic.

But, yes, as I've said, at the very least, removing those two provisions, I think; 13.2(1) and 13.2(2), I think should be removed if not extremely tightened up and based on real evidence.

**Mr. Gerrard:** Thank you, Tracy.

You mentioned, in the United States, that a number of laws have been thrown out. Have they thrown out, for example, provisions which have, you know, forbade people from photographing or videoing animals?

**Ms. Groenewegen:** I don't have an answer to that. I'm not a lawyer or a legal expert. I—yes, that would have been a question probably for our preceding speakers.

**Mr. Chairperson:** Do any further—any committee members have any further questions?

Seeing no further questions, we thank you for your presentation.

And we will now move on to the next presenter. There is a request to allow Jessica Scott-Herd [*phonetic*] to present next. She is No. 21 on the list and she has a preschooler.

What is it—is the will of the committee? Is it the will of the committee to allow her to present now? [*Agreed*]

We will now call on Jessica Scott-Reid, private citizen, and ask the moderator to invite them into the meeting.

Please unmute yourself and turn your video on. Thank you, Jessica. You may proceed with your presentation.

**Ms. Jessica Scott-Reid (Private Citizen):** My name is Jessica Scott-Reid. I am a Winnipeg-based freelance journalist and activist. I have been covering animal rights and welfare, food and environmental topics for over five years. I am a regular contributor to the Winnipeg Free Press, the Toronto Star, The Globe and Mail and others.

My work has and does rely heavily on the work of activists, those who are compelled to be present in spaces where animals are often hidden and suffering. The evidence, footage, perspectives and experiences gained by these activists have aided in the creation of dozens of my published works, work that has been read by millions, work being done by few if any other journalists in this country.

Bill 62, like other ag gag laws in Canada, will hinder my ability to continue this necessary work. It will hinder my freedom of expression and freedom of the press. For this presentation, I will offer an example of my work on this topic, an op-ed published in the Winnipeg Free Press March 25th, 2021, entitled ag gag laws impede important work.

In Canada, there is no outside temperature above or below which animals cannot be trucked off to slaughter. Regardless of Manitoba's extreme weather, nearly every day in this province, open-sided trucks without mechanical climate control haul animals to their death. For pigs, that trip can legally run for 28 hours without food, water or rest. For cows, that maximum is 36 hours, and for newly hatched birds, 72 hours.

Animal advocates have long deemed Canada's animal transport regulations the worst in the Western world. It is due in part to this that activists across the country have zeroed in on transport trucks as a place of peaceful protest and evidence gathering. But that may soon come to an end in Manitoba thanks to recently tabled Bill 62, The Animal Diseases Amendment Act, and Bill 57, The Protection of Critical Infrastructure Act, which many legal experts are calling ag gag legislation. Ag gag laws are harmful to animals, harmful to the rights of protesters and harmful to the rights of journalists like me.

\* (19:30)

Animal agriculture is ubiquitously shrouded in secrecy. While knowing how the sausage is made may turn off consumers, a growing number of Canadians

have, in recent years, become interested in the origins and ethics of their food. Getting a true glimpse of how animals are treated on Canadian farms, however, is difficult. In fact, outside of often deceptive industry marketing, it is only while they are on transport trucks or through footage gained by activists willing to be there that the public ever gets a chance to see animals.

Danae Tonge is a co-organizer with Manitoba Animal Save and Winnipeg Chicken Save, groups that hold vigils outside of trucks and slaughterhouses to document the conditions of the animals and occasionally offer water to animals in dire need. She says it is crucial that animal save groups, which exist all over the world, are able to be outside of these trucks in order to show the public how farmed animals are truly treated. Quote: The CFIA isn't going to put images out there of these animals being transported. The meat industry isn't going to show what's really going on. She says, quote: And if we can't be there getting footage, showing what's going on, interacting somewhat with these animals, then there's nobody who is.

In the past, Tonge says she has filed complaints with the CFIA about animals on trucks appearing to have frostbite or suffering from heat stroke. Quote: But you never hear back from them or they send you a stock email saying everything seems fine. Unquote.

Having the ability to share directly with the public and media evidence of animals suffering in transport is necessary for transparency and accountability. Consumers deserve to know.

I have written on the topic of farmed animal transport in Canada for numerous publications, thanks in great part to the shocking evidence gathered by activists from animal save groups, but if Bill 62 and Bill 57 pass, this will all become much more difficult. Activists could face significant fines or even jail time.

Quote: Law professors and legal experts across Canada have already warned that making it an offence to, quote, interact with farmed animals en route to slaughter restricts individuals' constitutionally protected rights to protest on public property, says Kaitlyn Mitchell, a Winnipeg-based animal rights lawyer with Animal Justice. Quote: Because they target critically important expressive rights, there is a strong likelihood that Bill 62 and Bill 57 will be subject to constitutional challenges if they pass as drafted.

In the US, several ag gag laws have been struck down as unconstitutional. In Ontario, ag gag legislation is currently being challenged in court in a suit spearheaded by Animal Justice, another Animal Save activist and myself.

As more consumers grow concerned about where their food comes from and about animal welfare in general, now is not the time for the Manitoba government to be pushing animal agriculture further into the dark. And as we cope with the pandemic caused by the transition of a zoonotic disease from animals to humans, we need to push for far more transparency from industries that house, breed, transport and kill animals, not allow for even less.

Thank you.

**Mr. Chairperson:** Thank you for your presentation.

We will now ask for questions from the committee.

**Mr. Pedersen:** Thank you, Jessica, for your presentation.

Mr. Chair, I have no questions.

**Mr. Brar:** Thank you, Jessica. I just wanted to appreciate about your information that you shared and your journalism for the community. Thank you so much.

**Mr. Gerrard:** Jessica, thank you.

I've got two points: (1) I'm interested if you can give us an illustration of how your work has actually improved animal welfare; and, (2) that it seems to me that when we're looking at export markets that countries around the world are becoming much more conscious of how animals are treated, and if we want to maintain those markets that we need to be looking after animals well. Would you comment?

**Ms. Scott-Reid:** Certainly. To your first point, I've written, I think, nearly 100 articles, mainly in the opinion sections of major newspapers and publications in Canada, almost exclusively focused on animal rights and welfare, the treatment of farmed animals, the lack of laws that oversee the treatment of farmed animals here in Canada.

I would like to think that the amount of readership that comes for writing for The Globe and Mail, for example, is—has increased awareness about issues that have, for a very long time, been completely hidden from mainstream media. So, in that way, I think—I would hope that that's how I have improved animal welfare is creating more conscious consumers.

And to your second point: yes, of course, because Canada has been well known now, as has been said, the worst in the Western world for animal transport laws. If we look to the US, they have something that's called the 28-hour law; that's a maximum 28 hours for which animals can be kept in transport without food, water or rest. In Europe, we have even lower—much lower. Like, eight hours. Their trucks are climate controlled—mechanically climate controlled, they have temperatures that have to be watched.

All these things aren't happening in Canada, and I think if we're concerned about the export market in other countries being concerned about our treatment of animals, then looking at our transport is very important and the duty that these activists do is keeping that part of the whole industry accountable.

**Mr. Brar:** Jessica, just curious to know your thoughts about the great gap between our next generation about the information and their knowledge about where our food comes from—basically, food security on farm knowledge.

So, how to fill that gap? Are there any efforts going on in the world of journalism or academics? What are your thoughts on that?

**Ms. Scott-Reid:** That's a great question. This is definitely an ongoing problem, this gap of knowledge. When we're looking for information about where our food comes from, in particular from animal agriculture, the majority of information we're given is through marketing and, as I've written about many times in the past, much of that marketing is quite deceptive.

We would need only to look to certain lobby groups in Manitoba. They are, you know, commercials that show, you know, beautiful farms, bucolic settings, family-run farms. We're almost never shown what's actually inside those barns.

And so, I think because of social media, because of activists holding smartphones, this is changing the information that's making it to the public, which, again, just reinforces the importance of having these activists being able to do what they do because if we're relying on industry, marketing, that's not going to be an accurate depiction of where these animal product foods are coming from.

And I think that the younger generation, in particular, is looking to other forms of media, and a lot of that is being fed by activists and social media and smartphones.

**Mr. Chairperson:** The honourable Mr. Brar, you have 50–40 seconds for questions.

**Mr. Brar:** What are your thoughts about agriculture and environment be the—part of curriculum in Manitoba schools?

**Ms. Scott-Reid:** Yes, I think the idea of agriculture in the classroom is another issue that I would like to take up in my work.

The fact that we have agricultural industries, lobby groups going into classrooms and talking to children about, you know, the importance of dairy, whereas we don't get this other side, we don't get, you know, advocates for animals coming in speaking to children, again—once again reaffirming why we need these activists on social media and going through journalists like myself to inform the public, including children.

**Mr. Chairperson:** Thank you for your presentation.

Time for question period has expired. We will now move on to the next presenter.

I will now call on Brittany Semeniuk, and ask the moderator to invite them into the meeting. Please unmute yourself and turn your video on.

Brittany? Brittany Semeniuk?

**Ms. Brittany Semeniuk (Winnipeg Humane Society):** I'm here.

**Mr. Chairperson:** You may proceed with your presentation.

**Ms. Semeniuk:** Thank you for this opportunity to present tonight. My name is Brittany, I am the animal welfare consultant for the Winnipeg Humane Society. And as we've heard from previous presenters tonight, there's great concern around Bill 62 as being deemed unconstitutional in nature.

However, I am speaking on behalf of our organization to oppose the proposed amendments to Bill 62, specifically section 13.2, primarily from an animal welfare perspective for the perceived hindrance that this bill will have towards the welfare of farm animals, and just as importantly for the negative consequences it is sure to have on severing public trust towards Manitoba's livestock producers.

\* (19:40)

A peer-reviewed study published in 2016 out of the faculty of land and food systems at the University of British Columbia concluded that a sharp decline in trust towards livestock producers occurs in 70 per cent

of Canadian consumers when they're presented with information that both supports and critiques legislation that restricts transparency of standard industry practices. It's—like transportation of livestock, for one.

Regardless of their age, geographical region or lifestyle choices, representatives of the general public from all walks of life saw such amendments as a factor that would negatively impact their choices as consumers.

If the Province of Manitoba aims to have livestock producers' best interests at heart, it would recognize that there is a way to maintain proper biosecurity to reduce zoonotic transmission of diseases without passing legislation that will cause such producers and livestock transporters to be denounced by consumers for an unwillingness to be transparent on how farm animals are being treated.

Amendments to—amendments like the proposed—like those proposed in Bill 62 will also further deny the general public from having knowledge of standard industry practices in large-scale operations, yet industry representatives simultaneously expect that the public and animal welfare organizations like ours—to be denied the ability to question the protocols revolved around livestock transportation that are currently taking place, such as transport trucks that are able to transport livestock throughout Canada with no restrictions on weather conditions or extreme temperature conditions.

This is an alarming red flag from an animal welfare standpoint, as there leaves no room for a substantial third party evaluation and critique of such practices.

Full transparency with Canadian consumers must mean exactly that. It has to be fully transparent. There must be transparency regarding the number of animals that perish during the transport process or the number of livestock that are killed because they are simply unfit to be transported in the first place, or how many livestock carcasses are transported and discarded at places like the Brady landfill, as we saw with an incident earlier this month which garnered a lot of media attention—it—and also reinforced a general mistrust from consumers on standard transportation practices within our province.

The solution here is to not criminalize Manitobans, who have the right to know how farm animals are being treated within our province, for simply acknowledging their existence and bearing witness. As with many injustices, advocates and

activists have always been the key motivation in propelling positive changes, and the animal welfare industry is no different.

To deny the opposition of voices, to deny consumers their right to make these educated decisions on what practices they're comfortable in supporting—the definition of transparency should not be to cherry-pick which practices the agricultural sector permits the general public to see and which practices they are denied and removed from.

To emphasize my point: for instance, the average broiler chicken barn can easily hold 30,000 chickens. Even if a producer or a livestock veterinarian spent only 10 seconds to check each and every bird for signs of illness or distress, it would take over 85 hours to get through each and every animal within that barn.

How can we expect to put consumers' minds at ease when we know that such due diligence is basically impossible to achieve? Why is the conversation not shifting towards how we can ensure that each and every animal is legally protected and properly being cared for, especially in transportation?

Provincial ag gag legislation continues to target animal advocates and not outdated industry practices themselves. For example, public pressure campaigns like the quit stalling campaign that the Winnipeg Humane Society ran for decades have denounced the practice of using things like gestation crates in hog barns.

These campaigns, which revolve primarily around public education and awareness, have resulted in Canadian producers agreeing to adhere to the National Farm Animal Care Council's recommended 2024 timeline for phasing out the usage of such crates.

And now, in 2021, consumers are faced with the announcement that there is a five-year extension of gestation crate use, which has been strongly recommended to allow producers to continue using gestation crates until 2029.

And again, The Winnipeg Humane Society acknowledges that undergoing a massive transition is no easy feat for producers. But the issue is this: chronically restricting the movement of an animal, like a sow for instance, is only one factor in assessing an animal's physiological and psychological well-being. As the general public, we must acknowledge that improving transportation is only one factor towards improving animal welfare as a whole. Things like bedding enrichment, pain control, et cetera, et cetera, they must also be considered and addressed.

In the opinion of a national animal welfare organization, it is simply impossible to provide a high standard of care to each individual animal regardless if that is, you know, in these large-scale operations or during the transportation process.

As such, The Winnipeg Humane Society is asking that 13–section 13.2 from the proposed amendments to Bill 62 be removed, and for the Province to shift their focus towards strengthening legislation that protects farm animals provincially, rather than targeting empathetic members of the public. Focus needs to shift towards further protecting the welfare of farm animals.

In conclusion, The Winnipeg Humane Society is happy to continue discussions with the Province in order to address our concerns, like those mentioned above. As Manitoba's longest running animal welfare organization, we have been advocating for animals, including farm animals, for over 127 years now, and we will continue to see that farm animal welfare remains one of our organization's top priorities.

Thank you.

**Mr. Chairperson:** Thank you for your presentation.

Do members of the committee have questions for the presenter?

**Mr. Pedersen:** Thank you, Brittany, for your presentation, and to The Winnipeg Humane Society.

And, Mr. Chair, I don't have any questions.

**Mr. Brar:** Brittany, I would like to appreciate you for the presentation in general and for your chicken barn example and veterinarian example in particular; that was wonderful.

I myself belong to a family where we used to keep cows and pets and animals and chickens and so on. And in my village, some people used to keep rabbits and ducks and so on. So what I have seen in my childhood is that people's connection to animals were—was way different than we see today.

So, do you think it's just the scale of farm operations that disconnected people with animals? Or there are other factors? What are your thoughts on that?

**Ms. Semeniuk:** I think that you make a lot of good points, and I agree that there is a disconnect that we're seeing in these large-scale operations where people are no longer able to witness for themselves the sentience of these animals or, you know, the characteristics of such animals.

And, you know, as an animal welfare organization, our focus has always primarily been on addressing the issues that come with these large-scale operations and to really promote the educational side of, you know, how sentient and intelligent a lot of these animals can be, because the reality is, in an urban setting people are not able to connect with these animals, and as we're seeing with Bill 62, the one chance that a lot of urban consumers and members of the public have is during their transportation.

That might be the only time someone ever gets to see a pig up close or a cow up close, and it really just brings the message home that general public is often simply unaware of what is going on behind closed doors, but also just, you know, what it's like to be around these animals and, you know, how they can often be smarter than our own pets at home and just kind of making that connection, as you said.

**Mr. Gerrard:** Yes, thank you, Brittany, for your presentation.

You mentioned that you would like us to switch to trying to bring in legislation to further protect animals. If you were writing that legislation, what would you include?

**Ms. Semeniuk:** I mean, it's twofold; there has to be focus on provincial legislation as well as federal legislation. But, provincially, I think that there could be a lot of amendments to be made to Manitoba's Animal Care Act.

\* (19:50)

What those specific amendments would be, I think, warrants further discussion, but as it stands right now, I don't feel that The Animal Care Act adequately represents farm animals and protects farm animals.

**Mr. Chairperson:** Okay. Are there any—the Honourable Mr. Gerrard.

**Mr. Gerrard:** Thank you.

**Mr. Chairperson:** Is there any further questions from any committee members? Hearing no further questions, we will move on to our next presenter.

Thank you for your presentation, Ms. Semeniuk.

I will now call on Debbie Wall and ask the moderator to invite them into the meeting. Please unmute yourself and turn your video on.

Ms. Wall, you may proceed with your presentation when you are ready.



We cannot hear you. Could you turn your audio on? Could you unmute yourself, Ms. Wall, because we have not heard anything you've said. Ms. Wall, is there something with your computer, or? We can always come back to you, Ms. Wall, if you can see if you can figure out what the problem with your computer is. Thank you, and we will call you back shortly after a couple presenters.

We will now call on Shawn Kettner and ask the moderator to invite them into the meeting.

Please unmute yourself and turn your video on, Shawn Kettner. You may proceed with your presentation when you are ready, Ms. Kettner.

**Ms. Shawn Kettner (Private Citizen):** Thank you. Good evening, Chairperson, Vice-Chairperson and committee members, and thank you for the opportunity to address this committee and express my views on Bill 62, The Animal Diseases Amendment Act.

My name is Shawn Kettner. I have lived, worked and raised my family in Manitoba. I grew up in the North End of Winnipeg and chose to settle here to raise my family. I'm also a retired business owner and I'm a proud Manitoban—or at least I was—always speaking highly of our beautiful province and the place I called home.

That is becoming harder and harder to do. I often find myself up late at night or welling up with tears as I go about my day as I observe the destruction and deterioration of what makes—or used to make—our province the place that proudly calls itself Friendly Manitoba.

And I'm not alone. Everyone I talk to, every analysis of the current trends in Manitoba politics I read in mainstream media, everywhere I look, people are frightened, frustrated and fearful for the future of our province. By that, I am referring to the barrage of proposed changes to the many government bills, including Bill 62, that will dramatically change the essence of who we are and how we care for each other—and in this case, our animals—now and in the future.

From what I understand, government bills are there to act as a guide or to set a set of rules for our various programs and institutions that we collectively determine, resulting in the best practices for all Manitobans and for our future generations. The various steps in our legislative procedures provide, or at least intend to provide, the democratic process that ensures inclusivity and transparency. Here is where things seem to have gotten messed up.

The very heart of democracy is based on working together collectively to determine the will of the people, and that means inclusion, not exclusion. Bill 62 was introduced for first reading by Honourable Blaine Pedersen, the Minister of Agriculture and Resource Development, last fall. As we are all aware, the Bill was introduced with a title and no text.

We, the citizens of Manitoban and the MLAs, all had to wait a full four months until March of 2021 before this information was made public. Not only were the politicians and the general public not privy to the text, but the professional members of our society hired to serve us, those who best know the effects of the bills on Manitobans, were also not provided with the text.

Not having access to the proposed changes in a timely manner grossly limited the opportunity to analyze and advise as to how to propose—how the proposed changes will affect the very people whom they serve. It is our trained professionals, not our politicians, who are the experts and are able to understand and best advocate for our communities.

It is only through transparent and democratic consultation that truly good choices and political decisions can be made. Bill 62 was only one of 19 mystery bills that were introduced last November with no text—19 bills that included sweeping changes that will potentially affect the lives of Manitobans and animals for years to come. Yet, this government chose to withhold the text of these bills 'til the last moment.

Nowhere else, never in the history of our province, in the legislatures of all other Canadian jurisdictions or in the established norms in every international jurisdiction that responded to enquiries by the Manitoba Legislative Library, have there been the tabling of so many bills without any text.

This unprecedented act is undemocratic and a grave disservice to the people of Manitoba. Although there is no excuse for what happened and how this was played out, maybe amendments would be made. Maybe there would still be a chance to make this work. Maybe if the citizens of Manitoba are able to participate in the democratic process by presenting to our standing committees, not all would be lost.

It was first brought to my attention by one of the other presenters and—who's coming up shortly this evening, Patrick Falconer, that it was only a few short weeks ago that the Honourable Kelvin Goertzen said, it is one of the great sacred things in the Manitoba

Legislature that we have public presentations after second reading; one of only two provinces. That led me, and presumably others, to believe that if we, as concerned citizens, engage in the democratic process and present to the standing committees—excuse me—we could make a difference and those concerns would be taken into consideration.

Ralph Eichler, Minister of Economic Development and Jobs, graciously repeated over and over again to the concerned presenters during last week's presentation to the Social and Economic Development Committee on the apprenticeship act that our concerns would be addressed.

But my friend Patrick, who took the time to find out, discovered that myself and the 91 other Manitobans, as of April, according to the Hansard recordings, spent a total of 23.8 hours in committee meetings, meeting with you and other ministers and MLAs.

We all thought this was worth our time, as I'm sure all of the people that are here this evening, taking time from their busy days and from their evenings to be here, which under the current emotional strain of the pandemic, is a very challenging thing to do.

But it doesn't seem to matter. The very people, the professionals who are in the various areas of our society and the community members, like the people that are here tonight that are directly affected, are completely ignored by these legislative committees. Not one amendment has been made so far to any of the bills after all of the discussions, all of the head-nodding and what appears to be earnest concern by the committees, making—so, how does this make Manitoba the best it can be for all of us?

\* (20:00)

We need to work together to right this wrong. I ask that you determine how to proceed with Bill 62, as you do this to take into account the lack of time allowed for the examination of this bill and therefore your responsibility for enabling the tabling of the 19 bills with no texts.

I ask that you listen to the concerns of citizens like myself and make the necessary adjustments to Bill 62 in light of it being one of the 19 mystery bills that did not sufficiently allow for the democratic process to be upheld. I ask that you listen to Minister Eichler and make this bill the best it can be.

I ask that you honour the words of Minister Goertzen by ensuring the true engagement in these

committee sessions so together we can celebrate Manitoba's commitment to inclusion and transparency so all Manitobans are able to proudly and truthfully say it, say, as he did, that this process is one of the great, sacred things in the Manitoba Legislature and that we have public presentation after second reading, as one of only two provinces.

Most importantly, I ask that all party members work together in an open, public and transparent process to amend the rules of the House before the next session to better reflect and respect due process as well as to promote more meaningful public participation in the Legislative process.

I ask that you listen to your hearts so that you can once again proudly call ourselves friendly Manitoba and celebrate our caring, kind society that honours the democratic process is inclusive and therefore it leaves no one behind.

I respectfully submit this to you.

Thank you.

**Mr. Chairperson:** Thank you for your presentation.

Do members of the committee have questions for the presenter?

**Mr. Pedersen:** Thank you, Ms. Kettner, for your—for taking time to make your presentation tonight.

And, Mr. Chairman, I don't have any questions.

**Mr. Brar:** Thank you, Shawn.

I'm happy to hear from one of the north Winnipeggers, so thanks for the information you shared, and I welcome you to call my office and contact me any time for your feedback so that we can work together for future legislations and similar assignments.

Thank you so much.

**Mr. Chairperson:** Do you have a comment, Ms. Kettner? No?

**Mr. Gerrard:** Thank you much, Shawn, for your presentation.

We in the Liberal Party believe that we need to change the rules of the Assembly so that when a bill is tabled at first reading, that it is presented in full and can't be hidden like it was.

Is that the sort of change that you would like?

**Ms. Kettner:** Thank you, Dr. Gerrard. It's very much what I would like to hear happen.

So far, we've not seen a statement from the Liberal Party suggesting that you're ready to commit to that, but would be more than thrilled to have that on the public record.

**Mr. Chairperson:** Thank you very much for your presentation, Ms. Kettner.

We will now move on to the next presenter.

I will now call on Sandra Currie and ask the moderator to invite them into the meeting. Please unmute yourself and turn your video on, Sandra.

Ms. Currie, are you there?

**Ms. Sandra Currie (Private Citizen):** Hello.

**Mr. Chairperson:** Could you turn your video on?

**Ms. Currie:** Sorry, I'm just having trouble with my iPad today. Are you able to hear me?

**Mr. Chairperson:** We can hear you but we cannot see you. Oh, there we go.

**Ms. Currie:** That was my end. My apologies.

**Mr. Chairperson:** Okay. You may proceed with your presentation, Ms. Currie.

**Ms. Currie:** I appreciate the opportunity to speak this evening. I'm here on behalf of my husband, Randy Michalkow, and myself. Although we're both currently residents of the City of Winnipeg, we both grew up in small rural farming communities. Myself, I was born and raised in Gilbert Plains, Manitoba, and my husband, Canora, Saskatchewan.

So, this evening you've heard from a couple of legal experts who spoke to the specific sections and the language on the proposed legislation. I'm here to speak more to the spirit of it.

So, we are both disappointed and strongly oppose Bill 62, which amends The Animal Diseases Act, or any legislation that would impede the ability of people who are working to expose cruelty to animals, would prevent anyone from exercising their right to freedom of speech or prevent anyone from providing assistance to animals in distress.

I understand it has been said this bill is being put in place because of biosecurity concerns and to protect the animals. Rest assured, animal activists are not here to harm an animal, and the very things that activists are exposing and objecting to on factory farms and during transportation are often the very things that scientists are saying are contributing to the spread of disease. So, if we want to prevent spread of disease

and protect animals, as has been suggested, perhaps we need to start actually listening to the activists.

Science has shown that factory farming in itself has increased the risk of the spread of disease and pandemics due to overcrowding, highly stressful conditions, untreated industries and the filth that some animals live in or exposed to during transportation on their way to slaughter or during live export. This is a breeding ground for disease. So, what we need are better animal protection laws and not legislation that endorses the very cause of pandemics and punishes people for speaking up against it.

According to the CFIA, almost 2 million animals arrive dead or are dying by the time they reach the slaughterhouse each year. Some have been transported for many, many hours without food or water, in their own filth and extreme heat and cold. So, a young person taking a photograph exposing the horrific conditions of these animals for journalists or the benefit of the general public is not the problem. The taxpayer has the right to know the truth. So, I have never heard, and legal experts shared tonight, that an activist getting close to a transport truck, taking pictures or giving water to an animal in distress on a sweltering hot day is or has ever been the cause of the spread of disease.

The elephant in the room and what is well documented, and scientists have repeatedly said, if we truly want to reduce the chance of pandemics, then we need to transform our food systems to more plant-based diets, as is currently reflected in the Canada Food Guide, which I understand was developed by 37 scientists without the influence of industry groups who were profiting from the sale of meat and dairy. As a result, the food guide is now over 90 per cent plant-based, which is clearly better for our environment, our health and obviously, the animals.

So, I'm asking you, too, to make decisions based on science and represent the interests of all Manitobans. Currently, Manitoba, however, seems to be going in the wrong direction by continuing to promote factory farming, expanding things such as pig slaughter businesses, which will, no doubt, contribute to further disease, have a detrimental effect on our environment and potentially cause the next pandemic.

So, if this bill was truly a conversation about biosecurity, and we truly want to reduce our risk of the spread of disease, a good start would be by improving the living conditions of the animals that you

eat and helping our farmers transition to plant-based farming or more sustainable and humane systems where animals don't suffer and human health isn't at risk.

In the interest of all Manitobans, we need to move away from factory farming now, but it appears the motivation of this bill has nothing to do with preventing a pandemic or the protection of animals. So let's talk about the real issue.

Animal activists have played an important role in exposing horrendous animal cruelty to the public, and more people are starting to pay attention. We appreciate what they do because we all know when you speak up for animal welfare, you become a target, and that's exactly what this bill is about. The industry wants them shut up.

\*(20:10)

These brave people—many much younger than you and I—are simply trying to make the world a better place, a kinder place, a compassionate place. And someone—some of what I have learned from them recently over the past year I'd like to share with you.

Now, I think we all know there are no laws in place protecting animals on Canadian farms today; it's a self-regulated industry, and as we've heard earlier, we have some of the worst animal protection laws amongst developed nations. We send pigs, who are known for their intelligence, to a gas chamber to die, and I have personally watched footage inside the gas chamber of a hog plant, and I can tell you why—these baby pigs are burning from the inside out; they are screaming for mercy. It is far from humane.

The process to obtain semen from a bull is to stick an electric prod up the anus and electrocute him until he ejaculates. My understanding: there is an industry expectation you must give them 15 minutes to get back up off their knees and recover before you do it a second time.

Some have said that the only thing a dairy factory farmer and an activist will agree on is the name of the equipment that a female cow is strapped to in order to forcibly impregnate her. It's called a rape rack. Castration without pain meds and blunt-force euthanasia or thumping is common practice in breeding facilities, particularly in hog farms. Baby pigs are killed by smacking their head while the mom often watches from her gestation crate. And, finally, it's common practice in the egg industry for live male chicks to be placed on a conveyor belt which leads to what is comparable to a meat grinder because they

were born male; they can't lay eggs. I think by now, we all saw what took place recently at Brady landfill.

I must admit the industry is nothing that we should be proud of. It's an industry that requires more transparency and less cover-up. So what's clear to me: what's going on in these factories is not farming. It's an insult to true farmers, and something is seriously wrong with anyone that thinks that any of this is remotely acceptable in this day and age.

So, as the public becomes more aware of the inhumanity in this industry and the damage it's doing to our environment, our health and we recognize that animals were not put on this earth to be treated in this way, more people are speaking up. If the industries involved did not have something to hide, they would not have asked this legislation to be put in place.

But again, our Province seems to be going backwards by endorsing plans to continue to expand our pig-slaughtering business, exporting more live animals, exposing them and increasing the risk of spreading disease to us all, while continuing to tell us this is to feed the planet when the World Health Organization has listed pig flesh—commonly referred to as bacon—as a No. 1 carcinogen and red meat, No. 2, and we could actually end world hunger by going plant-based.

So in addition to the moral issues I raised, this proposed legislation has been widely criticized as being unconstitutional. Legal professionals from across Canada have given you that advice, so I will just say, if you choose to go ahead and pass the legislation, then I ask that the lobby groups who asked for it also be the ones required to pay for the expense involved in the likelihood of a Charter challenge, because that's not what I want my tax dollars spent on.

In closing, I ask you, what message are we sending to today's youth when mental health issues appear to be at an all-time high and laws are being proposed that make it a crime to show compassion? Are these the people we want to fill up our jails? It simply isn't fair or reasonable to impose a penalty of \$10,000 and one year—a one-year jail sentence for giving water to a thirsty animal, but a first-time offender who violently abuses an animal in Manitoba can only be sentenced up to six months in jail under The Animal Care Act.

So please put this bill aside, sit down with Animal Justice, representatives from the Winnipeg Humane Society and the various animal save movements and instead bring forward legislation that Manitobans can

be proud of that will result in more humane treatment of animals and reduce the risk of another pandemic. If there wasn't a need, the activists would not be out there. No animal in transport should be dying of thirst, so spend the time dealing with the problems the activists have identified, as some of these are also contributing factors to the spread of disease, which will most likely result in our next pandemic.

And, finally, I leave you with this: as we are in the midst of a global pandemic, we're watching our seniors die, our businesses close, our friends lose their jobs and mental health issues go sky-high, and we hear this bill is set to pass on April 29th, my husband and I are concerned that the only thing worse than Manitoba today is Manitoba tomorrow, and we're counting on you not to let that happen.

Thank you very much.

**Mr. Chairperson:** Thank you for your presentation, Ms. Currie.

The floor is now open for questions.

**Mr. Pedersen:** Thank you, Ms. Currie, for your presentation tonight.

Mr. Chairman, I don't have any questions.

**Mr. Brar:** Sandra, I want to say thank you for your presentation and you reflected your knowledge, your research about the topic and your concerns about how the legislation process works in Manitoba.

Could you like to comment on the current consultation process for legislative process in Manitoba, as an informed citizen?

**Ms. Currie:** I actually haven't spoken about the consultative process. I've taken the opportunity, as every private citizen has the opportunity, to speak at standing committee, so that's why I'm here this evening.

Unless I misunderstood the question?

**Mr. Brar:** I can repeat the question, Sandra.

Just wanted to listen to your thoughts about the current legislative consultation process in Manitoba. So, I can put in simple words: did you see any consultation happen before this bill or other bills that are in process today?

**Ms. Currie:** I did take the opportunity to write to my MLA, Minister Pedersen. And I believe my husband wrote the Premier (Mr. Pallister).

**Mr. Gerrard:** Thank you, Sandra.

I'm curious, both you and your husband grew up in rural Manitoba and Saskatchewan. What was it that got you both so keen on looking how animal welfare could be improved?

**Ms. Currie:** I grew up in Gilbert Plains, Manitoba, in a farming community. My grandparents farmed and I think, you know, most of us spent the last number of years thinking that the food that was on our plate was killed humanely.

And it was actually some research I started doing back in 2017, when I was diagnosed with an illness, that I started to pay attention to, a little bit more, about what I was eating and how it was being processed, and I found it quite disturbing.

And then I had the opportunity to meet an animal activist, and she was a wealth of knowledge and shared some rather disturbing facts with me, some of which I shared with you tonight, that I don't believe the public are aware of.

**Mr. Chairperson:** Are there any further questions?

If not, we thank you for your presentation, Ms. Currie.

We will now move on to our next presenter. I will now call on Patrick Falconer, private citizen, and ask the moderator to invite them into the meeting. Please unmute yourself and turn your video on.

Mr. Falconer, you may proceed with your presentation.

**Mr. Patrick Falconer (Private Citizen):** Mr. Chairperson, Mr. Vice-Chairperson, committee members, thank you for the opportunity to present my views this evening on Bill 62, The Animal Diseases Amendment Act.

My name is Patrick Falconer. I'm a 63-year-old Manitoban who's worked most of my adult life to improve the province I proudly call home. During that time, I've had the great honour, indeed privilege, to work with or for government on major systems change projects, like the restructuring of the child-welfare system and the historic passage of provincial accessibility rights legislation.

I fancy myself as a pretty good writer, but I fear that I've lost most of my social skills through the months of social isolation during the pandemic. I was never much of a public presenter or speaker before that, so I ask that you bear with me.

\* (20:20)

Advice often given to speakers is, one, keep it simple—the old KISS principle. Then second, tell them what you're going to say, say it, and then tell them what you just said. I will try to follow these pearls of wisdom.

My comments on Bill 62 boil down to four major points. First, folks increasingly don't trust politicians. Second, the way that the bill, Bill 62, was introduced and has proceeded to this standing committee is one of the reasons why the public—why public trust continues to decline. Third, much can be done to improve upon democratic practice that can start to win back public trust, but the shared will and resolve to do this seems to be sadly lacking among leaders in this province. And finally, fourth, you as MLAs, as good people, have the responsibility, indeed the obligation, to speak up and demand better things for all Manitobans.

Let me loop back with a bit more detail on my first point. I don't think that you—it will come as a shock to you to hear that public trust in government in general and in politicians in particular has been declining for decades and it keeps falling. While you might be the exceptions, your profession as a whole is not much liked or admired. While used-car salesmen may rank lower, polling done by Angus Reid in 2019 found that nearly two thirds of Canadians say that most politicians cannot be trusted.

Now, onto my second point. One of the major reasons that the public does not trust politicians is that politics is seen to be a dirty game, a dirty game where politicians do pretty much whatever they need to do to win, keep and wield power, often at the expense of the public interest. The introduction of Bill 62 is a case in point.

Bill 62 was introduced for first reading by the Honourable Blaine Pedersen, the Minister of Agriculture and Resource Development, back on Monday, November 2nd, 2020. The bill was introduced with its title alone; no text or explanatory notes were released. Citizens, taxpayers, stakeholders and MLAs alike all had to wait until this March before the contents of the bill was made public. In terms of the Legislature, that represents a delay of 12 sitting days. In terms of the public, that represents an astonishing delay of four months, a full 120-calendar days.

What is even more shocking is that Bill 62 was not an aberration—a lone wolf, so to speak. Bill 62 was one of 19 so-called government mystery bills that were introduced in November with no text. Why, is not entirely clear. What I've heard is that the rules do

not require the tabling of text with the bills in first reading, so no actual rules were broken. I've also heard that it was done as a punishing payback to the NDP for their misuse of the rules last session.

Whatever the case, the March 2nd open letter to the Winnipeg Free Press to Premier Pallister and leaders Kinew and Lamont from six distinguished and deeply concerned Manitobans from across party lines clearly and unequivocally stated, and I quote, this is unacceptable. The March 2nd Winnipeg Free Press editorial stated, and I quote, the procedural infighting in Manitoba's current Legislature has taken petty politicking too far. These are the softball descriptions.

Others have been much more critical. Scott Forbes, president of the Manitoba Organization of Faculty Associations described the government's conduct as showing, quote, extending contempt for Manitobans. Dennis Pilon, a political scientist—science professor from the York University is reported to have called it, quote, a new low in parliamentary behaviour from Canada's right wing—and that's saying something. He goes on to call it, and I quote, a very bad precedent. Molly McCracken, director of the Manitoba Office of the Canadian Centre for Policy Alternatives, reportedly referred to government conduct as being part of, quote, the global attack on democracy, unquote, and called it, quote, disrespectful to Manitobans.

Public concerns also led to more than 1,500 citizens sending letters to you and other MLAs expressing shock and dismay. In short, the politicians fight, the citizens lose and the public trust you even less.

But let's not stop there. How about this government's holding back on the public release of major reports paid for by taxpayers, like the education commission on K-to-12 report that they released one year after it was completed, at the same time as bill—and the text to Bill 64, another of the 19 mystery bills, or the KPMG report on child care—it was withheld for six months, only released when the text of Bill 47 was released, another of the 19 mystery bills.

The Pallister government is not alone as the only one who plays these games. The NDP did in their day as government, too. The only other constant outcome, is citizens lose and the public trust you even less.

Let me add one more item to this list, discussed by Shawn Kettner, is the very standing committee process. A very few short weeks ago, the

Honourable Kelvin Goertzen said, it's a quote that Shawn had taken from me, is, it is one of the great sacred things in the Manitoba Legislature that we have public presentations after second reading, only one of two provinces.

The broad concept is that good citizens like me and the other presenters tonight have a direct opportunity to provide input into legislation, thereby giving standing committees the chance to improve upon bills before they go back for third reading. As the report card I've asked to be distributed to you indicates, this is not appear to be the case.

Based on Hansard from March through to April 12th, seven meetings were held to consider 44 bills. A total of 92 presentations were made, along with 13 written submissions in the 24 hours of proceedings. After all that, not one amendment was proposed. Not one. Not one change was recommended to any of the bills. Not one. And this is supposed to represent, quote, a great sacred opportunity for meaningful public input. The citizens lose and the public trusts you even less.

On quickly to my third point. This democratic deficit is in some—is not some state of nature, it is our own creation. You live it pretty much every day in the things you may have normalized. But you can change it, too. That's why the third ask in the letter of the political leaders from the six distinguished Manitobans asked them to commit to work, quote: together in an open, public and transparent process, to amend the rules of the House before the next session to better reflect and respect due process, as well as to promote more meaningful public 'perception' in the legislative process.

The letter is now more than one month old. Do you know how many of the three leaders had made clear and direct statements agreeing to this commitment? None. That's right. As far as I know, none, zippo, rien du tout. [*nothing at all.*]

So that brings me to my fourth and final point. You as MLAs need to become the agents of positive change. To creatively paraphrase Edmund Burke, the 18th-century political thinker who's often referred to as the father of conservatism, quote: the only thing that's necessary for democratic deficit to triumph is for good persons to do nothing. Or let's try the quote attributed to Gandhi: be the change you wish to see in the world.

Perhaps you can start tonight by admitting that this standing committee process is not, quote, the

great sacred opportunity for meaningful public input. Admit it to yourself. Admit it to your fellow committee members. Admit it to your caucus and to your leaders. And then get moving tomorrow on changing things for the better within your own party and within—and with the other parties, to begin to win back the trust and confidence of the public.

Here's the promised recap of my key messages. First, folks increasingly don't—

**Mr. Chairperson:** Mr. Falconer, the time for your presentation has expired.

We will now move on to questions.

**Mr. Pedersen:** Thank you, Mr. Falconer, for your suggestions.

And, Mr. Chairman, I have no questions.

\* (20:30)

**Mr. Brar:** Pat, thank you so much for your presentation, your thoughts and your long service to the public service in Manitoba.

Thank you.

**Mr. Chairperson:** The Honourable Mr. Gerrard—or, sorry, Mr. Falconer, did you have a response?

**Mr. Falconer:** No, thank you. Again, I think many of us have been working long and hard. I think we need to be honest with ourselves and honest with the public, and I hope that you are prepared to do that.

Thank you.

**Mr. Chairperson:** The Honourable Mr. Gerrard, did you have—

**Mr. Gerrard:** Yes, I do have a question.

Thank you, Patrick, for coming and presenting.

I do want to clarify one thing, and that is that in the Liberal Party we have indicated that we do want such a meeting of all parties and that we are looking to change the rules and that one of the rules that we would like to change is that bills must be presented in full the first time that they are read at first reading.

We'll have to make that more clear and louder in the coming days, but I just want to assure you that is the case.

**Mr. Falconer:** And I appreciate that and I appreciate that—perhaps saying that more clearly and publicly, but that's not where the letter from the six Manitobans stopped. It asked about looking at an overall change to process to better reflect due process and to provide

for a more realistic and meaningful way for the public to have input into those due processes.

I guess I'm here to say that, you know, while I appreciate the opportunity to bill—to present at—between second reading and what goes on to third reading, that in fact what we've seen—and not only with this government—it's nice to be put on the record to say here's my stand, but it has limited, if any, impact upon the bills going forward.

The time is not at this stage where you—tonight, you've got to decide on amendments. Are you going to do that? Is that something that this process actually provides for? A meaningful, thoughtful deliberation as to how to improve the bill? I think not. There are other avenues to do that. I encourage the parties, all the parties and leaders, to consider how they promote more meaningful, public involvement in the legislative process.

Thank you.

**Mr. Chairperson:** Are there any further questions for Mr. Falconer?

**Mr. Gerrard:** Yes, I will make one brief comment, and that comment is that we have put forward already a number of report stage amendments. I don't know that any this time around have been accepted, but certainly in the past, there have been examples of amendments being accepted.

But I agree with you that we do not do this nearly as much as we should, that we should much better reflect the content of the presentations that come forward at committee stage and be much more ready to make the changes.

So, I really appreciate your comment and I want to say thank you.

**Mr. Falconer:** Again, I thank you.

I think the issue is having the political courage and honesty to be able to admit that this system doesn't provide for that kind of input. And I fear that the party in power has less reason to do that and the party who looks to get in power at next election thinks that they can then—can use those same levers of control when they become government. And frankly, again, the citizens lose and the public continues to lose confidence and trust in the political process.

I think that's a great shame, and I hold you, as MLAs, accountable for playing the role you can and should be playing to be able to meet the public interest more suitably. It's not an easy role to play, but it's a

role that I hope you have the courage to be able to stand up and speak to your leaders and your caucus about changes that are required.

Thank you.

**Mr. Chairperson:** Thank you for your presentation, Mr. Falconer.

We will now move on to the next presenter. I will now call on Elizabeth McCandless, private citizen, and ask the moderator to invite them into the meeting.

Please unmute yourself and turn your video on. Ms. McCandless, are you there?

**Floor Comment:** Hello.

**Mr. Chairperson:** Ms. McCandless, you may proceed with your presentation.

**Ms. Elizabeth McCandless (Private Citizen):** Good evening, committee members. My name is Elizabeth McCandless, and I'm appearing as a private citizen, but I will mention that I'm a lawyer and I work for the Manitoba Law Reform Commission. I also co-chair the Animal Law Section of the Manitoba Bar Association. I'd like to thank you for allowing me the opportunity to speak tonight about Bill 62.

Bill 62 has been introduced with the stated objective of enhancing safety to farm animals, their livestock and the public's food supply, by prohibiting individuals from entering biosecurity zones, interfering or interacting with animals in biosecurity zones or with animals in transport.

Now, enhancing biosecurity is an important legislative purpose, especially with the realities of COVID-19 on everyone's minds. However, a closer look at the bill suggests that the proposed amendments don't actually address biosecurity risks. So I will briefly discuss the purported biosecurity aspect of the bill, and then I will address what happens—what appears to be the actual intent of the bill and why that matters.

So, when analyzing proposed legislation, the first step is usually understanding the overall purpose. For a penal legislation—which is legislation that imposes penalties and creates offences, as is the case here—the question is often what is the mischief the Legislature is trying to address? In reading the text of Bill 62 and weighing it against available facts, it appears that it is not intended to address biosecurity as one of the main objectives.



So, just to go back to the stated objectives that we've heard in Legislative Assembly and in government statements on the bill upon its introduction—first addressing the concern over safety to farm families. As other presenters have already discussed, Manitoba already has legislation at both the provincial and the federal levels to provide protection from trespassers and individuals coming onto farms and harming farm animals or damaging property. Likewise, these provisions would provide protection to livestock living on those farms. So there are already in place other legislative mechanisms to deal with the safety of farm families.

Second, and more commonly cited as the legislative purpose, we hear about the safety of Manitoba's food supply and enhanced biosecurity. So, if the government is advancing this proposed legislation to protect livestock and our food supply from biosecurity risks, then one would expect the decision to be based on the evidence. But the reality is that there's no evidence to support the assertion that members of the public coming into contact with livestock is actually causing animal diseases to spread.

And we've already heard from a couple of speakers already. Kaitlyn Mitchell of Animal Justice mentioned that publicly available CFIA investigation reports reveal that the most common causes of outbreaks of disease are things like workers working in multiple facilities, needle sharing, feeding dead animals to other animals, interactions between livestock and wild animals, and worker-to-animal infections. And, importantly—and this must be emphasized—there are no recorded incidents of an animal advocate coming in contact with a farm animal and causing the spread of disease.

And another thing that I wanted to point out with respect to the issue of biosecurity risks is that in January 2021, the Auditor General released a report examining whether the Department of Agriculture and Resource Development is prepared for an animal disease emergency. And I note that the government accepted all the Auditor General's recommendations contained in the report. In the report, biosecurity is defined as measures taken to prevent exposure to harmful biological or biochemical substances. And the report concluded the department is not adequately prepared for an animal disease emergency. It noted some areas where the government had some things in place, but noted that there were some additional deficiencies that needed to be addressed.

Importantly, nowhere in the report did it point to increased risk of animal disease from interaction with or interference from animal advocates, nor did it—did the report mention the adoption of the kind of legislation contemplated here. In short, calling something biosecurity does not make it biosecurity.

So, coming back to the question of legislative intent, the evidence does not support the assertion advanced by the government that these amendments are created to protect farms or enhance biosecurity. So, that leads us to question, if Bill 62 is not intended to address biosecurity risks on farms or in transport, then what is it actually trying to address?

\* (20:40)

Looking at the wording of the bill and the broader context, it is quite clear that the bill is intended to prevent animal activists who bear witness to and document the lives of farmed animals in factory farms or on their way to slaughter. This is clear in the wording of the subsections set out under section 13.1 and 13.2 of the bill and the fact that there are no other proposed amendments that address any of these situations that have resulted in outbreaks, as I stated earlier.

I don't think Manitobans would find it acceptable for their government to enact legislative changes based on anecdotes from the industry as opposed to the evidence, especially when it comes to something as important as animal agriculture.

And further, Bill 62 potentially infringes on freedom of expression and the right to peaceful protest as provided for under sections—subsection 2(b) and 2(c) of the Charter.

Now, I won't address the Charter issue further, but I suggest members seriously consider the letter that was signed by legal experts signalling the potential Charter issues in this bill, and I also support the submission made by Dr. Jodi Lazare and Kaitlyn Mitchell of Animal Justice and others who've expressed concerns about potential Charter issues.

One concern about Bill 62 that hasn't been touched on as much yet is the definition of biosecurity zone. The definition has largely been left for the regulations, so we don't know yet what will be included in this definition, but I point this out because, in addition to the concerns about Charter issues with animals in transport, as far as Charter rights go, it would be particularly problematic if the definition of biosecurity zone were to encompass public property, for example.

Just to conclude, in keeping with the principles of openness and transparency in government and in keeping with the fundamental freedoms set out in the Charter, respectfully I do not support the adoption of Bill 62. In light of our current reality in dealing with a global pandemic that was likely caused by animal-to-human transmission, Manitobans want more oversight and transparency about animal agriculture in our province, not less. The more the industry conceals what happens to farmed animals, the more the public believes it has something to hide.

So, those are my submissions, and I thank you for the opportunity to speak this evening.

**Mr. Chairperson:** Thank you for your presentation, Ms. McCandless.

**Mr. Pedersen:** Thank you, Ms. McCandless, for your presentation and for your input in here.

And, Mr. Chairman, I don't have any questions.

**Mr. Brar:** Just wanted to say thank you. No questions.

**Mr. Adrien Sala (St. James):** Thank you so much, Ms. McCandless, for your presentation. It was really informative.

I have to say, it's really disappointing to see the minister responsible for this bill seeming to be so bored and disinterested, frankly, in asking you any questions—as somebody who's clearly really well informed and bringing a lot of useful information to the table. So, it is disappointing to see that level of disengagement.

I'm hoping you can take a moment to help us understand how you feel this bill will impact the safety of animals in Manitoba?

**Ms. McCandless:** Thank you for that, Mr. Sala.

And so, in terms of your question as to how I think that this bill will impact the safety of animals in Manitoba—I believe that was your question?

**An Honourable Member:** Yes.

**Ms. McCandless:** So, one thing that I will say is that what we know from undercover investigations and activists that have documented things that happen on farms—those kinds of situations have actually helped the safety of animals in a number of ways with different documentations and across the country. So that's one way.

The other way that this might not help is that if we are amending The Animal Diseases Act at this

stage to implement some changes that won't actually result in increased biosecurity enhancements, then will the government be as open to revisiting the act so soon after to implement those changes that were outlined in the Auditor General's report that would actually result in some positives?

**Mr. Gerrard:** Thank you, Elizabeth, for your presentation.

I find it very interesting that you raise the issue of the definition of what will be the biosecurity zone. I actually asked the minister in question period to more clearly tell us what he meant and what he was meaning in terms of biosecurity zone, and I didn't get a very good answer. So, I think that it continues to be an important question and that we should be getting better answers to that.

So, thank you.

**Mr. Chairperson:** Ms. McCandless, did you have a response for Mr. Gerrard?

**Ms. McCandless:** Thank you, I don't have a response. Just, I appreciate your comments, thank you.

**Mr. Sala:** Thanks so much. Hoping you can just, as a lawyer, give us a bit of your sense of what's going to happen or what kind of legal risks might a young activist face if they end up participating in some kind of, you know, documentation of some kind that would put them on the wrong side of this law.

What do you see as a potential risk to those citizens who dare to do something along those lines?

**Ms. McCandless:** Thank you for that.

Let me just grab—so, I believe some of the other speakers already addressed some of the penalties in the act, and kind of, some of the concerns that—of the penalties that they could be facing if they were to be found in these kinds of situations.

So, you know, there's a risk of fines. And when we look at fines to private individuals and—perhaps, belonging to organizations without a lot of funding—that kind of funding can—that kind of fine can have a very detrimental impact. And as we mentioned already, somebody who is found—convicted of these offences could face up to a year in prison, which is particularly problematic when you consider, you know, the types of activities that could be seen as compassionate: providing water, or just being, you know, as discussed earlier, taking photos or whatever, whatever that might entail.

So, yes, there are some fines that are a problem, and that's something that I hope that the committee considers further.

**Mr. Chairperson:** Thank you for your presentation, Ms. McCandless.

We will now call on the next presenter. I will now call on Corey Feere, Manitoba Animal Save, and ask the moderator to invite them into the meeting.

Please unmute yourself and turn your video camera on—or, your video on.

Corey, you may—could you give me the proper pronunciation of your last name?

**Mr. Corey Feere (Manitoba Animal Save):** You had it right. It's either Feere or Feere, however you want to pronounce it, it's fine.

**Mr. Chairperson:** You may proceed with your presentation, Mr. Feere.

**Mr. Feere:** Hi, my name's Corey Feere, and I'm a co-organizer with Manitoba Animal Save. Manitoba Animal Save is a chapter of the global save movement, and it bears witness to animal—livestock animals in transportation to slaughterhouses to expose the cruelty and the truth of the animal agriculture industry and exploitation industries.

Manitoba Animal Save, along with Brandon Animal Save and several other activist groups, have been at the forefront of putting pressure in—towards the Manitoba agriculture industry in the past several years. We are a collection of people of varied backgrounds, cultures and economic classes who work together to fight against animal cruelty done at the hands of the industries that are supporting this bill.

We have continuous positive relations with law enforcement, the workers. We are in direct contact to the industry and the community at large we deal with. However, this bill aims to paint us as criminals and eco-terrorists, making it criminal to expose the crimes and abuses these industries pay their way and bribe out of accountability.

In the past several years in Manitoba and Canada, activists have been able to expose horrid atrocities done by the animal agriculture industry. These are never outliers or extreme situations, but routine practices that have been caught on camera and unable to deny—from the industries. While lawsuits and legal fees are inconsequential to industrial farms, they have

a great effect to the public's perception and willingness to purchase meat, dairy, eggs and other animal products.

In the past several years, because of—activists have been able to expose the animal agriculture industry's practices exponentially, people have shown ways to exclude animal products from their diets and support new, alternative industries. This is where the fight is and this is why they're trying to silence activists. It has nothing to do with protection of animals, nor biosecurity, such as stopping the spread of PED—porcine epidemic diarrhea—which is common in pigs, especially in Manitoba.

\* (20:50)

We have documented and seen many times drivers and other employees breaking biosecurity protocol, such as getting out of trucks without changing boots or proper clothing, handling pigs or even doing business beside the trucks with no perceived issue from management.

This bill is a red herring to use legislation to attack those who are a detriment to the profits, while not adhering to the same rules themselves.

Two quick examples I want to give based on these actions: In 2017, activists captured footage in a chicken farm in Chilliwack, BC. This footage exposed chickens being handled and thrown in a sadistic manner. Sophia Farms and Elite farms limited were forced to have their brands associated with their own standard practices and have the world at large condemn the Canadian poultry industry.

Earlier this year, the Good Place animal sanctuary rescued six laying hens dumped outside in a mass culling in Brady landfill outside of Winnipeg. These six chickens—they'd survived a gas on thousands of other chickens and being buried alive among the corpses. Two of the six chickens since have died from medical complications.

Manitoba Egg Farmers have acknowledged and accepted full responsibility of such an inhumane situation, but this has been the second time it happened in the past year in the exact same situation. They have continued culling—the exact same process—since, so it seems they are not focused on changing their ineffective cull method, and—nor allowing the public to rehome spent hens, but hoping that the public forgets about this incident.

Actions like these expose and hold the industry accountable in ways that they would and never hold

themselves accountable to. The animal—and the animal agriculture industry wants to sell an image of quaint lived-in farms full of happy animals and open pastures, of Americana and nuclear families doing chores until the animals are cuddled to death and become dinner. This is not the industry. This is a high-speed, high-volume industry dependent on animal abuse, pathetically inadequate transportation laws, worker expectation—exploitation and lobbying the government legislation.

What is happening with Bill 62 is—the same happened in 2017 with bill 24 when it was pushed through, the red tape reduction bill, to reduce restrictions on hog barns in Manitoba that has continued to be detrimental on local water in Manitoba produced by hog barn wastes affecting rural residents and wildlife in Manitoba. The protection of the people of Manitoba was not given a forefront to that bill. That bill passed, but the relationship of our government with the Manitoba pork and animal agriculture on the whole was preserved.

This bill was also a 'blazant' attack on journalism and freedom of speech. They are finding ways to limit our access to information itself, not only keeping information from us who oppose the industry, but the very consumers they depend on to profit—the people they need to consume their products. They do not want the public to learn where the—how their food is produced nor the system they've built to produce it.

The animal agriculture industry needs to be an industry with full accountability. If they have nothing to hide, they should have no issue with it being seen. If this is about animal welfare, they should be okay with the animals—or, sorry, the pigs in their care, who go several days without food or water in transportation in extreme weather, as per industry standards, to be provided with small amounts of water or comfort from activists.

We would never allow this to happen to dogs or cats, so why are we letting this happen to pigs? But they are not—they want the industry to be veiled in secrecy and isolation, protected from the government from accountability—by the government for accountability.

To the industry insiders and public speakers in support of this bill who I believe are coming up right after me, you will promote the idea this is some altruistic way to protect activists from danger. However, the rate of occurrences to people in danger are incredibly exaggerated, if they exist at all. Outside the few, extreme outliers, activists are very mindful of

trucks and animal safety. In Manitoba, we are extremely safety oriented, we have heavily self-enforced rules of approaching a truck, which is to never while it's moving, and a complied consent from the driver and a safety officer designated to oversee everyone.

It is absolutely ludicrous to accuse or even think of animal rights activists who want to ever attempt to poison an animal in transportation as some sort of ploy to hurt consumers. Paranoia and fictitious hearsay is not the same as evidence, and you should be ashamed that that's the basis you want to be arguing on. If you believe that this is what happens, I invite you and anyone else to come out and bear witness with us before this bill makes it illegal and see the, honestly, compassion that animal rights activists have to show towards the victims of a brutal industry of this bill.

For those who are voting on this bill, you have a powerful opportunity to do the kindest of actions. I implore you to vote against this bill and choose kindness.

Thanks for your time and consideration.

**Mr. Chairperson:** Thank you for your presentation, Mr. Feere.

We will now move on to questions.

**Mr. Pedersen:** Thank you, Mr. Feere, for your presentation.

And, Mr. Chairman, I have no questions.

**Mr. Chairperson:** Mr. Brar?

**Mr. Brar:** No questions.

**Mr. Chairperson:** Mr. Gerrard?

**Mr. Gerrard:** Mr. Feere, you mentioned two occasions where there were animals found at Brady landfill, and I just wondered if you could provide a little bit more detail.

**Mr. Feere:** Yes, absolutely.

Once I want to say was in May of 2020, and the other was on April 1st of this year. Both times it happened is—when they cull the chickens, they do it in mass culls. In Manitoba it's usually done with CO<sub>2</sub> gas. So they pump the barn full of CO<sub>2</sub> gas, same way as we kill pigs. So essentially, their insides go on fire and they die from asphyxiation. They're sent to the dump. Sometimes they're thrown on the land—or they're thrown in the ground as fertilizer; sometimes they dump if they're not able to. During COVID-19 there's a huge number of this, sometimes because they're spent hens, other times because restaurants are

not open and they're not—they don't eat eggs like they used to. But anyway, so they go there.

A lot of the chickens that do survive are—they survive underneath the other chickens and are brought there—there's probably much more that survive than are found, just by being crushed under the other chickens, and then they were found both times by workers at Brady dump; they just saw chickens running around. Sanctuaries across Manitoba are contacted. Now, The Good Place is to be calling—the one to be contacted for this. They rush over there. They pick up the chickens. They try to find whatever ones they can, and then they're brought to the vet for a proper medical assessment.

So those two from last year, only one surviving, and then now from this one, only four survived of the six. They become very happy chickens. They've never seen any sort of compassion or regular chicken life, such as, like, eating bugs or being on grass, and they bounce back very quick.

That's very nice and is very—as much as the egg industry doesn't want to see it, it's seen how horrible condition these chickens are in: they're without feathers; they're underweight; they're full of cancer; their hindquarters are very raw and bloody. And yet, they don't—they're not very happy seeing this stuff. And it's—the more the sanctuaries promote this—I've—saying this as—chickens, we want to get more chickens. We did a very large rescue last year of 1,200 chickens.

Seeing the egg industry's doing this, we do want to help them with this. If they're going to do the eggs, we can't stop that. But we would love if they actually allowed us to rehome these chickens. There's many, many homes, there's thousands of chickens who want—people want thousands—not—of chickens in backyards—seeing 10 at a time—to give them proper life. And this is the kind of reality of the industry—it's more the industry wants to keep it quiet, opposed to do kind of a right thing for animal welfare and the ability—want people to be to see the the actual reality of their industry, and they're actively trying to cover it up.

**Mr. Chairperson:** Are there any further questions for Mr. Feere?

Seeing no further questions, we will move on to our next presenter.

I will now call on Bill Campbell, keystone agriculture producers president, and ask the moderator to invite them into the meeting.

Please unmute yourself and turn your video on. Mr. Campbell, you may proceed with your presentation.

**Mr. Bill Campbell (Keystone Agricultural Producers):** Thank you for the opportunity to speak to Bill 62.

Good evening, and my name is Bill Campbell, and I'm president of Keystone Agricultural Producers, also known as KAP.

*Mr. Vice-Chairperson in the Chair*

KAP is Manitoba's general farm policy organization, providing a unified voice for farmers on issues that affect agriculture. We work with governments, industry and stakeholders on overarching issues that affect all farmers.

\* (21:00)

KAP is funded and directed by our members, which include farmers from across Manitoba and organizations representing specific crop, livestock and specialty commodities. Our membership sets KAP's policy through a democratic grassroots governance structure. In total, we represent and promote the interests of 4,500 farmers and 20 commodity associations across Manitoba.

This evening is an opportunity for our members to promote—to provide further input into Bill 62, The Animal Diseases Amendment Act. Manitoba farmers take biosecurity and food safety seriously because they know that the food they produce should meet the highest standards. KAP is committed through policy developed by farmers to protect the interests of agriculture from the spread of animal and plant disease.

Our members have been clear that this is an important issue and that further action is required. By way of background, we have lobbied the provincial government for legislative and regulatory changes to enhance biosecurity and for stronger legislation and tougher penalties to deter rural crime and trespassing.

Just last week at a policy-making session, our members 'reiterated' their support for efforts to enhance the ability of farmers and ranchers to improve biosecurity, including support for Bill 62 and 63.

Farmers work hard to develop and adhere to biosecurity protocols that protect their farms and their livestock from the spread of disease to humans, animals and plant life. The Canadian Food Inspection Agency, also known as CFIA, creates and enforces

stringent national biosecurity standards, protocols and strategies designed to protect livestock. This is done in collaboration with producer organizations, governments and academia.

Biosecurity protocols include requirements, depending on the species, such as employees showering when entering and exiting the barn, mandatory gowns, face masks and boot covers and other standards aimed at keeping both animals and the food supply safe, including during transportation. These protocols are mandatory, universal, enforceable and can include third-party independent auditing and verification.

The idea that a breakdown in biosecurity protocols does not represent a real threat to farm operation could not be further from the truth. When biosecurity protocols are compromised, this jeopardizes food security and often 'necetates' drastic action to prevent disease outbreaks, which have critical, immediate and long-lasting impacts on our industry.

We welcome changes that will require a person to obtain consent before entering a biosecurity zone or interacting with livestock in a biosecurity zone. By requiring consent, this legislation will improve the farmer's ability to maintain the health and safety of their livestock and, ultimately, the food they produce.

Biosecurity protocols are developed to protect humans, animals and plant life, and everyone must follow them. It is also important to state clearly that biosecurity and food safety does not end at the farmyard. Farmers are responsible for the health and safety of their livestock, including during transportation.

Transportation conditions are carefully controlled to adhere to federal animal transportation regulations, ensure a safe and healthy arrival for livestock at their destination. This legislation will address the various biosecurity risks livestock face during transportation, including at feedlots and auctions.

In closing, we are pleased with the amendments proposed here in the provincial government's commitment to improving biosecurity in our province. We want to emphasize that Manitobans should be confident about where their food comes from. Our industry and the farmers in this province have high standards for themselves and stringent requirements they must meet when it comes to food they produce. We appreciate being included in this important discussion as the voice of farmers in Manitoba.

Thank you.

**Mr. Vice-Chairperson:** Thank you very much, Mr. Campbell, for your presentation.

Do members of the committee have questions for the presenter?

**Mr. Pedersen:** Thank you, Bill, for your presentation and for presenting, certainly, the agricultural producers' side of this discussion, and certainly your input is welcomed in developing the legislation and we'll continue to do that consultation with you. So, thank you.

And, Mr. Chairman, I don't have any questions.

**Mr. Brar:** Thank you, Bill, for your wonderful presentation.

And as you might know, I've been working with Manitoba Agriculture for a few years in Interlake and then in Eastman, and I'm a big fan of biosecurity protocols, and I support biosecurity in agriculture.

In addition to the legislative support that we are discussing right now, what other steps can be taken to improve biosecurity at Manitoba farms?

**Floor Comment:** Has the Chair recognized me?

**Mr. Vice-Chairperson:** Sorry—sorry, Mr. Campbell. Please respond.

**Mr. Campbell:** Yes. Thank you for the question.

I think it is imperative, when we look at animal production and the safety of farm families, that obtaining consent and knowledge of those that require that be obtained. I think that it is very important that we have informed access.

**Mr. Vice-Chairperson:** Is there any further questions from the committee?

**Mr. Gerrard:** Yes. Bill, thank you for your presentation.

As you've probably heard, a number of the presenters before have made the case that this bill is not about security; it's about suppressing activists, but I'd like to give you a chance just to, you know, make the case of why this bill is so important for biosecurity.

**Mr. Campbell:** Thank you for the question.

I think, when we view some of the global disease risks that are happening now, that—I think that it is an imperative that we have these biosecurity measures. We only need to view some of the history of some of the diseases that have been in Canada and throughout the world to realize the significant impact that they can have on our industries and our food security.

When we move forward to what we have now and the statement that this is not about biosecurity, I think that suggests the success of the model and the lessons that we have learned so that we do not compromise our food security and our food safety issue. I believe that we have some of the highest standards for food quality acknowledged in the world and that needs to be ensured and emphasized.

**Mr. Gerrard:** Thank you.

**Mr. Vice-Chairperson:** Any further questions from the committee?

If not, I thank you, Mr. Campbell, for your presentation.

I will now call on David Wiens, chair of Dairy Farmers of Manitoba, and ask the moderator to invite them into the meeting. Please unmute yourself and turn your video on.

Mr. Wiens is not here, and we will drop him to the bottom of the list.

I'll now call on Cam Dahl from Manitoba Pork, and ask the moderator to invite them into the meeting. Please unmute yourself and turn your video on.

**Floor Comment:** Good afternoon, members of the committee—or, good evening—

**Mr. Vice-Chairperson:** Mr. Dahl, please proceed with your presentation.

\*(21:10)

**Mr. Cam Dahl (Manitoba Pork):** Good evening to the members of the committee, and thank you very much for the opportunity. My name is Cam Dahl and I am the general manager of the Manitoba Pork Council. I'm very pleased to have the opportunity to provide comments on The Animal Diseases Amendment Act.

Manitoba Pork represents all the hog producers in the province. In total, there are about 600 hog farms located across the province that produce about 7.7 million pigs annually. The sector provides over 14,000 Manitobans with jobs. The pork industry contributes approximately seven—\$1.7 billion to the provincial economy annually. The pork industry is a driver of the provincial economy and one that will play a critical part in the economic recovery from COVID-19.

Pork producers are committed to environmental stewardship, food safety, animal care and quality assurance. We have dedicated significant resources to

science-based research to support these objectives. Our goal is to work in partnership with government and stakeholders to effectively build and sustain a prosperous hog production and pork processing sector in Manitoba.

Manitoba Pork, along with other producer representatives, recently sent a letter to all members of the Manitoba Legislature indicating our support for bill C—or, Bill 62. I will provide some detail on the biosecurity and safety reasons for the support. I also will provide some comments on measures taken by Manitoba producers and regulatory authorities to ensure the highest level of animal care.

First, to the importance of biosecurity. One of the biggest threats to our sector is the introduction of a foreign animal disease to the Canadian and Manitoban commercial swine herds. Diseases like African swine fever are present in major pork-producing countries, including Russia, Germany, Poland, and has caused the loss of over 200 million pigs in China alone. In the event that ASF was transmitted here, it would cause irreparable harm to our industry and across all of Canada.

We have learned, through the COVID-19 pandemic, viruses will spread rapidly when basic fundamentals such as handwashing, mask wearing and physical distancing are not adhered to. Preventing disease spread in swine herds involves similar biosecurity fundamentals. They need to be adhered to.

Manitoba's pork producers and their staff follow stringent biosafety protocols in the barns each and every day to keep their animals healthy and safe. Producers and employees are required to shower before entering barns, and must change into designated clothing and footwear in a separate part of the barn before entering the biosecure areas where animals are located. Anyone entering the barns or farms, handling animals or moving between barns without following the proper biosafety protocols puts the health of animals, safety of food, livelihood of our farmers and entire sector at risk.

Accordingly, Manitoba Pork is strongly supportive of the clauses of Bill 62 that would establish and define biosecurity zones and the corresponding sections 13.1(1) and 13.1(2) and 13.1(3) of the bill that prohibit outside parties from entering, breaching—or breaching the integrity of biosecurity zones, or interfering with animals.

Manitoba's hog producers and transporters follow similar biosecurity protocols when animals are being

transported between farms or from farms to processing facilities. Outside parties interfering with the animals or offering them outside food or water sources threatens the safety of our food. As such, Manitoba Pork is also strongly supportive of the sections 13.2(1) and 13.2(2) of Bill 62, which prohibit outside parties from interfering with livestock while in transport.

All livestock sectors adhere to strict biosecurity protocols to prevent the spread of serious diseases that include ASF, foot and mouth disease, porcine epidemic diarrhea, avian influenza and others. And Bill 62 recognizes the fundamentally important role of biosecurity in modern agriculture.

Second key area is the safety of producers, their families and our stakeholders. Manitoba hog farms are more than just barns, fields and trucks. A significant number of our producers and their families also reside on the same acreage as the barns. The potential of having individuals trespass on their land and break into their facilities is not only a biosecurity concern but it also threatens the safety and security of our producers, their employees and their families.

Manitoba has been fortunate that we have not seen co-ordinated break-ins and protests that have been experienced in other provinces. However, our hog producers and transporters are not exempt from threatening behaviour. There have been incidences of Manitoba farm families witnessing unknown vehicles repeatedly driving past their properties, like, some circumstances, Manitoba livestock and poultry farmers have even found wireless video recording devices on their properties and have had their barn's power supplies tampered with.

These actions are not acceptable. Manitoba Pork is of the view that the legislation proposed in Bill 62 and its subsequent regulations will go a long way to deterring such criminal behaviour.

You want to comment a little bit about animal welfare and care. Heard a lot about that tonight. A significant misrepresentation's being made by opponents to this bill that the proposed legislation is intended to cover up alleged incidents of ongoing animal abuse. These accusations are completely false.

On-farm animal care in Manitoba is highly regulated. Manitoba Pork and the hog producers fully support the legislative and regulatory frameworks and safeguards that are in place to prevent animal abuse from occurring. We also support the intervention

measures in place that provide the opportunity for incidents to be reported.

Under Manitoba's Animal Care Act and animal care regulations, anyone who comes into contact or close proximity with livestock has the opportunity to report concerns of animal abuse to the Province's Chief Veterinary Officer, and there is currently ample opportunity for informed professionals within the biosecure supply chain to report concerns of animal abuse. Bill 62 would not change that.

In addition, adhering to the provincial—in addition to adhering to the provincial regulatory framework, all livestock groups in Canada also follow species-specific national codes practice. I do want to comment on how those codes of practice are created. They're not just created by the industry. Those code development committees include non-governmental organizations that are interested in animal care. They include academics, they include governments.

There is a broad consensus on the recommended practices for the care and handling of animals, as developed under the National Farm Animal Care Council. Complementing these national standards, pork producers in Manitoba follow additional animal care programs, such as the Canadian Pork Excellence, which uses internationally recognized high standards of care and farm practices to enhance animal husbandry and animal welfare. These programs allow our producers to demonstrate compliance with animal care, food safety and traceability requirements demanded by domestic and export markets.

Closing on this section, our producers care for their animals. To provide a summary, Manitoba Pork would like to reiterate our support for Bill 62, which, together with Bill 63, The Petty Trespasses Amendment and Occupiers' Liability Amendment Act, would help protect the integrity of our sector's ongoing biosecurity efforts and help ensure the ongoing safety and security of our farm families.

I'd like to thank the committee members for the time, consideration and appreciate the opportunity to provide our organization's input—excuse me—on this important legislation.

**Mr. Vice-Chairperson:** Thank you very much, Mr. Dahl, for your presentation here tonight.

Do members of the committee have questions for the presenter?



**Mr. Pedersen:** Congratulations, Mr. Dahl, on your recent appointment as chair—as general manager of Manitoba Pork.

There's been a few presenters talking about going up around trucks, trailers, when they're loaded, on the road. Can you—and you did mention a little bit about that.

Can you maybe expand on just the danger, both to personal safety and potential safety of the animals when people interact with trucks that they're stopping on the road? *[interjection]*

**Mr. Vice-Chairperson:** Mr. Dahl, Mr. Dahl, sorry, I just—you have to just let me recognize you.

Anyway, you can proceed with your answer.

**Mr. Dahl:** Absolutely. There are dangers, and I'd like to highlight a couple, Minister.

\* (21:20)

There is, of course, danger to the driver, to the person operating the truck. If you're moving heavy equipment and there are people moving in around your vehicle that shouldn't be there, aren't trained to be there and are not predictable, there's a danger to you and, of course, there's a significant danger, as well, to the livestock you're carrying. So there's both a danger to the person operating the truck as well as the person—or the livestock that they're hauling.

And there also is a danger to—you know, I've heard the comments that, you know, no one would put, you know, dangerous substances in those water bottles that are being fed to pigs, and I believe the people that are saying them—that are saying that here today. I believe them, and I take them at their word. But they aren't everybody, and they aren't everybody in the community or—they aren't all of—they don't represent all of the people that want to shut down modern agriculture. And the threat of having noxious substances fed to those animals is real.

And it's something that's concerning, and pleased that Bill 62 would help prevent that.

**Mr. Vice-Chairperson:** Minister Pedersen, on a supplementary question?

**Mr. Pedersen:** No.

**Mr. Brar:** Mr. Dahl, thank you so much for your presentation and your thoughts on the subject.

I want to ask you this: what is the general status of biosecurity protocol compliance in Manitoba hog farms right now and how can we improve it?

**Mr. Dahl:** The compliance—and thank you for that question. The compliance is very high. This is something that Manitoba pork producers take extremely seriously because the threat is very real, and the consequences of bringing outside diseases. Again, the first wave of African swine fever in China, they're now experiencing their second wave—it's just like COVID—resulted in 200 million pigs dying. The threat is very real.

And so this is something that Manitoba producers take extremely seriously and have put very significant measures in place; the compliance is very high. And having that biosecurity zone breached is a significant threat to the health and safety of the animals that they're caring for.

**Hon. Eileen Clarke (Minister of Indigenous and Northern Relations):** Mr. Dahl, I'd just like to thank you for your presentation here this evening. I've worked in different levels of government since 2006 and most frequently with pork producers across my constituency and my municipality, and the issue of biosecurity is one that is very respected.

I have 25 colonies in my constituency at this time, and, you know, the discussions in regards to biosecurity within their—the farming area is a very high priority, so I want to thank you for your comments and supporting these producers in rural Manitoba tonight.

**Mr. Gerrard:** Yes. Just briefly, we've heard a fair amount of discussion about what interfering with a transport of animals is, and I would presume—but you can tell me differently—that if somebody is at a distance and not interfering with the transport of animals, that there's not a particular problem with people taking photographs.

Is that correct or is that wrong? *[interjection]*

**Mr. Vice-Chairperson:** Sorry, Mr. Brar? *[interjection]* Mr. Dahl, sorry.

**Mr. Dahl:** I'm just too anxious to answer the questions.

Dr. Gerrard, I agree with that; that, you know, if there isn't interference—which is why I support how the bill is worded. I'm not the one to judge what that, you know, what that level is or what that distance is. I know that there are experts and those that are, you know, well acquainted with animal behaviour and know—or, have a good understanding of how that interaction—of how interaction is going to impact the animals that are under transport.

I will leave it to them to go through the regulations and define—

**Mr. Vice-Chairperson:** Thank you very much, Mr. Dahl. And the time has gone a little bit long on the question and answer period.

So we will move on now to Cory Rybuck, and ask the moderator to invite them into the meeting. Please unmute yourself and turn your video on.

*Mr. Chairperson in the Chair*

**Mr. Chairperson:** Mr. Rybuck, when you are ready you may proceed with your presentation.

**Mr. Cory Rybuck (Manitoba Egg Farmers):** My name is Cory Rybuck, I've served as general manager for Manitoba Egg Farmers over the past 10 and a half years, and am thankful for the opportunity to present to you this evening.

Manitoba Egg Farmers represents 170 regulated egg and pullet farmers in our province. MEF is an independent organization funded entirely by egg and pullet producers. Regulated farmers are the primary caregivers of hens that produce over 76 million dozens each year in Manitoba and—feeding communities all across this province.

Manitoba Egg Farmers fully supports the adoption of Bill 62, the proposed Animal Diseases Amendment Act. Bill 62 would require a person to obtain the consent of the owner before entering a biosecurity zone, such as a laying hen or pullet barn, or interacting with animals to limit the spread of disease. A biosecurity zone is an area within a live-stock operation to which access is tightly controlled to limit the spread of pathogens.

The threat of biosecurity breaches which can sicken and kill hens and compromise the safety of our food system is real when unauthorized people enter on egg farmers' premises. Our egg and pullet farmers take measures every day to protect their flocks. Bill 62 represents an additional measure to limit the spread of disease.

Regulated egg and pullet farmers across Canada adhere to the national Start Clean-Stay Clean on farm food safety program. The objective of this national, mandatory program is to produce safe eggs for consumption by utilizing good management practices and operating procedures that effectively prevent or control identified biological, chemical and physical hazards.

Start Clean-Stay Clean is a HACCP-based program. Hazard Analysis Critical Control Point or HACCP is a systematic approach to food safety that is internationally recognized and recommended by the Codex Alimentarius Commission, a joint food and agriculture organization and World Health Organization food standards program established in the early 1960s to protect consumer health and promote fair practices in food trade.

Originally, about 25 years ago, the Start Clean-Stay Clean program was developed as a control for salmonella enteritidis, as outbreaks of salmonellosis—the human disease caused by salmonella bacteria—had seriously disrupted the egg industry in much of Europe and the United States. Even though Canada's record with salmonella enteritidis was among the best in the world, the Canadian egg industry felt it could contribute to the improvements being made world-wide. Environmental swabs looking for salmonella enteritidis are regularly taken each egg layer flock cycle and in the pullet barn as well.

As the Start Clean-Stay Clean program matured, the industry came to realize that the same practices that combat salmonella enteritidis could also control other organisms—organisms that can cause food-borne illness or poultry disease, such as ILT, a lethal respiratory disease which is a common occurrence in backyard flocks in Manitoba. Salmonella enteritidis being controlled is not the only true goal of any good management practice, which really is the control of all food safety hazards and health threats to the hens.

The Start Clean-Stay Clean program is a dynamic one and is updated as the body of knowledge changes through experience, research, technical advancements and government regulation. This constant development maintains the strength of the program and assists the Canadian egg industry in continually meeting the high standards for food safety, egg quality and animal health.

\* (21:30)

On-farm inspections are conducted by trained third-party professionals to verify the operation against the Start Clean-Stay Clean program and to ensure that requirements are met consistently. It is the farmers' responsibility to implement the Start Clean-Stay Clean standards on farm, keep records to demonstrate this conformance, undergo evaluations and audits, and take immediate actions as necessary to correct any shortcomings.

All of the farmers' daily efforts to maintain the safety of the eggs produced and the health of the flock are jeopardized by the unauthorized and careless breaches of the biosecurity zones in their barns. It is for this reason that MEF fully supports the adoption of Bill 62.

Thank you.

**Mr. Chairperson:** Thank you for your presentation, Mr. Rybuck.

**Mr. Pedersen:** Thank you, Cory, for your presentation, and I certainly appreciate the information that you've given to this committee tonight.

And I have no further questions, Mr. Chair.

**Mr. Brar:** Thank you, Mr. Rybuck, for your presentation.

Just curious to know your thoughts about improving the biosecurity protocol compliance by the employees at the poultry farms. Any thoughts on that?

**Mr. Rybuck:** Certainly that's something that we do take seriously and we help our farmers, whether they're colony producers or farmers with newer, younger employees. We offer training to bring them up to speed on the biosecurity requirements of the national program. We have an extension person full time on staff so we make every effort to—you know, because the program is dynamic we're always updating our farmers as to the requirements so that they can meet them consistently.

**Mr. Brar:** Follow-up question: I've seen a few studies where it's indicated that there are some protocols which are not being followed by the employees at various facilities in Canada, maybe due to lack of training or lack of resources.

Do you think Manitoba needs more resources in education, training and public extension to improve this part of our industry?

**Mr. Rybuck:** I can only address that question in an egg context. Again, I know we're fortunate in that, being funded by egg and pullet farmers and the priority that they put on farm programming, we are able to deliver those services to our farms and new employees.

Again, we're always looking for ways to improve that, and certainly COVID has had us, you know, pivot like everybody else has to deliver these programs, you know, virtually and online. So we're making every effort to make sure that, again, those breaches don't happen as a result of untrained workers.

**Mr. Gerrard:** Yes. Thank you, Cory. Much appreciate your presentation.

One of the questions which has come up earlier on is what is included in a biosecurity zone for, for example, an egg barn?

**Mr. Rybuck:** Yes. So, I can speak to, again, my experience in barns. I haven't been into every one, obviously, but typically—and my colleague—he'll be following my presentation and can speak in more detail at the farm level—but typically when you pull up to a farm, you park away in a marked zone, you change your boot covers, put on a disposable smock, and there's areas marked out within the barn that you wait to make other, again, footwear changes before you actually get into the production area.

So, the restricted access zone or biosecurity zone is clearly marked within each facility.

**Mr. Chairperson:** Any further questions for Mr. Rybuck?

Seeing no further questions, we thank you very much for your presentation, Mr. Rybuck, and we will now move on to the next presenter.

I will now call on Kurt Siemens, Siemens Farms Ltd., and ask the moderator to invite them into the meeting.

Please unmute yourself and turn your video on. Mr. Siemens, you may proceed with your presentation.

**Mr. Kurt Siemens (Siemens Farms Ltd.):** Well, thank you very much, Mr. Chair, and I'm going to thank everybody for allowing me the opportunity to speak to you tonight. It is 9:30 already, it's getting late, so I'm not going to try to ramble on too much here.

I'm a third-generation egg farmer out in south of Winnipeg, about 45 minutes. We have eggs, egg layers, and pullets on our farm.

And I'm going to speak to you today a little bit about Bill 62, and from what I understand, it's about strengthening the laws to maintain biosecurity on farm and animal-production sites.

I'm going to speak in favour of this amendment and the reason I say that is it is something to enhance the biosecurity in our farms. On our farms, we follow very strict biosecurity protocols. We have our driveways—to the end of our driveways marked with signs so even people that are driving by can understand the importance of biosecurity and understand that this site that they potentially would want to enter is under a

biosecurity protocol and something that they'd have to be careful for.

So if there is, as Cory mentioned before, if there's all of a sudden a vehicle or somebody that's been invited to our farm, they enter our premises and they must park at least 50 feet away from any production facilities or any air intake from a production facility.

All our doors are locked and they all have signs on them that only authorized personnel should enter. And all our main entrances, we have cameras overtop of them and those cameras are set to record when there's movement, and that is just to track if anybody shows up at the farm that we didn't give consent to, we have that recording, we know who's on site and we have cameras to see what's going on.

Once the visitor has received consent and authority to enter the facility, they would do so with one of the owners or one of our employees, and once they are inside, they immediately, as Cory said, they have to change their footwear or put coverings over their footwear.

Then each visitor to our farm needs to sign a visitor log, and in that visitor log they agree to not handle the birds, or if they are going to handle the birds, they have to do it with the consent of the owner or the employee, and plus if they also see something that they don't find—is an irregularity or something that they don't agree with or something that—they are to let the people know immediately. So that's something they read and sign as soon as they come in the door.

After that, once they are moved into the barn or into the production facility, if they actually want to be in with the live animals, with the live birds, they do have to have full coveralls on, mask and gloves as required, and then once they're all done, all these disposable shoes coverings and coveralls and masks and everything, they have to be disposed of in the garbages provided.

So somebody might ask, like, okay, so why all this biosecurity? Like, why so much biosecurity? And the reason is because we care for our birds and the livestock that we have. It's—we very much take it to heart how much that means to us to keep those birds or those hens in our farms biosecure. We don't want them to have diseases or have bacteria or viruses come into the farms.

We hear from other areas in the world like Russia or some of the Asian countries where avian influenza keeps on coming back and they have a hard time getting rid of it, and Canada can be very, very proud—

Canada and Manitoba can be very, very proud, as egg farmers, at least, that we have some really strong and stringent biosecurity.

And the visitors also ask, like, why do I have to put all this stuff on? And we tell them, you have to follow the biosecurity protocols. It's not to protect the visitor from the birds, it's to protect the birds from the visitor. So that's the important part. That's the part that we're trying to protect.

As Cory also mentioned, the presenter just before me, he talked about Start Clean-Stay Clean. It's a program that we have that's part of our biosecurity in-biosecurity and food safety program that we have in Canada and in Manitoba. It's been accredited by CFIA. And on our farm, we—most farmers get inspected annually, but because we have three different—three separate barns at our site, we would be probably more like two or three times a year where we would—and every so often they will send in a third-party inspector, just to make sure that we have full compliance with our biosecurity protocols.

On our farm, we take care of birds from day one 'til they are at least 72 weeks old. So we have a lot invested in our birds, and the care of those birds, for us, is paramount.

\* (21:40)

I think this Bill 62 is an improvement—or the amendments will be an improvement for all egg farmers. I'd find it very difficult if somebody broke the law or intentionally broke our protocols to illegally enter our barns. I, personally, I don't know what I would do. I'm speaking as a farmer here, and I want to be honest with you guys. I think it's something that would scare me; it would anger me; it would do lots to me, but I think with these increased amendments and these fines and the, I guess, opportunity for them to spend some time behind bars if they breach that, I'm hoping that would be something that would deter anybody. I don't—it doesn't matter to who I'm talking about. If they break those protocols there has to be some repercussion for breaking the law, and I would agree with that.

And our farm, similar to what Bill and Cam had said before me, the presenters ahead of me, our farm is not just a place to make a living; it's a place where we make a life. And about two and a half years ago, my son has moved onto the farm. He lives on the site with his wife and their two daughters, my grandchildren, so it's very important to us to make sure that somebody doesn't illegally trespass. Like Bill 63,

I think it was, is another trespassing bill that's being amended. So that—it means a lot to us that the government is looking forward to try and strengthen those bills to keep our family safe. I—you know, having grandchildren, or my son and his wife on the farm there, that—it's comforting, I guess, to me or as farmers that those bills are definitely being improved and amended in a proper way.

I think that's about all I have to speak to today, and I'll gladly answer any questions that I can.

**Mr. Chairperson:** Thank you for your presentation, Mr. Siemens.

**Mr. Pedersen:** Thank you, Kurt, for your presentation and, certainly, explaining the protocols that you have and the reasons behind your protocols that you have in—within your barns and on your yards. I think you've probably answered the Honourable Mr. Gerrard's questions about biosecurity zones and how they're marked.

And with that, Mr. Chair, I don't have any further questions.

**Mr. Brar:** Mr. Siemens, you made me nostalgic when you talked about you are third-generation, and then your son and your grandson, so it makes fourth- and fifth-generation on the farm. And now I virtually went back at the piece of land where I was born. I mean, I'm thinking of my great-grandparents, and they've been farming since as long back as I can think of.

So how have you witnessed biosecurity protocol breaches in the past 100 years at your farm? How did they progress? What was the scene then and now?

**Mr. Siemens:** Thank you for that question, Mr. Brar. I'm not 100 years old. I can't go that far back, but I'll go as far back as I can recall.

I can remember when I started farming with my parents, with my mom and dad, biosecurity wasn't much of anything back then and we didn't know about the diseases that we know about now. So it has improved immensely. I know when Start Clean-Stay Clean came in in the early '90s, we were lucky to get, you know, 60, 70 per cent on a Start Clean-Stay Clean at that point. Now our farm's been at 100 per cent for the last 10 years.

So it is something that we definitely take to heart, and I think, as Cory had mentioned, too, the ag boards or the organizations that look after some of those rules and work with CFIA to develop them, you know, they work really well with farmers to make sure biosecurity is intact. And I think there was even some

funding from, I guess, Growing Forward 2, it would have been, that we could do some work on our farms to increase our biosecurity. And I think a lot of the egg farmers took advantage of those opportunities and did some improvements to make sure that they had better rooms or better quarantine zones or strategic zones that let people in so you could have better biosecurity.

So it's greatly improved, and we will try our best to keep on making it better.

**Mr. Brar:** Mr. Siemens, did you witness any particular incidents at your farm or any farm in Manitoba—I mean ag farm in Manitoba—that you have witnessed, and do you think—that was a serious breach of biosecurity, in the recent past?

**Mr. Siemens:** Thanks for that question. I can honestly say, no. I have not in Manitoba.

As far as biosecurity, I do have a lot of friends and colleagues that lived through 2004 in British Columbia, when they had the AI or avian influenza outbreak. That was disastrous. I had some friends that needed a lot of, I guess, mental health after that because of what it did to them to depopulate their farms and go through that experience.

And that is something I don't want to have happen. I'm not blaming the farmers that it happened, because AI is very contagious; it transfers very easily. It doesn't take much; anybody can transfer it. So, it's—the protocols around that are phenomenal.

Actually, I've done some mock exercises with AI on our farm previously—I guess it must be about eight years ago now—where we did a mock exercise in Manitoba, and my farm was the example that we used. And, yes, it's a lot of work, and that just made me think about, you know, biosecurity has to be perfect, otherwise you're going to have a situation like that and that nobody wants to live through.

**Mr. Gerrard:** Yes. Thank you, Kurt, for your presentation—informative.

Would you say that, compared with 10 or 20 years ago, that there's a much greater need for biosecurity now? *[interjection]*

**Mr. Chairperson:** Mr. Siemens.

**Mr. Siemens:** Sorry. Yes, thank you, Dr. Gerrard.

A greater need? Yes. There's always a greater need of food safety.

I mean, I don't want to sell my product to consumers like you and not be totally confident that

I'm giving you the best that I can give you. So, we got to keep on improving to try and make it the best that we can. I think we're doing a really good job; we're doing a great job with biosecurity.

So, to have somebody come in now and there's no real legal ramifications for breaking that biosecurity? That's unthinkable. I mean, I don't like thinking about that. So, I—

**Mr. Chairperson:** Mr. Siemens, sorry to interrupt, but unfortunately, time for questions has expired. We thank you very much for your presentation, but we will have to move on to another presenter.

I will now call on Andrew Dickson, private citizen, and ask the moderator to invite them into the meeting.

Please unmute yourself and turn your video on. Mr. Dickson, are you there?

**Mr. Andrew Dickson (Private Citizen):** Yes. Can you hear me?

**Mr. Chairperson:** Yes. Thank you very much. You may proceed with your presentation whenever you're ready, Mr. Dickson.

**Mr. Dickson:** I would like to thank you and the members of the committee tonight for this opportunity to present my opinions on bill 32–62, which presents a set of amendments to The Animal Diseases Act.

I speak as a private citizen, having retired in January of this year as general manager of the Manitoba Pork Council after 16 years, and prior to that, as—30 years as a civil servant with Manitoba Agriculture.

I've had extensive experience of working with farmers to manage disease outbreaks, as well as hands-on experience as a farm worker on both small and large farms.

To be clear, I am fully supportive of the proposed amendments. Our farmers need these legal measures to ensure that all of their efforts to protect their operations from diseases will not be rendered useless by the unlawful entry of uninvited persons and their vehicles carrying the threat of disease from sources unknown.

I'll limit my comments to my experience in the pork sector, but I'm sure they'll be applicable to other species. You've already heard from others in the sector, so hopefully I won't be too repetitive.

As background, the livestock industry of Manitoba produces about \$2.4 billion in farm-gained income, and hogs account for just about \$1 billion of those receipts. These farm sales then drive a thriving processing and distribution business, which ripples into the rest of the Manitoba economy. The pork sector itself generates something like 14,000 jobs, creating wealth to support all of Manitoba.

\* (21:50)

Most of our livestock products are exported. Over 90 per cent of our pork is exported to other provinces and countries around the world. Every day, livestock producers have to contend with the challenges of raising and caring for their animals, predict the ever-changing marketplace and manage their farms to be profitable.

For livestock producers, diseases present possibly the biggest threat of potentially wiping out their entire operation. Just because African swine fever has not been found on a farm in North America doesn't mean it couldn't come here. We all know what the impact of a few cases of BSE had on the beef sector in Canada. Half of all the pigs in the world are found in China. A current outbreak of ASF in China is estimated to have wiped out half their swine herd. In other words, 25 per cent of the world's pork population succumbed to one disease. The foot-and-mouth disease outbreak in the United Kingdom resulted in the culling of over 6 million animals and cost their taxpayers about \$6 billion, all because of some infected meat product from another country slipped past their regulatory and inspection system.

Animal diseases have plagued the raising of livestock since the dawn of history. They continue to evolve to counter the practices producers use to keep their animals safe. There are some 200 to 300 potential diseases of pigs in the natural environment, any of which could become the next epidemic disease. PEDV in pigs was almost an unknown disease 15 years ago, yet in a matter of months in 2013, it spread amongst the whole American swine herd to become endemic. For individual sow operations, PEDV can kill 70 to 80 per cent of newborn pigs.

Fortunately, in Manitoba we've been able to control the disease through best practices in biosecurity, from farm to processing plant. But it is an ongoing threat which could explode out of control in a matter of months.

Using science and appropriate technologies, livestock producers have developed effective husbandry practices to minimize the ability of many diseases to have a significant impact on production animals. Our international agreements, agencies and standards covering the trade of movement of animals and livestock products. In Canada, the federal and provincial governments work co-operatively to manage animal diseases in collaboration with producers and their organizations, as well as practising veterinarians and research institutions. Standards for diagnosing and reporting diseases are in place. There's always room for improvement. The—all parties recognize the dangers.

Just to illustrate some of the ways the pork sector manages disease in Manitoba: the raising of pigs have been broken into three separate stages with specialized barns at separate sites. The sow barns will produce 12-pound isoweans which are sent to nursery barns on a different site to be fed to 40-pounder weights. These then move onto finisher barns to be fed to about 285 pounds before being shipped to a processing plant. This separation of barns is an attempt to minimize the spreading of disease inside a barn amongst the different age groups. This allows the barns to be washed and disinfected after different crops of animals.

In the barns, animals and their manure are separated by the use of slatted floors. Clean water is provided using nipple drinkers and fresh feed is provided regularly. Medications are used for sick animals on a prescribed basis. Trained staff monitor the performance of animals regularly during the day and evenings. The barns are environmentally controlled to provide fresh air which is heated in winter. Staff have to follow protocols such as shower in and shower out and avoid contact with other barns. Access to the barn is limited to key individuals. The goal is to create what is called a restricted access zone.

Outside the barn, producers have created controlled-access zones to random—to minimize the amount of foot and vehicular traffic to reduce the potential for infectious agents to be carried into the barn. Livestock transporters may clean and disinfect their trailers regularly at commercial wash stations designed for this purpose. All animal movements on public highways are reported to CFIA through the PigTRACE Canada program. Feed ingredients which are imported are inspected and regulated by the federal government to reduce the potential for disease introductions.

Despite all these measures, producers are very vulnerable to a number of serious diseases. There are a limited number of vaccines or antibiotics available for the range of potential diseases. For some diseases, all a producer can do is depopulate the barn and do a deep clean and disinfect. Diseases such as ASF are so serious that all animal movements in Canada and exports could be stopped. While some diseases can spread through dust and wind through the barn ventilation systems, most are brought into the barn on something, usually clothing, footwear, materials, feed or other animals.

A disease like PEDV can be active in the dirt just outside the barn door. Often it takes only a very small amount of infectious agent to completely engulf a barn in a matter of days. It is said that a thimbleful of PEDV can infect all the pigs in Canada. And just from a financial—it costs our producer about \$40,000 to clean a standard side barn, apart from all the losses of animals and wasted feed.

The amendments to the Animal Diseases Act recognize the importance of biosecurity measures to protect the welfare of animals under a producer's care. All the efforts to manage disease in the barn can be rendered useless in a matter of minutes by the dirty footwear of individuals who have no legal reason to be in the barn. Producers are entitled to some modicum of protection and law from so-called concerned citizens. These amendments are sensible measures to update a critical piece of legislation.

Thank you for listening to me.

**Mr. Chairperson:** Thank you, Mr. Dickson.

**Mr. Pedersen:** Thank you, Andrew, for your presentation. Certainly thank you for your long service both to the Province of Manitoba and to Manitoba Pork, and we wish you well in your retirement, but you're always a source of information for us when we need that. So thank you again.

**Mr. Brar:** Thanks, Andrew, for your input and thoughts.

**Mr. Gerrard:** Thank you, Andrew, and it's great to see you here today and coming back for—I wish you well in retirement.

You talk about the cost of \$40,000 just to clean a barn where there's a potential infection. I mean, there's a real economic interest in getting this right, and over the time that you've been there I think there's probably been increased biosecurity.

Tell us a little bit about the changes that have happened and why this bill is needed now.

**Mr. Dickson:** I mean, I've worked on pig farms for many years and go back a long time on this. And today we have finally got to the point where I think we can—with the systems that we have in place—we can do a good job of physically trying to control for diseases. This idea of showering in and showering out, essentially what it is it means he leaves the dirty clothes on one side of the barn and you get barn clothes on the other side of the shower. We don't even do that in hospitals. People can wander into a hospital in their outdoor clothes and go visit people in beds and stuff like this. We don't do that in our hog barns now.

Our trailers, we actually bake them now in specialized units that take them up to a certain temperature to try and kill the bugs inside. We're trying to reduce our exposure to the diseases all the time using physical measures as much as possible and these zones that we've created in these barns.

And it's been a long haul trying to get here. It's taken us, you know, 25, 30 years to get to this point. We don't want to see that just breaking down because we're concerned about people's right to protest and so on.

There's nothing in this legislation that stops anybody from protesting outside a processing plant or outside a barn on the public highway. All we're asking to do, don't go inside the barn and please don't interfere with the animals on the trailers.

**Mr. Chairperson:** Are there any further questions for Mr. Dickson?

Seeing as no further questions, we thank you very much for your presentation and we will now move on to then next presenter.

I will now call on Krista Krueger, private citizen, and ask the moderator to invite them into this—into the meeting. Please unmute yourself and turn your video on, Ms. Krueger.

**Floor Comment:** Hello?

**Mr. Chairperson:** Ms. Krueger, you may proceed with your presentation.

**Ms. Krista Krueger (Private Citizen):** Thank you. I know a lot of people are hoping to speak tonight, so I will keep this brief. I did want to talk about the aspect of biosecurity, understanding that potential health threats do exist and it's a good idea; it's certainly prudent to set some sort of a standard for biosecurity.

But, as I point out, this is a standard; it's written, in large part, by the industry with industry input, and so when this particular amendment was written in such a way as to severely and criminally penalize any outside interference of farm animals, singling out activists and whistle-blowers, I find myself wondering about a lot of different things.

\* (22:00)

I find myself wondering whether or not the producers, workers, transporters, slaughterhouse workers, will they be held to the same account if there's any breach of biosecurity that may result in a potential threat. And I wonder too, if they are also—will be issued the same potential fines and prison sentences if they breach their biosecurity.

I also find myself wondering that now with all these biosecure zones free from outside interference, what does this mean to future public events, events like livestock auctions, rodeos, fairs? Don't these 'envents' involve animals, and don't they—aren't these animals eventually destined to be food as well? How can we have a biosecure area or function when animals from various different operations are coming into direct contact with one another or indirect contact with—by—through public handling. These events are far more of an exposure hazard, in my mind, than a handful of activists that are just giving water to thirsty pigs.

And what about the business of dumping potentially diseased bodies at a public landfill? I don't understand this. When that first hit the news, I was just gobsmacked. I just didn't understand how this could even be legal, and certainly it's not very biosecure.

And, finally, what about the costs to the taxpayers? The industry is basically asking for special consideration in terms of policing and access to courts, and who pays? As another commenter asked, who's going to pay for this when the bill is challenged? Is that going to be on the taxpayer, as well? And, again, I don't want my taxpayer dollars going to fight a challenge in a court.

In the end, if we need to update these laws, let's do so in a reasonable and thoughtful way instead of conning the public under this guise of biosecurity that, quite frankly, doesn't make a whole lot of sense when you try to apply it to people giving thirsty, overheated animals water.

Thank you.

**Mr. Chairperson:** Thank you for your presentation.



**Mr. Pedersen:** Thank you, Krista, for your input tonight on there, and you brought forward some points also.

No questions.

**Mr. Brar:** Krista, really appreciate your quick and brilliant and impressive points that you raised. Really appreciate it, thank you.

**Mr. Gerrard:** Krista, thank you for coming and presenting today.

Perhaps you could share with us a little bit of what, you know, motivated you to get very interested in this area.

**Ms. Krueger:** My motivation is I come from an animal rights background, but I also have a deep interest and also an education in science.

And when this issue about biosecurity came up, it really sort of rubbed me the wrong way because I just don't feel as though it's really taken seriously anyway, having had brilliant professors and instructors over the years who have taught me about, you know, safety in the lab and how to be secure and how to avoid transmission.

Also, running a cat rescue for the last 25 years, we deal with the same kinds of, you know coronaviruses and other types of viruses, and we have to be very careful. And you can bet your bottom dollar that the provincial vet would shut us down in a heartbeat if we didn't even practise standards—like, minimal standards.

So when I'm looking at this, I just don't understand how you can take those animals off of the operation, into an auction or a rodeo or whatever, and have those animals come back to that operation at some point in time and then go on a truck and being handled by who knows how many people. It's—it just doesn't make sense to me.

**Mr. Brar:** Krista, as a follow-up question, I'm really impressed with the—this example of rodeos and auction marts and related examples, and especially, taxpayer dollars are important, and we need to think how the best use of taxpayer dollars should be.

What would your approach be if given a chance to lead on such a legislation in the Legislature? What would you do different?

**Ms. Krueger:** I honestly don't feel qualified because I don't—I'm not a politician and I'm not a lawyer, and I don't know how to approach something like this, but certainly, I would urge a little bit of constraint and

avoid knee-jerk reactions to a few incidents of people being uncomfortable.

I think that, you know, there's been a sort of—this us versus them has been established and it's—we're losing sight of what's really important here, and that's that people are safe and that animals are safe and that they are treated—both animals and people are treated well.

So I would definitely say that if you're going to put a biosecurity aspect into it, please, get somebody, like, involve some scientists and people like that to help you write this bill.

**Mr. Chairperson:** Are there any further questions for Ms. Krueger?

Seeing no further questions, we thank you very much for your presentation, and we will now move on to the next presenter.

I will now call on Kristin Lauhn-Jensen and ask the moderator to invite them into the meeting.

Please unmute yourself and turn your video on, Kristin.

**Floor Comment:** Hello, thank you.

**Mr. Chairperson:** Kristin, we don't have a—well, maybe it's coming—no video of you. Oh, here, it's coming slowly.

**Floor Comment:** Can you hear me okay?

**Mr. Chairperson:** We can hear you fine, yes. Your video is there now. You may proceed with your presentation.

**Ms. Kristin Lauhn-Jensen (Private Citizen):** My name is Kristin Lauhn-Jensen, and I'm speaking to these—to Bill 62 as a private citizen who is very concerned about animal welfare, particularly that of farmed animals, where transparency and accountability are in short supply.

The influential industrial farming sector has been very successful over many decades in convincing governments to bend to their will and to their bottom line. In fact, we just heard Minister Pedersen acknowledge the input that the agriculture association has had into this bill. So, in the case of Bill 62, it is clear who was consulted, and who wasn't.

The Animal Diseases Amendment Act is, of course, as the government well knows, designed to protect industrial farming financial interests and not to protect the well-being of the animals at the heart of this system. Ag gag acts are intended to gag whistle-

blowers, journalists and the public by penalizing them for documenting and exposing the realities of how animals are treated in animal agriculture. They are designed to prevent the public from learning about animal cruelty.

The ability to investigate, to document and to publicize corporate agriculture's abuses is imperative, both to the well-being of animals in Manitoba and to our own health and safety. Factory farms want to keep their cruel practices hidden from the public, but the public deserves the truth about the hundreds of thousands of animals suffering on industrial farms in Manitoba and whether laws are being broken, jeopardizing food safety, workers' rights and environmental standards.

Manitoba has an Animal Care Act that is intended to protect animals from cruelty and neglect. But, conveniently, farmed animals are exempted from protection under this act. Is it any wonder, then, that Manitobans are concerned about animal welfare? Canada ranks among the lowest animal welfare standards across wealthy nations. For example, our animal transport regulations place Canada, as we've heard from previous speakers already this evening, at the bottom of all industrialized countries.

Under current Canada Food Inspection Agency and national farm animal council-care council protocol, among other horrors, the practice of killing piglets by bashing their heads into the floor is the recommended practice. I quote from those—that protocol: blunt trauma can be administered by grasping the hind legs of a piglet and striking the top of the cranium firmly and deliberately against a flat, hard surface.

\*(22:10)

Is it really any wonder, then, that Manitobans are outraged at this cruelty? And is it any wonder that people want to be able to expose the truth of what takes place behind closed doors on industrial farms?

But, of course, there are a myriad more reasons why Manitobans are rightfully concerned about animal welfare on farms. In the last 10 years, over 40,000–40,000–pigs have been killed in fires on industrial hog farms in Manitoba. I think this statistic speaks volumes about the level and quality of animal welfare and safety standards practiced by the current industrial hog farm operators in Manitoba. It says they don't care and they flout safety standards. Of course, barn fires kill lots of other animals as well. In 2019, of course, 800 cows perished in a barn fire outside of Steinbach.

We've also heard about another horrific and archaic practice that's allowed in Manitoba which is gestation crates. These are the steel pens that literally encase a female pig and allow her no movement at all. Tens of thousands of pigs in Manitoba spend almost their entire sad lives in these crates, never moving. The EU banned these crates almost 10 years ago except for the period from weaning of the previous litter until the end of the first four weeks of gestation. In the US, these crates are banned totally in 10 states, with more moving to ban them. And these are also banned outright in the UK, Norway, Sweden and Switzerland.

Battery cages still dominant egg production. Battery cages for hens, as you've heard tonight, are so small that no bird can move—not to walk, not to spread their wings. They spend their entire miserable existence rammed with several birds into these cages, cages stacked on cages so the feces and urine from those above coat those below. The Canadian egg industry has said it intends to phase out battery cages by 2036. If that is true and they do that, then only a few billion more chickens will have to suffer in those cages over the next 15 years.

In the face of all this and other terrible, horrific, everyday cruelties that you've heard described this evening, the Deputy Minister of Agriculture, Dori Gingera-Beauchemin recently wrote to me in regard to Bill 62 that anyone entering farms to witness and document animal suffering could, and I quote, cause injury and stress to the animals. In the face of how the farmers are allowed to treat their animals in Manitoba, under current legislation, this statement is so ludicrous as to be laughable if the plight of these animals wasn't so overwhelmingly tragic.

And hearing just before me several representatives from the egg industry using biosecurity as the guise for this legislation, I wanted to reiterate what earlier speakers addressed: that while zoonotic diseases have had devastating impact on animals and people in various countries and regions for decades—more than decades, of course—there isn't a documented incidence of this happening due to animal activists. All of these instances and these increasing instances—from Spanish flu a century ago, to mad cow, to COVID—all these diseases and all of the diseases in between, these arose from the common practices on farms and in slaughterhouses.

Biodiversity and pandemics are a real and increasing threat, but a significant factor of the rise of these is the awful conditions in which animals are kept

in these intensive farming situations where there's overcrowding. Illness and injury to animals are rife and weaken animal immune systems, making them more susceptible to disease, and the crowding of course contributing to rapid transmission. It's these conditions that foster disease, and these conditions which farms are so desperate to hide.

So, I think we need to drop the pretense that this law is in any way, shape or form designed for the protection of animals or biosecurity. If you're going to enact this law that we be honest—you be honest about what you're doing and that this is a law that hides an industry replete with institutionalized and normalized cruelty. It shelters this industry and its shocking everyday practices from any real accountability and transparency. This allows this industry to maintain terrible or nonexistent animal welfare standards that allows them to maximize profits, at the hands of animal welfare, and human and environmental health.

So I would implore anyone voting for this law to really consider those images, to consider those images of animals—piglets being bashed to death day in and day out, for example, on hog farms across Manitoba—because that is the kind of practice that you are allowing to remain behind closed doors when you vote for this law.

And as someone said earlier, I would recommend anyone considering voting for this law to make unannounced visits to a few industrial farms or slaughterhouses or trucking transport stations across the province, so you yourselves can see the suffering that takes place every day.

Thank you for your time.

**Mr. Chairperson:** Thank you for your presentation, Kristin.

**Mr. Pedersen:** Thank you, Ms. Lauhn-Jensen, for your presentation.

**Mr. Brar:** Kristin, thank you so much for your presentation, your research and your views on this.

**Mr. Gerrard:** Thank you, Kristin, for coming and presenting.

Perhaps you could tell us what has got you so passionate about this whole area.

**Ms. Lauhn-Jensen:** To me, the unfairness, really, is disturbing to me.

I—it is unconscionable to me that there's an industry that gets such a free pass at being transparent and accountable and is able to maintain—so that they

can keep their profit margin, and is able to maintain these standards through this indirect subsidy of having laws like this and others that allow them to operate with the types of standards we've heard talked about. The shocking transportation hours that are allowed in Canada is astonishing and the lowest in the world for developed countries.

That to me is just unconscionable, that this industry gets this free pass at the expense of sentient beings, not at the expense of just inanimate, you know, inanimate objects that they're producing on a production line.

**Mr. Gerrard:** Thank you.

**Mr. Chairperson:** Are there any further questions?

Seeing as no further questions, we'll now move on to the next presenter. Thank you for your presentation.

I will now call on Carmen Asu, private citizen. I ask the moderator to invite them into the meeting. Please unmute yourself and turn your video on.

Carmen, are you there? Carmen—I will now call on Carmen Asu, and ask the moderator to invite them into the meeting. Please unmute yourself and turn your video on. Carmen, are you there? Carmen, could you turn your audio and video on, please. Unmute yourself and turn your video on.

\* (22:20)

Carmen is having some technical difficulties, so we will move on to the next presenter, and we'll come back to her a little later.

We will now—I will now call on Christal Sudoski, and ask the moderator to invite them into the meeting.

Please unmute yourself and turn your video on, Christal.

**Floor Comment:** Hello, can you hear me?

**Mr. Chairperson:** Yes, we can hear you, Christal. You may proceed with your presentation.

**Ms. Christal Sudoski (Private Citizen):** Good evening. I really do appreciate being able to give my opinions and my voice. So thank you, I do appreciate that.

I am not a lawyer, no part of a non-profit group. I am a recently enlightened consumer. Unfortunately, we are not here to improve our laws on cruelty regarding the care, slaughter and transportation of our commercial animals. These activities are hidden from the public. Why? Because most people would not be

okay watching innocent animals being forced to starve, dehydrate, collapse from fatigue, gasp for air, overheat and freeze to death. And this is just in transportation.

So, no, I'm not okay. People care more than we think, when given a choice. They just don't get to see these sufferings. Unfortunately, what they do get to see are happy cows on cartons, smiling pigs in chef's hats, and dancing chickens. This is brainwashing. This is not right. This is not okay.

Many animals don't survive the long, tortuous trip to the slaughterhouse and are then tossed aside like garbage, as seen recently at the Brady landfill, when lives are deemed no longer useful. None of this is okay. And without caring citizens trying to protect animal welfare, there is no one to shine light on these crimes.

It is claimed that Bill 62 is for the safety reasons such as biosecurity, but what this really is is just another way to prevent the truth from being seen. A law to protect animals in distress is blocked by another law stating that these practices are protected under acceptable activities. Well, this is not acceptable. If farmers and slaughterhouses are so concerned with biosecurity, then why are the cases and data not there to support these concerns? I see plenty of data and cases supporting crimes against animals that go unnoticed in every transport truck that goes by. I've seen it with my own eyes.

Diseases occur when conditions are poor, when animals are in constant distress and from infections that attack their bodies from mistreatment. Not photos. Not videos.

A question I have is, what is happening to all of the animals during this pandemic, when processing plants are unable to process due to the COVID-19 shutdowns? Have their bodies made it to the grocery stores, or have they made it to the landfill due to bottleneck issues?

As a caring citizen of Manitoba, please find better ways and lead the rest of Canada into a fair, compassionate direction. Animal transportation standards is a great place to start.

Thank you for being a Province that encourages people to speak and empower positive change.

**Mr. Chairperson:** Thank you for your presentation, Christal.

**Mr. Pedersen:** Thank you, Christal, for your presentation tonight.

No questions, Mr. Chair.

**Mr. Brar:** No questions.

**Mr. Chairperson:** Do we have any further questions?

**Mr. Sala:** Thank you so much, Christal, for taking time to come present to us tonight and share your passion about making sure animals stay as safe as possible.

I'm wondering if you could maybe just share it as—briefly, what led to your enlightenment that you referenced earlier. *[interjection]*

**Mr. Chairperson:** Ms. Sudoski, I must recognize you first.

Ms. Sudoski, proceed.

**Ms. Sudoski:** For the last year and a half, I have taken liberty of helping feral cats. It started there, and then I started to join more and more groups.

I'm not a non-profit, just a happy, friendly Manitoban who cares. And as I continued to look further and dig further, I started to get really upset and traumatized because I didn't know this was happening. I knew as a meat eater that things were wrong, but I didn't know about transportation. I didn't know about certain things. And if it wasn't for people videotaping these, taking photos and sharing the true story, I would not know.

So I have been literally traumatized and I am—I'm really sad, and thank you for letting me say this, because it's very important.

**Mr. Gerrard:** Thank you, Christal, for coming and presenting.

You've mentioned that you think that animal transportation should be an area which needs special attention. What would you put forward as your ideas to improve animal transportation?

**Ms. Sudoski:** As a now-committed vegan, the positive change can start with the transportation improvements regarding the compassionate travel for these unfortunate animals.

Temperature-controlled transportation is not a new invention. It already exists, it's just not chosen. Right now water, food, rest and weather concerns should be a high priority if we are to properly manage these crises that I call.

To start, work on transportation. It's a start. It's not the end, but it is a start. Please, please consider this.

**Mr. Chairperson:** Are there any further questions for Ms. Sudoski?

Seeing no further questions, we thank you very much for your presentation.

And we will now move on to—actually, we're going to move back to—Carmen Asu seems to have her technical difficulties corrected.

I will now call on Carmen Asu and ask the moderator to invite them into the meeting. Please unmute yourself and turn your video on.

Carmen, are you there? Carmen, can you hear us?

**Ms. Carmen Asu (Private Citizen):** Yes, I can hear you.

**Mr. Chairperson:** Okay, we can hear you as well, but we seem to be getting a lot of—do you have something else on?

It's—Carmen, it seems you may be on two devices. You need to turn one of them off because it's back feeding.

**Floor Comment:** Okay. Sorry about that. Oh my gosh.

\* (22:30)

**Mr. Chairperson:** Okay, we can see you and we can hear you.

Carmen, you may proceed with your presentation.

**Ms. Asu:** My huge apologies, but this is short, so it'll kind of balance off that terrible timing.

Good evening, everyone. My name is Carmen Asu, and I'm speaking as a private citizen. Thank you for giving me the opportunity to speak on behalf of animals and especially those millions in the farming industry in Manitoba.

About two months ago, I received a very colourful, professional flyer announcing the return and opening of, apparently, one of the zoo's most beloved attractions, Aunt Sally's Farm. I remember visiting Aunt Sally's Farm, and what remains in my memory are bunches of kids running around, chasing and grabbing at rabbits and guinea pigs. And even then, it was problematic.

Although Aunt Sally's Farm will not be a petting zoo, there will still be the opportunity to get up pretty close and personal by playing alongside lively goats. I would imagine hundreds of pictures will be taken and shared on social media to record the joys of being at a modern-day barnyard.

Because that is what I am told I will experience if I take a trip to Aunt Sally's Farm: a modern-day barnyard, home to goats, pigs, llamas and donkeys, complete with bridges with rainbow platforms that encourage goats to climb overhead. So, you know, goat enrichment. I will also learn about agriculture in Manitoba, sustainable farming practices and what I can do to contribute to a healthy ecosystem.

Doing my own bit of research, I discovered that the modern-day hog barn industry processed over 5.5 million pigs in 2019. In Manitoba there are 590 hog barns, at least, with 3.4 million pigs. The average herd size of 5,720 head per farm represents the largest pig farms in Canada. The numbers of chickens processed are equally, if not more, staggering.

When I contacted Assiniboine Park Zoo to inquire how I might learn about the modern-day barnyard and agriculture in Manitoba, I was told that there would be signage on a variety of topics, but, no, the interpretive signs would not include the number of animals kept in factory farm conditions, the use of containment such as gestation 'craches'—crates—sorry, gestation crates and battery cages and how the millions of animals are transported to slaughter.

However, Aunt Sally's Farm does encourage me, along with other visitors, to find local farmers that prioritize good animal welfare practice. Is there a list of these farms? Do they include little hobby farms along with factory farm industries? Would I be able to witness how pigs, cows, chickens are raised from start to finish and including transport? With the laws already in place, I don't believe I would be a welcome visitor. Can I take a few pictures of animals crowded in these farms and barns? How about animals in transport trucks in the dead of winter? Or hottest days of summer?

Bill 62 seeks to strengthen the laws to keep observers away. Intensive factory farm is a misery from start—the second an animal is born—to finish, including transport to the slaughterhouse. People generally have little awareness of the abusive practices that cause so much animal suffering in modern-day agriculture. This only comes to light when there is a breach of protocol, such as the live chickens found at the Brady landfill—which several people have talked about—amongst the thousands of chickens that had been humanely euthanized.

People have a right to know about the animals that they eat and how they are treated. Why keep the bar so low in modern-day farming in Manitoba? Why not

enact laws for the real protection of animals, rather than further hiding the truth of intensive farming?

Aunt Sally's Farm presents a fairy-tale view of a modern-day barnyard. In a modern-day barnyard, there are no lively animals of any kind playing alongside anyone. Most can barely move.

And thank you.

**Mr. Chairperson:** We thank you for your presentation, Mrs. Asu.

**Mr. Pedersen:** Thank you, Carmen, for your presentation, and I do hope you go visit Aunt Sally's Farm, just to see what's there and see Assiniboine zoo.

Thank you, no question.

**Mr. Brar:** Thank you, Carmen, for your presentation. Thank you so much.

**Mr. Chairperson:** Are there any—Mr.—the Honourable Mr. Gerrard.

**Mr. Gerrard:** Carmen, thank you for coming and staying 'til this point in the evening and making your presentation. The—have you been on a farm in Manitoba at all yet, or will it just be Sally's farm, when you get to the zoo? [*interjection*]

**Mr. Chairperson:** Hold it, Carmen, I need to, like, introduce you before you can start speaking.

**Ms. Asu:** Sorry.

Many, many years ago, I did go to farms of friends—I'm a city girl, really—and I went to a grain farm and I went to, really, a small family farm, and I guess in the days when people had, you know, some chickens and some cows and so on. So that's sort of my image of long ago of what farms are like, and I think that's what Aunt Sally's Farm is going to show, like, that's what a farm is.

But we know that farms are not like that anymore. And I guess in the olden days, people did care for their animals, and even though they kind of ended up on your plate at some point, the care of them was not like it is now. And I think that's what many, many people before me have spoken about, is the intensity and the real cruelty that happens with animals.

**Mr. Gerrard:** Thank you.

**Mr. Chairperson:** Are there any further questions?

If not, we will move on to—we're going to go back to Debbie Wall, presenter No. 8.

I will now call on Debbie Wall and ask the moderator to invite them into the meeting.

Please unmute yourself and turn your video on. Debbie, are you there? Can you turn your video on. Yes, we can see you now. Can you try turning your audio on? Unmute yourself. You're still muted, Debbie.

\* (22:40)

Could you—Debbie, could you try unmute your phone? Debbie, could you try pressing \*6 on your phone? [*interjection*]

Okay, Debbie, we've got you there. You may now proceed with your presentation.

**Ms. Debbie Wall (Private Citizen):** All right, just give me a—oh, are you getting feedback at all? Okay, well, I'm ready to go here. I'm getting a little bit of echo on my end, how about you?

**Mr. Chairperson:** Okay, Debbie. You can proceed with your presentation.

**Ms. Wall:** Okay, I'm just getting echo on my side, so I hope you guys aren't.

Okay, I just wanted to say that I'm speaking from Treaty 1 territory, the traditional lands of the Anishinabe, Cree, Oji-Cree, Dene and Dakota nations—sorry, I'm just going to—there; oh, that's much better—and the homeland of the Métis. And I also acknowledge all animals with whom we traditionally shared the lands, and also who we treated with respect and dignity.

We have ways to make you eat tofu. I just wanted you to know what an animal rights terrorist sounds like, because you will no doubt be hearing that term because it is so overused it has been rendered meaningless and without impact. And truly, I would love to be a fly on the wall as it is explained to those who lost loved ones on 9/11 or a limb during the Boston Marathon bombing, how advocating for the most vulnerable in our society in a non-violent manner constitutes terrorism.

I first became familiar with the family of the leader of a provincial political party when their dog was brought to a veterinary clinic where I worked, but Lane [*phonetic*] was not presented as the family dog, Lane [*phonetic*] was introduced as my brother.

I'm sure it's safe to say that most in attendance also have companion animals who they view as family members. Some may call them their fur babies, equating their importance in their lives to that of

children. I call the other animals my cousins. They may be viewed as fellow earthlings or, in the words of philosopher Jeremy Bentham, as other nations. And it was he who famously posed: the question is not can they reason, nor can they talk, but can they suffer? So, why is it those who commodify and exploit them get to call the shots when it comes to how much of that suffering is acceptable?

Canada has the shameful reputation of having some of the poorest animal transportation and protection laws in the developed world. Agricultural use is but one on an exhaustive list of so-called accepted activities that are exempt as long as codes of practice are followed. It has to be, because this industry could not exist if held to the same standard of care legally required of those with companion animals.

We are told our laws are based on science and not emotion. So why is it that only those animals who we are emotionally attached to, those lucky enough to be deemed pets, are given a modicum of protection when science informs us that all are equally capable of suffering?

In an October 2020 op-ed piece in the Winnipeg Free Press, President of Keystone Agricultural Producers of Manitoba Bill Campbell assured readers operations are regularly inspected. In a follow-up phone call, where I asked him how regular these inspections are, he indicated he did not know. I called the Minister of Agriculture's office, who referred me to the Chief Veterinary Office, who informed me the CVO enforces The Animal Care Act based on complaints received from the public. Bill 62 will ensure they will receive even fewer of those complaints.

In June of last year, I started writing monthly to both the provincial and federal departments of agriculture wanting to know how many animals were victims of depopulation due to the pandemic and by which means they were killed. In October, I finally received a reply from the Province indicating, quote, humane—and that's another quote—euthanasia procedures on these farms are not managed or directed by our department. End quote. I have yet to receive a reply from the feds. Odd that a government who purports to take the matter of animal welfare very seriously, in any correspondence I do receive, either can't or won't supply that information.

Maple Leaf Foods suspended all interaction with me when I asked for video proof that the CO<sub>2</sub> gas chambers used in their slaughterhouse are as humane

as they claim to be, this before I could ask if they release the carbon dioxide into the atmosphere.

Could you imagine if the response to the horrific conditions in some long-term-care homes was to criminalize those who exposed it? Bill 62 is the equivalent for farmed animals who deserve more oversight and protection, not less.

Having worked in veterinary clinics for 35 years, I attended many deaths. For the most part, these were elderly patients who had lived full lives with a loving family. And by far the most beautiful euthanasias were performed at clients homes, often in a favourite setting, such as outside in a garden. My role was to gently restrain the patient during the administration of IV medication so their last experience on this earth was to see and hear their guardians bidding them goodbye.

I have seen people pay hundreds for what is essentially the injection of a few dollars worth of drugs. Why? They wanted to ensure their beloved family's death was as peaceful as possible. Compare that to what happens to hundreds of millions of farmed animals in this country every year.

In the egg industry, male chicks are killed immediately after hatching by gassing, suffocation or being ground up alive in a macerator. Baby pigs are quote, unquote euthanized by swinging them by their hind legs and smashing their heads onto concrete. How can this be legal you ask? Well amazingly, euthanasia is another so-called accepted activity, making it a most obscene oxymoron. A former Manitoba hog barn worker described how a sow was killed by hanging—because of her thick muscular neck, it took five minutes before she finally strangled to death.

I am now halfway through my 10-minute presentation.

Animals are crowded into trailers in extremes of weather ranging from frigid cold to blistering heat with no food, water or rest to be transported to a slaughterhouse. A house of slaughter. There are those who will survive the initial shackling, stunning and throat slitting and enter a scalding tank still alive. Their last experience on this earth, after a life not worth living, is to be scalded to death. And throughout their existence, the only time a few lucky ones may encounter human kindness will be through the ventilation holes of the trailer as activists show them some compassion, or quench their thirst with water. And Bill 62 wants to criminalize that?

Ontario ag gag laws use the outrageous term animal protection zones, but not wanting to waste a good pandemic, here in Manitoba they will be referred to as biosecurity zones. If we are so concerned about zoonosis, pandemics and biosecurity, why will throngs of children be allowed to interact with the residents of Aunt Sally's Farm? Why are sheep, goats, calves and cattle from differing origins all paraded through the same auction ring with no disinfection in between?

Why have we not shut down mink farms where COVID has proven to be bidirectional, jumping from humans to minks and back to humans again with the potential to merrily mutate along the way? Why are the corpses of victims of depopulation dumped at Brady Landfill like so much garbage? Why do we continue the live export of millions of animals to 55 countries, including horses to Japan for slaughter to become a delicacy? Why are we not cracking down on the trade in wildlife? And why are we not phasing out factory farming that has already given rise to, for example, swine flu in 2009, and avian flu in 2013, no activists required?

Factory farms check off all the boxes for conditions that could produce the next pandemic, hundreds if not thousands of genetically similar animals are crammed into windowless warehouses, their lungs compromised by inhaling ammonia from their own waste. Vectors of disease such as flies and rodents can move in and out buildings making claims regarding biosecurity a moot point.

And what about farmers and workers who breach biosecurity protocol? Seventy eight per cent of antibiotics used in Canada are given to farmed animals leading to the evolution of superbugs.

The idea the other animals in the environment are here for us, and not with us, is how we arrived at the dark place we find ourselves today. Besides being responsible for suffering on a scale never before witnessed on this planet, animal agriculture is one of the main drivers behind the climate 'catastrophe' and biodiversity loss. The consumption of animal products is linked to many of our chronic diseases, some of which are comorbidities associated with COVID deaths.

\* (22:50)

It is time we aligned our subsidies with Canada's Food Guide, a document produced by 37 scientists over three years with no industry involvement. The billions of dollars given to animal agriculture could be

used to help transition farmers to compassionate, sustainable and healthy plant-based systems. And until that end is achieved, we must bring our laws into the 21st century, mandate the use of climate-controlled transport trucks and install CCTV cameras in all facilities where animals are raised, transported and slaughtered so there is no doubt as to what conditions they must endure.

Because what is truly a nightmare for this industry is not the possibility of animals being exposed to pathogens inadvertently and introduced by accidents, but the prospect of the suffering, both inherent and egregious, being exposed to public scrutiny.

Thank you.

**Mr. Chairperson:** Thank you for your presentation, Ms. Wall.

**Mr. Pedersen:** Thank you, Ms. Wall.

**Mr. Brar:** Debbie, thanks for your presentation.

I would just want to know your thoughts about the consultation process that happened before framing this legislation.

**Ms. Wall:** I'm not sure I understand the question.

**Mr. Brar:** I can repeat the question, Debbie.

I want to know your thoughts about the consultation process that happened before framing this legislation. Were you consulted or people in your community consulted before bringing this legislation in the Legislature?

**Ms. Wall:** I guess I'm still not quite understanding the question and how it relates to my presentation. Sorry.

I mean, I found out about this bill through social media and decided to make a presentation because this is something I feel very strongly about.

**Mr. Brar:** I'll make it simple, Debbie: did you get a chance to put your feelings forward before this bill was framed?

**Ms. Wall:** I was not made aware that there was an opportunity to do that.

**Mr. Gerrard:** Thank you, Debbie, for coming and presenting and staying as long as you have to do so.

Perhaps you could tell us a little bit about what stimulated your interest in this area.

**Ms. Wall:** Well, what really—what personally—my ah-ha moment occurred when I was actually taking



pre-veterinary courses at the U of M and went to the Aggie—the annual Aggie Bash and went to the Glenlea Research Farm, and there was a little calf there. And I went to visit the calf and he or she started licking my face, and I just realized they're no different from a dog, and I would never, you know, I would never treat my dog the way animals in the farming—in industrial farms are treated.

Having said that earlier, like, I had actually such a disconnect that I had visited a slaughterhouse and I was on the kill floor and at that time I just went, well, this is what we do to cows and this is how we treat our pets. But it was that little calf that made me realize there's really no difference between the two.

**Mr. Chairperson:** Are there any further questions for Ms. Wall?

Seeing none, we thank you very much for your presentation.

We will now move on to the next presenter. I will now call on Tyler Fulton, Manitoba Beef Producers, and ask the moderator to invite them into the meeting.

Please unmute yourself and turn your video on, Mr. Fulton. You may proceed with your presentation.

**Mr. Tyler Fulton (Manitoba Beef Producers):** Thank you, Mr. Chairperson, and all the members of the standing committee on agriculture.

As you said, my name is Tyler Fulton and I'm the president of Manitoba Beef Producers. My family and I have a multi-generation cow-calf operation in the Birtle area, one that's been in my family for decades. On behalf of Manitoba Beef Producers, I'm pleased to provide a few comments regarding Bill 61, the animal diseases and amendment act.

Manitoba Beef Producers is the primary voice of Manitoba's beef industry, representing approximately 6,300 producers involved in various aspects of the beef industry, including the cow-calf backgrounding and finishing sectors. Manitoba Beef Producers has a 14-person board of directors who represent producers in different geographic areas of the province. Our mission is to represent all beef producers through communication, advocacy, research and education within the industry and to government, consumers and others to improve prosperity and ensure a sustainable future.

The importance of Manitoba's cattle industry to the economy cannot be understated. Manitoba cattle and calf sales accounted for 6 to 7 per cent of Canadian farm cash receipts from cattle and calves

over the period of 2014 to 2018. Further, Manitoba cattle and calf sales accounted for 8 to 12 per cent of the total province's farm cash receipts. It has been estimated that the Manitoba beef sector generated in the range of 14,540 to close to 16,000 person-years of employment jobs in the province—in the provincial economy over the same period.

A thriving beef industry generates considerable economic, environmental and social opportunities and benefits for Canada. Maintaining the health and safety of their cattle—of our cattle is Manitoba's—is key for Manitoba's beef producers. Working in conjunction with experts such as veterinarians, animal feed nutritionists and others, producers develop herd health management strategies for their animals. Critical components of these strategies include the creation and—of and adherence of two biosecurity measures to help reduce the risk of the introduction of foreign animal diseases or potential contaminants that could harm animals.

The code of practice for care—for the care and handling of beef cattle and the Canadian beef cattle on-farm biosecurity standard provide critical guidance in areas such as—sorry—provide critical guidance in areas such as practices and procedures that reduce the risk and impact of disease in cattle operations. For example, a key principle of the standard is managing the movement of people, vehicles, equipment and tools.

Additionally, there are national standards with respect to the movement of livestock, covering factors such as loading and unloading and care and protection of animals during transport. There are also legislative and regulatory frameworks which—with respect to animal care and disease prevention such as Manitoba's Animal Diseases Act and the federal Health of Animals Act. They set out mechanisms for protecting animal health through the control or elimination of diseases and toxic substances, among other matters related to animal health.

Manitoba Beef Producers recognizes the efforts of the provincial government to try to protect livestock from potential risks caused by people's actions, either inadvertent or deliberate. These could include introduction of foreign animal diseases and devastating animal health and economic and trade consequences that could accompany them. For example, it was—it's been estimated that a foot-and-mouth disease outbreak in Canada would cost approximately \$65 billion in losses and affect not just the livestock industry but also of Canada's grain

industry, the veterinary sector and other areas. It's imperative that rigorous biosecurity practices are followed to prevent damaging and devastating events like this.

Another consideration is risk of the introduction of invasive species and noxious weeds, which can have production and health implications for cattle as well as negative environmental effects. An example of this is leafy spurge, one of the most difficult to control noxious weeds in Manitoba. This weed can hitch a ride on vehicles, which have driven through areas which were already contaminated with it and can easily re-establish.

It's very—also very important to reduce the potential for injuries or stress to animals due to negative encounters with people, vehicles and/or equipment entering land or facilities used for livestock production.

\* (23:00)

Unfortunately, some Manitoba cattle producers have experienced the negative effects of people accessing their pasture, fields, production facilities without a clear understanding of potential harm their actions may cause, be that from an animal health, safety, environmental—or environmental perspective. This has included instances such as gates being left open, thereby allowing cows to get out and being placed in harm's way, cases of livestock being spooked or chased by people in vehicles, pastures, fields and crops being torn up by vehicles and grass fires caused by sparks from vehicles, tossed cigarette butts, et cetera, which can also place livestock at risk.

By seeking consent prior to accessing a biosecurity zone or interacting with animals in such a zone, people can become informed of potential hazards which may exist. This includes the presence of livestock, dugouts, wells, equipment in the area, et cetera. Appropriate steps can be taken to minimize the impact of the person's access to the farm or ranch and the animals present there.

As well, it's important to note that Manitoba's beef producers manage thousands of acres of privately owned and agricultural Crown lands, providing biodiversity and habitat for an array of wildlife, while also raising cattle. Manitoba Beef Producers recognizes and respects that provincial law cannot override the legal rights of First Nations and other Indigenous people to exercise their hunting, trapping, fishing and other rights on lands where Indigenous and treaty rights can normally be 'exercised.'

Similarly, Manitoba Beef Producers recognizes other citizens to have the right to access agricultural Crown lands for the purposes of hunting, recreational use, et cetera. Manitoba Beef Producers does, however, wish to restate its request for informed access to ACL, agricultural Crown lands, whereby potential users would notify the lease or permit holder of their intent to access the land. This is requested to help protect the safety and well-being of both the livestock and the land users, such as the biosecurity or the production conditions outlined above, to advise of the presence of livestock in the certain locations.

It would also help provide a means of reminding perspective land users of the importance of closing gates and not engaging in practices that might damage pastures and forages in sensitive areas. As well, in the event of a disease outbreak, having knowledge of who accessed the land and when would be invaluable from a traceability and disease management perspective.

Manitoba Beef Producers strongly recommends that additional work be done to help inform the general public, who may wish to access private and public lands, about the rationale behind, and need for, adherence to the biosecurity practices.

MBP requests continued engagement with the provincial government as the regulations that will accompany this legislation are developed. For example, this would include clarification as to how the biosecurity zones will be established, particularly in the context of expansive, agricultural operations such as cattle production, where livestock are distributed over a wide geographic area.

As a cattle producer, I take very seriously my responsibility to provide my animals with a high quality of care. At our farm and on farms across—farms and ranches across Manitoba, we work very diligently to protect our animals from possible harm, including potential biosecurity breaches. As we've seen with COVID—with the COVID-19 pandemic, the spread of disease can quickly spiral if health standards are not adhered to.

We ask that all those who interact with our livestock adhere to the same types of practices to reduce risk and the possibility of negative outcomes.

**Mr. Chairperson:** Mr. Fulton, unfortunately, time for your presentation has ran out, so we will now move into questions.

**Mr. Pedersen:** Thank you, Tyler, for your presentation tonight. Thank you for staying with us this late. I know morning comes early on the ranch, and we

certainly appreciate your input into this discussion tonight.

Thank you.

**Mr. Brar:** Thank you, Tyler, for your presentation.

And I would like to ask you, what's something best that you like in this bill and what's something that you do not like that much? Two things in this bill.

**Mr. Fulton:** Well, what I like about it is really the focus on prevention. Nine times out of 10, when there's a disease outbreak on our farm, we don't know the exact cause of it. And so, it's really—when you're dealing with animal health, 90 per cent of what you can do is about prevention. And so, that's—I believe that that prevention aspect is built into the bill.

I think there could be some more clarity on the, you know, on how it interacts with the—in the context of agricultural Crown lands. That would be an aspect that I'd like greater clarity on.

**Mr. Gerrard:** Yes. Thank you, Tyler, and—for staying 'til this point to be able to present.

You had talked a little bit about biosecurity, and perhaps you could—you mentioned two specific biosecurity measures, which were important in terms of cattle. Perhaps you could tell us a little bit more?

**Mr. Fulton:** Thank you for the question.

I'll give you an example. It's calving season right now, and last year at this time, we were really struggling with an outbreak of what we think was effectively a version of a coronavirus. And we really struggled to get ahead of it. We ended up changing our practices so that it simply minimized the potential for exposure.

And so, it kind of comes back to that, to, you know, trying to solve the mystery but prevent it—prevent the, you know, the transmission to begin with. I hope that answers your question.

**Mr. Gerrard:** Yes. Okay, thank you.

**Mr. Brar:** Mr. Fulton, I would like to ask if you witnessed any biosecurity breaches at your farm in the recent past.

**Mr. Fulton:** Just for perspective, we operate on about 6,000 acres. We don't have any, you know, cameras or anything like that. So, we regularly have trespassers. We have people that access the land that don't receive permission in advance.

And so, for—thankfully, we don't, for example, have a leafy spurge outbreak on our operation, but I am constantly looking for it. And I think it's probably more a question of when than if.

So, with that in mind, I think we have had some biosecurity breaches in that there have been likely some aspects of disease that have been tracked onto our farm inadvertently, but—and I can't track back exactly what animal health—you know, which one was related to it. As you can imagine, on 6,000 acres, it's a difficult thing to monitor.

**Mr. Chairperson:** We thank you for your presentation, Mr. Fulton, and we will now move on to the next presenter.

I will now call on Janice Pennington and ask the moderator to invite them into the meeting.

Please unmute yourself and turn your video on. Janice, is that you there?

**Floor Comment:** Yes.

**Mr. Chairperson:** Janice, you may proceed with your presentation.

**Ms. Janice Pennington (Private Citizen):** Thank you, Mr. Chairperson and the committee members, for giving me the opportunity to speak.

My name is Janice Pennington and I'm speaking in opposition of Bill 62, as a concerned private citizen and as a lifelong animal activist. I hope this speech can make any sense to you now, because after five hours, I've edited and crossed off half the things that people that preceded me had already presented on.

\* (23:10)

So, I'm going to ask a few questions. If this bill is something that the government feels is important, what's going to be next? Are you going to make it illegal for somebody to divulge food safety issues at a processing plant or a restaurant? And you're going to have them charged for exposing that? Will people be charged if they go and expose the inhumane practices at a personal-care home? Or, will somebody be exposed because a business is polluting rivers or streams or the lakes in our province and we're going to charge them for exposing that to the public?

Routine violations of animal welfare should not be the norm, but we must do everything to ensure that that's not the case. It's time for Manitoba to commit and put in place farm animal care and welfare laws, not assist the industry in hiding what goes on behind the barn walls and during the transportation.

It's already been stated before that this bill addresses biosecurity concerns. It's actually—first-hand—I've been in, first-hand, inside a livestock farm. I've been—I've spent many summers living on a farm, a family farm. I've been outside slaughterhouses. I've seen rendering plants. I've witnessed the loading and unloading of animals from transport trucks. Hundreds and thousands of animals that I've seen and their bodily fluids, and there are very, very weak security practices that occur in these places over all our lax standards that are allowed.

There is no oversight and there's no enforcement by our authorities. The industry is allowed to police themselves. Why do we not have biosecurity concerns at rural—that's something Krista had brought up and I'd like to go over that again.

We have all these rural rodeos that go on all summer long in Manitoba, where there's food animals on display. No talk about biosecurity concerns there. Well, these animals go back to their farm. Are they sprayed down with disinfectants? I don't think so.

Why are there no zoonotic concerns about the Red River Exhibition? Hundreds of thousands of children go and feed and handle these food animals at the agricultural display. What happens to those animals when they go back to the farm where they become food?

Why do we not have strict disease concerns at the Grunthal Livestock Auction Mart and why are there no biosecurity concerns or laws against interacting with all the animals at the royal winter fair in Brandon? That's because Bill 62 is really not about biosecurity.

It's very well known that Canada has some of the worst animal transport laws in the developed world. We've heard that several times through the night. It's also very well known that there are no provincial farm animal welfare regulations that farms must follow in regard to regulations in the treatment of their animals or biosecurity standards.

Farm codes of practices are not monitored nor are they even laws. If Bill 62 is about biosecurity and not about prohibiting citizens' access, then it would also include stronger improvements to the biosecurity practices that would be applying to everyone, not just activists.

Diseases outbreaks kills thousands of farm animals. Yes, we've heard that. It's common all around the world. But the outbreaks are from lax standards. Have you ever seen chickens and hens being loaded

onto a transport truck? I'd like to know where the biosecurity is in that process. I've seen it many times. A few people observing and documenting a transport truck presents little to no biosecurity risks.

Bill 62's intent is to cover up animal abuse; Bill 62's intent is to take away people's right to free speech and peaceful assembly; Bill 62's intent is to conceal what occurs within our food system and Bill 62 also is unconstitutional or, at this point, appears to be. Should it, in fact, pass, it's going to become a very costly court challenge for the Province of Manitoba.

I'm going to point out that Manitobans care about animal welfare and how animals are raised for their food. Manitobans should be confident about where their food comes from. We should be increasing protections for animals in our food system, not sealing it off from public scrutiny and accountability. Public trust in the food system is paramount

And in closing, I'm going to ask you this: how can hiding animal abuse possibly be an—acceptable for our government representatives to be supporting? And I'd like to ask, would you consider it to be extreme to provide water to a transport of overheated, thirsty dogs? I would think not.

Thank you for your time.

**Mr. Chairperson:** Thank you for your presentation, Ms. Pennington.

**Mr. Pedersen:** Thank you, Ms. Pennington, for staying with us 'til the late evening here. Appreciate your input.

**Mr. Brar:** Thank you, Janice, for your input, for your passion for animal welfare and your presentation.

So I would like to ask, did you get a chance to participate in the consultation process before this bill?

**Ms. Pennington:** No, absolutely not. I'm quite immersed in animal advocacy in the province. I'm involved with the Animal Compassion Team at the Winnipeg Humane Society, and no people that I know within the community were consulted on putting forth this bill.

**Mr. Gerrard:** Thank you, Janice.

Perhaps you could tell us little bit about what got you started in your animal activism.

**Ms. Pennington:** Well, I've been an activist for animals my whole life. I mean, I had a—as a young child, I guess, that would be my first experience of knowing

that, you know, animals are just like us, because I had a pet crow, a very unusual pet, but he was smarter than a dog, smarter than any pet I've ever had or been around. I've been a *[inaudible]* for very long, because that goes hand in hand with being an animal activist. I did work on a farm in the summers when I was a teenager going into my 20s, so I do have first-hand knowledge with what goes on within a family farm.

And they're sentient beings. They believe to have—they deserve to have a voice. Yes, I've been, you know, long-time advocate. I started many animal advocacy groups. One of my proud moments is I spent many, many years trying to ban the use of wild and exotic animals here in Manitoba—successfully was able to move that ahead and have them banned in the city of Winnipeg, so no longer can wild and exotic animals be used in travelling, entertaining situations within Winnipeg.

**Mr. Chairperson:** Are there any further questions?

Seeing no further questions, thank you very much for your presentation, Janice.

We will now move on to our next presenter. I will now call on Accalia Robertson and ask the moderator to invite them into the meeting.

Please unmute yourself and turn your video on. Accalia, you may proceed with your presentation when you are ready.

**Ms. Accalia Robertson (Private Citizen):** Thank you for having me speak tonight. I'll try not to repeat too much of what's been said here.

My name's Accalia Roberston. I'm presenting tonight as a private citizen in opposition to Bill 62.

Bill 62 is framed wholly around biosecurity concerns, so I wondered, what is the track record of this government with biosecurity in the animal agriculture sector. Since the COVID-19 pandemic was declared globally, there have been numerous cases of COVID-19 outbreaks in Manitoba slaughterhouses and meat processing facilities, none of which have resulted in shutdown.

\* (23:20)

Bill 62 makes reference to the National Swine Farm-Level Biosecurity Standard in defining biosecurity zones and standards, and within this standard there are some strategic objectives, and a couple of them I'll just mention here. One is to prevent for bioexclusion, so policies being developed to prevent

introduction of a pathogen to pigs; and also biocontainment, so strategies developed to prevent pathogens spreading from pigs. With respect to this, I'm curious about some of the response thus far, and I think this forms a very relevant context for this bill and addressing biosecurity issues in agriculture here in Manitoba.

So I'll just make note of a couple incidences. In August 2020, Brandon's Maple Leaf Foods facility reported cases of COVID-19. The Province maintained that there was no evidence of transmission within the facility and that the rise in cases was due to community spread, and thus the plant, the Province allowed to remain open.

However, there were 200 workers which circulated an open letter which stated that COVID cases at the plant are related to the facility's inability to ensure safe working conditions or to take workers seriously.

And, in addition to the power imbalance that exists between employee-employer, many of these workers are particularly vulnerable because they are temporary foreign workers; they don't have a permanent residency status, never mind citizenship status, but nonetheless they spoke out to the experience of workers on the ground in these facilities.

So when we're talking about supply chain accountability with respect to biosecurity, this is an important context to consider in looking at this bill and what's being targeted and maybe what's being missed here.

In October through November 2020, Manitoba's Exceldor poultry processing facility had several—approximately 76—confirmed COVID-19 cases. Now, I'm based in rural Manitoba, so this is very close to where I live in southeastern Manitoba, and it's very concerning living near that, living near a lot of industrial agriculture facilities, be they intensive livestock operations or meat processing plants or slaughterhouses.

Again, in a situation with Exceldor out in southeastern Manitoba, the Province maintained there was no evidence of the virus spreading within the workplace and did not require the facility to close. But what we're seeing globally, and certainly locally, looking into the US and parts of Canada, is there is an undeniable pattern between COVID-19 outbreaks and slaughterhouse facilities and meatpacking facilities; we're seeing a lot of outbreaks in these workplaces in particular.

And there are currently outbreaks at eight different meat processing plants in Alberta. Just a few examples: there are over 200 confirmed cases of COVID-19 in Saskatoon at a processing facility there; and University of Calgary, the other think tank, Refugee Health YYC, has noted that Alberta's beef processing facilities have faced two of Canada's largest and most rapid COVID-19 outbreaks.

So the question that really emerges from this context is that, with outbreaks in such workplaces resulting in wide-scale transmission of COVID-19, why is the Manitoba government targeting whistle-blowers in legislation that's alleged to be about biosecurity? These slaughterhouses and meat processing facilities right here in Manitoba share the same fundamental working conditions as those in both Canada and the US, which have experienced COVID outbreaks.

And these similar and shared conditions are working in close proximity to others, so workers working closely to one another, fast production lines and cool, dry environments, which apparently are scientifically shown to be optimal for respiratory virus transmission.

So my concern with Bill 62 is that it effectively prevents whistle-blowers from documenting the conditions of and interacting with animals in transport. The fact is that, while livestock operations, slaughterhouses and meat processing facilities are known vectors for the transmission of pathogens, citizens gathering roadside to give water to pigs or to document animal welfare conditions are not known vectors for pathogen transmission. And that's really what's at stake here.

Listening earlier to members of the agricultural industry, I'm hearing that they do put a lot of time and care into biosecurity measures and that that's something that's very important to them. However, there is still a failure to make any link between specifically pathogen transmission risk with people roadside documenting. As we heard earlier from some of the lawyers with respect to constitutional issues, the vagueness of the wording interacting that could encompass simply taking photographs, basic documentation, even giving water aside.

So, these are things that are—don't seem to be substantiated in this bill's reach. So—and looking again at the recent track record of biosecurity in agriculture with respect to the pandemic in this province, it provides, you know, a very questionable context as to whether this bill is truly about biosecurity, and I think that's what we're really hearing tonight.

So, to echo what many others tonight have said, I think Bill 62 is not really fully about biosecurity and that other measures would be taken, we'd be seeing elsewhere along supply chain for animal agriculture and the industry that have not been taken, as I mentioned earlier.

So, as a resident of rural Manitoba, I bear witness to animals in transport for slaughter regularly, oftentimes just incidentally while I'm driving down a highway near where I live. I witness these animals being transported in all weather conditions, because as has been mentioned earlier, there are no legal limits for temperatures or weather conditions within which animals cannot be transported.

So, I've witnessed animals being transported in unconscionable weather—you know, minus 40, above and below, with the wind chill and, of course, compounded by the wind chill created by the truck itself travelling at the speeds it's travelling down the highway.

These are very concerning things that, when I speak to family and friends, other Manitobans, most people are not aware of, and that's why I believe whistle-blowing and—is so very important for this industry.

So, my partner and I personally have cared for hens which were rescued from slaughter. Family and friends were abhorred to see the state that these birds were in. They were rescued from a commercial egg farm. They had feathers missing on their wings, tail feathers missing, feathers missing along their throat.

They came from what the industry refers to as conventional cages, which is a nice way of saying battery cages—in other words, living spaces so small they can barely open their wings, their feet constantly on a wire flooring, never really breathing fresh air, seeing the light of day, until they're transported for slaughter—which again, there's not much regulating that.

I've seen photo—oh, pardon me. I think it's really important, like, in talking with family and friends around the conditions of the birds, which was just evidently marked on their bodies, that it's so crucial that the public have access to this information about the truth of the conditions for farm animals. I know it's informed my choices going forward and other people that I speak with.

The public has a right to access independent information about animal care and the food system, and not industry advertising and promotion—that

doesn't count. You know, I've seen photo and video documentation taken in Manitoba thanks to whistle-blowers, thanks to activists roadside. I appreciate that information.

Pigs caught between two levels of a transport truck has been documented—can imagine how excruciatingly painful that would be when they're travelling for up to 28 hours. I've seen photo and video documentation taken in Manitoba of animals frothing at the mouth, exhibiting signs of heat stroke and visibly in distress.

And as people have noted, the CFIA acknowledges millions of animals arrive dead to slaughterhouses each year, and it's really no surprise because as mentioned, there's not temperature or weather limits for transport, and the animals are also deliberately starved and denied water for a period of time before they're transported in order to reduce the mess in the trucks from their effluent.

So these are all very horrid—connection—pardon me, it's saying my connection's unstable—these are all very horrid conditions that much of the public does not know about, and I'm grateful to whistle-blowers and people documenting these conditions—

**Mr. Chairperson:** Ms. Robertson, unfortunately the time allotted for your presentation has expired.

We will now move into questions.

**Mr. Pedersen:** Thank you, Ms. Robertson, for your presentation. Thank you for staying with us so late in the evening, and appreciate your input.

**Mr. Brar:** Accalia, you had a really impressive talk. Thanks for the examples you quoted; thanks for your reflections about the government's track record while handling the pandemic and your examples and your knowledge about what happened at Maple Leaf plant and so on. I'm really thankful for your input here.

\* (23:30)

I want to ask you this: how would Bill 62 look like if you got a chance to rewrite it?

**Ms. Robertson:** If I were to rewrite Bill 62, I would definitely take out the sections concerning interacting with animals in transport. Again, there are no scientifically documented vectors of transmission in those situations, but as mentioned earlier, there are several scientifically documented outbreaks due to the conditions that are really inherent in industrial agriculture, and that's exactly, as folks have mentioned, what whistle-blowers seek to reveal.

So I think that the fact that this bill, you know, targets whistle-blowers when they are not a known vector for pathogen transmission presents a massive, unjustifiable overreach and, as others have mentioned tonight, limits the Charter right to freedom of expression and association, and that's very problematic.

If I were to rewrite it, I would take that out. I would also take out, you know, the uncertainty around the wording of biosecurity zone. The bill itself references the Canadian farm—sorry, the CFIA as well as the National Swine Farm-Level Biosecurity Standard, and that standard notes CAP-controlled access points, which could be anything—it's defined as any entry point through which traffic, people, livestock make their way into a controlled access zone or restricted access zone such as a slaughterhouse or an intensive livestock operation.

So that could really be any public space that's being defined as a controlled access point, and as this bill references the National Swine Farm-Level Biosecurity Standard, that could then be interpreted as a biosecurity zone. So it's very vague. It creates a lot of issues there, so I would take that right out.

**Mr. Gerrard:** Thank you, Accalia, and appreciate your talk.

What was it that got you interested in advocating for animals?

**Ms. Robertson:** Thank you for the question.

Well, I actually began working with women's legal education, action type issues when I was younger and then moved on to children and groups that are vulnerable, and animals are a group that is vulnerable. And it's kind of socially permissible to hate on vegans and animal rights activists in a way that it's not socially permissible to take up critique with folks who are combating racism and sexism and such in society.

So, I kind of see animals as that frontier that needs a little bit of advocacy and also, I mean, animals enhance my life and I have family members that are beyond human, and they should be represented.

**Mr. Gerrard:** Thank you.

**Mr. Chairperson:** Are there any further questions for Ms. Robertson?

Seeing no further questions, we thank you for your presentation and we will now move on to the next presenter.

I will now call on Carolina Valenzuela, and ask the moderator to invite them into the meeting. Please unmute yourself and turn your video on.

Ms. Valenzuela is not available right now, so we will drop her name to the bottom of the list.

I will now call on Justin Reineke, private citizen, and ask the moderator to invite them into the meeting. Please unmute yourself and turn your video on, Justin.

You may proceed with your presentation when you're ready, Justin.

**Mr. Justin Reineke (Private Citizen):** Hi. So, just to clarify my last name, it's Reineke, and, yes, so I'll start my presentation.

So, yes, I'm in opposition of Bill 62. I am an ex-slaughterhouse-facility worker and an ex-factory-farm worker with six years' experience in factory farming. During my time in factory farming, I managed a 1,000 farrow-to-finish operation. As a breeder, I achieved the highest born-alive record in Manitoba. In 2008 there was 24 born alive in one sow, and 24 went on to weaning.

I also worked in chicken industry catching chickens, where I was witness to workers overcrowding cages when loading for transport, broken legs and broken wings when carrying birds and putting them in cages for transport. Also, many birds are not able to walk due to the accelerated growth due to genetic manipulation over the last 50 years.

My experience with these conditions of animals on farms and—reasons why we need to be able to witness and photo animals in transportation on arrival to slaughter facilities.

With pigs, I have witnessed severed bruising, scratching, prolapses—which I have provided a definition in my handout for the committee—lame animals, which means leg injuries where they cannot walk properly, gasping for air due to heat exhaustion, in distress due to the conditions of—the way they are transported in heat, as there's no rules and regulations for cold and hot weather.

In the winter time, we have animals frozen to the sides of transport trucks, legs falling through the cracks and arriving injured in—to the slaughter facilities, swollen joints and unable to walk properly, abscesses that are very large and should not have been shipped, as these are on their way to a facility for meat, and also cattle-prod marks, which is very noticeable when they've been cattle-prodded in the

face because you can see that their eyes are really red and their faces have intensive scratching.

With chickens, we've encountered dead birds caused by heat and improper loading: they didn't space the birds out, so the middle birds often get overheated in hot, hot temperatures, and the birds die in these transport trucks. In the winter we have witnessed frozen birds due to not properly tarping in cold conditions below zero, which Animal Justice has filed complaints with the CFIA on granny's porch poultry, now Exceldor.

When witnessing this, we saw bleeding skin—cracked, frozen, frost-bitten skin—and dead birds with no feathers. There's bodies, we have witnessed, with birds that are—in thunderstorms, in the summertime. They transport them in thunderstorms without properly covering up or stopping the transport trucks to not drive through thunderstorms. We have photographed this.

And also, we have also witnessed the animal—chickens with their legs and wings stuck in the cages where the workers didn't take the time to remove the animal from that situation and distress.

And on to biosecurity. I have provided references for the disease infection time frame in my handout. For respiratory in pigs, we see that it takes six to seven days for a respiratory illness to show signs in the animal. So if—for biosecurity zones to work—they wouldn't work, because if a activist were to be contaminated with one of these diseases, these animals would be killed in 12 to 24 hours anyways. So there would be no time for this disease to actually infect the animal.

Also, with biosecurity in barns, I—when I worked in barns I witnessed—as they talked about, we shower in and shower out, but what they don't talk about is those buildings are not air-tight facilities with filtration systems.

So we have mosquitoes, flies and all kinds of spiders, bugs, mice going in and out of this barn, which does not go along with biosecurity, as they do not shower in and shower out because they're insects. And if a mosquito were to bite a human outside or fly into a barn and bite a pig, they could infect it. And same with any other insects and animals that could get into the barn, as I've seen birds even get into the barns.

With chickens—I provided in my handout there—the five main forms of diseases in severe pathogenic forms, there is a span of three to four days for most birds to show signs of infection. So once again, the



biosecurity zone outside of a slaughter facility would do no—it wouldn't do anything, because it takes three to four days for these infections to start in the birds. So the bird would already be killed. So once again, we are wasting time and money of our taxpayers' dollars.

\* (23:40)

So protesters can scientifically not infect animals during transport outside of a slaughter facility. With transporting hogs, when I worked in the facilities, we would turn the food off 12 to 24 hours before shipping, as we wouldn't want excrement in the trailers and for slaughter, as you wouldn't want poo all over your meat as it's killed.

No water during shipping, obviously; there's no water in these transport trucks, so for extreme temperatures we have witnessed many times animals gasping for air, in distress, in heat exhaustion—and we have to remember, these animals were—arrive at a slaughter facility where lots of times they are stored for 12 hours before they are slaughtered, and most times, they might not be getting the adequate care they need within that 12—time period. So, with 28 hours of transport time—which is legal—plus 12 hours of being held in a slaughter facility before being killed, that animal is reaching 36 to 38 hours of no food or water. Would you do that to a dog or cat?

And furthermore, 2 billion animals arrive dead at slaughterhouses on average every year. All vigil groups have safety protocols in place and forward it to proper authorities before doing vigils. Most and all vigils have safety—a designated safety person and all wear safety vests. So, these situations are done in a safe manner and the driver doesn't need to be worrying about injuries to activists, as we are more worried about our safety as well.

There are laws in place to stop B and Es in barns—break and enters—as the other lawyers have all spoke on, so adding these extra measures is really just causing more legal battles for later on for our constitutional challenges as there's laws in place already, so why are we adjusting laws that we already have?

So, on—in ending, as we've all—as most of my points were already all spoken on, you know, you can't make a law on something you have not witnessed or experienced yourself. So, please educate yourselves and watch the link that I provided in your handout, Dominion Movement, to understand what goes on in these intensive factory farm facilities.

So, that's what I have to share with you guys today and thank you for your time.

**Mr. Chairperson:** Thank you for your presentation.

**Mr. Pedersen:** Thanks, Justin, for staying with us for tonight and for your information, and I will look through your handout.

**Mr. Reineke:** Thank you.

**Mr. Brar:** Thank you, Justin, for your powerful presentation, and your experience is valuable. It's first-hand experience and you shared a lot of information that the members of the committee and the people who are listening might not know already.

So, do you still continue working in the same industry, or not anymore?

**Mr. Reineke:** No. I got out of the industry in 2009 and became a Red Seal bricklayer.

**Mr. Chairperson:** Mr. Gerrard, are there any further questions?

**Mr. Gerrard:** Yes, I do have a question, thank you.

Justin, thank you for your presentation. You provide a unique insight of the presenters today of somebody who has worked inside animal facilities for a number of years and has now moved on from there.

What was it that made you decide that there needed to be major changes in animal welfare in animal facilities?

**Mr. Reineke:** Yes. What got me to change was—it took me a couple years. I had a severe car accident in 2017 when I almost passed away, and I really just looked at my life in a different manner and wanted to be healthier for my kids and realized the impact of animal agriculture on my health and what animal products do our bodies.

So it was a big health initiative first, and then I realized, once I watched a couple documentaries, that I was actually part of the problem as being one of these workers, and seeing what I was seeing in these documentaries was exactly what you will see in Manitoba factory farms. Everything you see in Dominion Movement happens in a Manitoba farm. And it can be closely related to some of the largest factory farms in the United States with what they've done to the environmental impact of Lake Winnipeg and the environmental impact of our rivers and streams as the amount of manure that is poured onto these fields every year.

And also, what people don't realize is the amount of chemicals that are all used in cleaning these facilities is also put into the same pit with the manure and

poo and dumped into our lakes. So countless chemicals like lime degreasers and disinfectants are added to the manure and poo, not to mention the medical waste from castration, tail clippings and any other medical waste that might fall into the slats of these barns.

So for me it was just realizing the big environmental impact, health impact and impact on every single animal that has to go through this process.

**Mr. Chairperson:** Are there any further questions?

We thank you for your presentation.

Before we move on to the next presenter, being it's close to midnight, is it the will of the committee to continue the business at hand and finish it tonight, to sit after midnight? We have one, possibly two presenters and then clause-by-clause.

What is the will of the committee?

**Some Honourable Members:** Agree to finish.

**Mr. Chairperson:** It has been agreed to continue sitting past midnight until the business of this committee is completed? Agreed? *[Agreed]*

We will now call on David Wiens, chair of the Dairy Farmers of Manitoba.

David, are you there?

**Floor Comment:** Good evening, Mr. Chair.

**Mr. Chairperson:** Good evening, Mr. Wiens. You may proceed with your presentation.

**Mr. David Wiens (Dairy Farmers of Manitoba):** All right. Thank you very much. First of all, I'll just say a little bit about Dairy Farmers of Manitoba, then I'll introduce myself a little bit more.

So, Dairy Farmers of Manitoba represents 250 family dairy farms in Manitoba. We produce 410 million litres of milk every year. We create about—just over 6,000 jobs in Manitoba, and that includes on-farm, transportation of milk, dairy processing and the service providers that we need on the farm.

I would like to say, too, that last year, when the pandemic hit, it was a little bit of a volatile market in terms of milk consumption. But it was during that year that, where we normally contribute 320,000 litres of milk to Manitoba Harvest, last year, due to the circumstances that the food banks found themselves under, we increased that by another over 124,000 litres of

milk to try to reach out to those who were less fortunate than many of us are. So, you know, so we're able to contribute in that respect.

So I would like to say a little bit about myself. So I'm a third-generation dairy farmer. I farm together with my brother and our families. I've been born around the dairy farm and I've spent all my life caring for cows, and so I've always been there. So I—that has been my life and I can definitely speak to that.

One of the things that we've done in the dairy industry, and this is—we created an assurance program, we call it proAction, and every dairy farm in Canada has to abide by it.

So, it includes a number of different modules, and one is food safety. So, we have developed food safety systems on the farm to ensure that the milk is—remains safe throughout the process. We have CFIA approval for that. We also have—another module of this program is milk quality. And the third one is animal care.

And the animal care—our animal care module in our assurance program is based on the code of practice—the or—for dairy cattle. And it was developed together with dairy farmers, with veterinarians, with—Humane Canada has been involved in that process. Veterinarians have been involved. We have consumer representation, as well as retailers. So, we've had many stakeholders that were part of the development of the code.

\* (23:50)

And once it had been developed, then all the requirements were taken into our proAction, and so farms are audited every year to ensure that all of these things are actually being followed.

There's also the traceability that is part of our program, and that traces an animal from the time it's born until the time it leaves the farm. Biosecurity is another important element of this program and, of course—and finally, environment.

And so all of these things are being audited on farms by independent auditors, and so, if a farm, for any reason, would fall out of compliance, ultimately their—they would be forced to close down. So there is a very close oversight on those farms.

In terms of, you know—so we have worked closely on our animal care component. For example, we've worked very closely with the National Farm Animal Care Council, as well. So that's—so that kind of, you

know, talks a little bit about the kind of oversight that we have on dairy farms.

And so, as we—as, you know, this legislation was starting to be developed and through consultation, certainly we are supportive of the legislation here, both from—you know, from the trespassing portion of it but it's all tied into—with the animal disease, as well; the concerns that we have around that.

So, we've begun to see that where there have been—you know, at first this was something that we would see in the US, but we've increasingly seen that in Canada, where we do have people who will storm onto the farms and try to create havoc there for the farms.

And these cows are looked after. We—you know, for example, our barns today are built with maximum cow comfort in mind. For example, in my barn we have, you know, we have special rubberized flooring for comfort. We've got foot baths, we've got a big grooming brush—self-activated grooming brushes that cows can attend to whenever they want and a milking system where they can be milked on their own schedule. And so, those—the focus is on cow comfort.

One of the things you would have to know about cows is that they are also very—they're sensitive animals. They recognize the caregivers that are with them every day and they can be agitated if you would suddenly have, you know, strangers come storming into the barn, because that is something that they don't know, they don't recognize.

And certainly from a disease perspective, I should get back to our—the biosecurity element of our assurance program, and that is to prevent disease from coming onto the farm and, if you have something on the farm, to try to keep it on the farm and not let it get off. And, of course, you know, trying to prevent the spread of it on the farm is critical.

And so it becomes—what then is very critical then is that there are some diseases that are easily transferred, you know, from off the farm onto the farm. And there is—through our biosecurity, each one of us works with our veterinarians to establish a program that we're going to follow on the farm, in terms of a vaccination program and in terms of how we can, you know, how we can manage any kind of a disease on the farm; and also, obviously how to prevent—and that's—the key is to try to prevent this from ever coming—different disease from ever coming onto the farm. So that is done in consultation with a vet.

And so when we—when people want to come onto the farms, you know, that is done with permission ahead of time. Arrangements are being made, and of course, then all the necessary precautions can be taken so that people don't inadvertently bring some kind of, you know, disease or, you know, those kinds of things onto the farm and infect the cows.

So we are very careful of those kind of things. It's very important to our program and, again, we see this more in Canada where there is a—you know, people bursting onto the farm and creating havoc that way. We are—and, of course, it's not only the concern for people that, you know, that come on. It doesn't matter who they are, whether they're protestors or whether they're somebody that's coming on for any other reason. To simply have them come on and come into the facility or come into where, you know, we're housing cattle outside, is a risk.

And, of course, you know, this comes back to the point of actually taking care of these animals and looking after, you know, for the best welfare outcome for our animals.

And so we strongly support this legislation, which is actually—the timing of it fits very well with our program. Our biosecurity component in our program just came into effect a year ago and so what we had is a little bit of a—of a weakness, in terms of what the status quo is right now, in fact. So we certainly look forward to, you know, to the kind of support that this legislation can give something that we're doing in terms of providing our animals with the best care possible.

And so, really, I would, you know, just as soon leave more time for—

**Mr. Chairperson:** Unfortunately, Mr. Wiens, the time has run out for your presentation, so we will now move into questions.

**Mr. Pedersen:** Thanks, David, for your information on how biosecurity and the effects that the dairy business—how it would be affected by, you know, people that would knowingly or unknowingly could affect your operation.

But also, thank you for the donations of Manitoba dairy farmers to the food banks—I know it was both, in terms of milk products and cheese products—to those who were in need in the early days of the COVID outbreak is—I know you do it every year, but there was extra this year, so thank you very much for those donations.

**Mr. Brar:** Mr. Wiens, thank you so much for what you are doing for all of us and thanks for putting food on our tables even during the pandemic. Really appreciate that.

Just curious to know about two things: I understand you require two things for your animals, which is veterinary services and veterinary extension information services. So how and where do you seek that service from?

**Mr. Wiens:** Yes. So, on every dairy farm the farmer works with a veterinarian on an ongoing basis. So we have the same veterinarian come into our operation at least once every two weeks. We walk through the herd; we review, you know—and we have a check that we do from one visit to the next.

So it's an ongoing thing, which—with that discussion with the veterinarian and then, of course, and sometimes there's going to be—for farmers, they will have workshops and things where veterinarians and other professionals and research—you can present information to us on which we can better build—continue to build better protocols.

**Mr. Chairperson:** The Honourable Mr. Gerrard, did you have a question now?

**Mr. Gerrard:** Yes, I sure do. Thank you, David. You really took us through, quite carefully, aspects of your dairy operation and thank you.

\* (00:00)

My question deals with, you know, how things have evolved over, say, the last 20 or 30 years. At the moment, you're now at a position where you're much more concerned and much more active, in terms of biosecurity, than you would have been a couple of decades ago.

Can you just give us a perspective on how that's evolved?

**Mr. Wiens:** Yes, absolutely.

You know, just in terms of, for example, on our farm, you know, there used to be a time when we would, you know, buy, you know, heifers, you know, and introduce them into the herd. And they were simply brought in and joined the rest of the herd.

Well, now, first of all, on our farms, we no longer bring new animals onto the farms. We're very careful with that. We don't want to take the risk of introducing anything that we don't have onto the farm. And it is, you know, when that—it can happen where, let's say you bring in a group of animals and they can bring in

a respiratory disease, for example, that you don't have, and you pay for it dearly.

So—and even now, when they're brought in, those farms that may want to bring in some new animals, they will be quarantined for a period of time just to ensure that they are—that they're healthy, that there wasn't anything that was unseen when they came in. So those, you know—so that's on the animal side.

And then on the people side, there used to be a lot less oversight in terms of the, you know, people coming on into the—onto the farm, walking into the barn. It was, you know, not a big deal. Well, now it is. You know, you don't walk in without permission. You don't come into the property without permission.

And it's not about, you know, being unfriendly. I mean, absolutely, you know, for those who are concerned about animal care, we are, too. It matters to us a lot, and so that's why we have developed this program, to ensure that this happens consistently across the farms.

**Mr. Gerrard:** Thank you.

**Mr. Chairperson:** Thank you for your presentation, Mr. Wiens.

We will now move on to our next presenter. I will now call Carolina Valenzuela, and ask the moderator to invite them into the meeting.

Please unmute yourself and turn your video on.

Carolina is not available. She will be struck from the list.

That concludes the list of presenters I have before me.

\* \* \*

**Mr. Chairperson:** In what order does the committee wish to proceed with clause-by-clause consideration of the bill—of these bills?

**Mr. Pedersen:** We should probably do Bill 36 first, followed by Bill 62.

**Mr. Chairperson:** Is it agreed that we will go numerically? *[Agreed]*

**Bill 36—The Public Health Amendment Act  
(Food Safety and Other Amendments)**

*(Continued)*

**Mr. Chairperson:** We will now proceed with clause-by-clause of Bill 36.

Does the minister responsible for Bill 36 have an opening statement?

**Hon. Blaine Pedersen (Minister of Agriculture and Resource Development):** Very quickly here, Mr. Chairman, Bill 36 clarifies that food safety is a public health issue. The bill enhances public health by making it clear that no one can sell or distribute food that is unfit for human consumption, updating and clarifying the inspection powers and expanding the ability to seize unsafe food.

The previous government passed a law in 2009 to separate the regulation of food into two statutes, but then did not proclaim The Food Safety Act. And therefore that act is being repealed by—rather than using two different provincial legislation frameworks that would only serve to confuse the public and create additional red tape for businesses, this bill repeals The Food Safety Act and ensures that food safety will continue to be dealt with under one framework, The Public Health Act.

And we will be launching consultations and engaging with food processors, restaurants, direct farm marketers, retailers, consumers and the public as we move to modernize and improve food safety regulations under The Public Health Act.

And so, I look forward to debate of this bill.

**Mr. Chairperson:** We thank the minister for his statement.

Does the critic from the official opposition have an opening statement?

**Mr. Diljeet Brar (Burrows):** Yes, Mr. Chair.

First of all, I want to thank you all, the Manitoba producers, especially the small farmers who continue to put food on our table.

Regarding Bill 36, it amends The Public Health Act to deal with food safety by establishing a duty to serve safe food, expanding powers to seize unsafe food, clarifying inspection powers related to food and expanding regulation-making powers for starting and operating a food establishment.

Currently, the information about a disease presenting a public health threat must, on request, be provided to the chief public health officer. The act is amended to expand the obligation to provide information about a contaminant, as well. So the definition, contaminated, is clarified by limiting its application to humans.

All Manitobans deserve food that is safe, affordable, convenient to access and culturally appropriate. Manitobans rely on government and regulators to ensure the food they consume is safe to eat. When food safety is not protected or when things fall through the cracks, people can become seriously ill or die as a result.

There are numerous diseases affecting both humans and animals that can result from unsafe food or food handling practices.

Unfortunately, the Auditor General recently found that Province of Manitoba is not adequately prepared for an animal disease emergency. The AG also found that the Department of Agriculture did not have plans in place for recovering from an animal disease emergency, nor did they do assessment to determine the equipment, supplies and personnel the Province would need to respond to an animal disease emergency. The AG found that the Province had identified several diseases of concern but that the Department of Agriculture did not have a plan in place to deal with potential outbreaks of these diseases.

Food safety is intricately linked to food security. Many Manitobans in northern regions and urban food deserts are currently struggling to access safe and affordable food. We believe this government should make addressing food security a priority and ensure that all Manitobans, regardless of where they live, can access safe, affordable and culturally appropriate foods.

Food is a human right. We believe all Manitobans should be secure when it comes to food. We will continue to call on the government to promote safe food practices, prepare for possible outbreaks of food-borne illnesses and make healthy food affordable for all Manitobans.

I'd like to thank all the presenters for providing their valuable input on Bill 36 and I hope that the minister will listen to feedback from Manitobans and take the necessary steps to protect our food sources for future generations.

Thank you, Mr. Chair.

**Mr. Chairperson:** We thank the member for that statement.

During the consideration of a bill, the enacting clause and the title are postponed until all other clauses have been considered in their proper order.

Also, if there is agreement from the committee, the Chair will call clauses in blocks that conform to pages, with the understanding that we will stop at any particular clause or clauses where members have comments, questions or amendments to propose.

Is that agreed? [*Agreed*]

Clauses 1 and 2—pass; clauses 3 and 4—pass; clauses 5 through 8—pass; clause 9—pass; clause 10—pass; clauses 11 through 13—pass; enacting clause—pass; title—pass. Bill be reported.

\* (00:10)

**Bill 62—The Animal Diseases Amendment Act**  
(*Continued*)

**Mr. Chairperson:** We will now move on to Bill 62 clause-by-clause.

Does the minister responsible for Bill 62 have an opening statement?

**Hon. Blaine Pedersen (Minister of Agriculture and Resource Development):** The government of Manitoba supports the rights of all Manitobans to hold and express their own views and beliefs. That does not extend, though, to trespassing onto private property where farm families live.

And we've heard tonight about the stringent animal health and safety standards that our producers carry out each and every day, and this government of Manitoba will not tolerate illegal activities that risk the safety of farm families or their livestock.

Farms are not only places of business; they are homes where children and families also reside, and trespassing on these homes and places of work is a very serious matter.

Trespassing can expose farms and food production facilities to biosecurity risks that could spread disease and may cause injury or stress to animals, and if a person interferes with an animal in transport, it can cause distress to the animals and impair the biosecurity of the entire trailer, and in addition, as we've heard tonight, it can cause a safety issue for the driver of the truck and for the activists involved in the action.

We have seen the effects of trespassing in other jurisdictions and so we are being proactive here to

help the farm community and the public receive safe and wholesome food, and our objection—our objective is to have legislation that protects our farmers in a way that will lead to a more safe, just and peaceful Manitoba and recognizes that there are areas where biosecurity needs to be protected.

Thank you, Mr. Chair.

**Mr. Chairperson:** We thank the minister for that statement.

Does the critic from the official opposition have an opening statement?

**Mr. Diljeet Brar (Burrows):** Yes, I do, Mr. Chair.

I welcome everyone for taking time to participate in the committee today. Many Manitobans have reached out to me to share their thoughts on Bill 62. I thank you all for your input. Thanks to the farmers' organizations, citizens, animal rights organizations for reaching out and putting some important information forward on the subject of human rights, animal rights, citizen rights, food security and biosecurity. It's important that we all work together to help our government frame legislations that defend our rights, improve our processes and build a positive, inclusive, tolerant and friendly society that we all wish to live in.

We all want safety in our food system, but we have real concerns about the intent of this legislation. I served for many years in rural Manitoba with Manitoba Agriculture and Rural Development, it was then called, now it's called Department of Agriculture and Resource Development. I know how serious the threats of disease are to our food system. I will never forget the tragic consequence that bovine spongiform encephalopathy—BSE that we call—had in Manitoba, and I share serious concern about other threats, such as African swine fever, foot-and-mouth and avian influenza. Food safety and disease outbreak is a matter I have had the opportunity to question the Pallister government about here at the Manitoba Legislature, and I look forward to continuing to serve producers and the public in this regard.

This bill creates a new classification of offense for entering into zones marked as biosecure and defines as a breach any hindrance or obstruction of a vehicle carrying animals in transport. Our role as legislatures is to consider the needs of our community and the right of individuals. We must weigh the curtailment of an individual's right.

Bill 62 would see Manitobans fined up to \$10,000 for doing something as simple as give water to

dehydrated animals on the way to slaughter. The broadness of this bill raises legitimate questions as to whether the bill might withstand Charter challenge. It does not serve the public if legislation is put forward only to be struck down.

I'd like to thank all the presenters for bringing forward their valuable input on Bill 62. I hope the minister will listen to Manitobans.

Thank you.

**Mr. Chairperson:** We thank the member for his statement.

During the consideration of a bill, the enacting clause and the title are postponed until all other clauses have been considered in their proper order.

Also, if there is agreement from the committee, the Chair will call clauses in blocks that conform to pages, with the understanding we will stop at any particular clause or clauses where members may have comments, questions or amendments to propose.

Is that agreed? [*Agreed*]

Clauses 1 and 2—pass; clauses 3 and 4—pass; clause 5—pass; clauses 6 and 7—pass; enacting clause—pass; title—pass. Bill be reported.

The hour being 12:17, what is the will of the committee?

**Some Honourable Members:** Rise.

**Mr. Chairperson:** Committee rise.

**COMMITTEE ROSE AT: 12:17 a.m.**

#### WRITTEN SUBMISSIONS

Re: Bill 62

Dear Committee on Agriculture and Food,

I would like my name added, Brandi Vezina, to stop Bill 62.

It is important for the public to know where their tax payer money goes, if this bill passes there is no accountability for animal ag then abuse goes unchecked.

It is our freedom to protest and express concern over issues.

I'm concerned about how frequent barn fires are when the price of fed goes up, like when hay prices raised dramatically in 2019. I'm also concerned about the transportation of animals in our extreme weather.

Current legislation is cruel, insufficient and best of the worst case scenario.

"Canada has some of the worst animal transport rules in the industrialized world," said Kaitlyn Mitchell, Winnipeg-based Animal Justice staff lawyer. "Instead of protecting farmed animals forced to endure days-long journeys without food, water, or rest, the Manitoba government has introduced Bill 62, an ag gag bill designed to keep animal suffering hidden from public view. Manitoba's proposal to restrict peaceful protest rights and cover up the conditions in which animals are transported should be deeply disturbing to us all. It is not only dangerous to animals, but may well violate Manitobans' Charter-protected rights to freedom of expression and peaceful protest."

Maarsii,

Brandi Vezina  
B Env Sci, B Ed

Re: Bill 62

Ladies and gentlemen,

All philosophical and theological systems enjoin compassion.

It is said that truck drivers and farmers have seen protesters trying to provide "unknown substances" to the animals being transported to slaughter. These substances were obviously food and water. There are already laws in place to deter trespassers. A new law is unnecessary. Whistle-blowers perform a vital function in society by exposing criminal activity. No law should be passed or enforced whose spirit or result is to deter or punish whistle-blowers.

Judging by myself, an animal that accepts food or water must want it. I would refuse it if I'd had enough.

None of all this can condone the death of a kind activist, Regan Russell, in Burlington, Ont., who was run over by a truck in Ontario last year.

If the animal agriculture industry has nothing to hide, they should not panic at the thought of public accountability and a measure of transparency. It is Manitobans' right to know what they are paying for, through tax dollars which subsidize the meat, dairy, and egg industries, and also what they are paying for at the grocery store.

Apparently, any individual found "guilty" of giving a farmed animal food or water could be fined up to \$10,000 and spend up to a year in prison. In contrast,

a first-time offender who violently abuses an animal in Manitoba can only be sentenced to a maximum of six months in prison under the Animal Care Act." This is illogical, ill-conceived, and absurd.

Interference with animal in transport, 13.2(2), "A person must not interfere with or interact with a commercial animal being transported by or kept in a vehicle, including by feeding or watering the animal, without the consent of the driver of the vehicle," the driver is merely a contracted or other employee, who could care less whether the animal is fed or watered. He wants to get his vehicle to its destination on time. Feeding and watering may delay him. It is natural to expect that he would focus on feeding and watering himself.

Bill 62 also poses a danger to journalism, since journalists are among the greatest whistle-blowers in various areas of human activity.

The criminalization of Snowden, Manning and Assange has triggered distrust in western governments around the world. Bill 62 will only spread and reinforce this rot.

Cordially,

Ashoke Dasgupta

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Re: Bill 62

Attention: Standing Committee Members considering Bill 62

At a time when Canadians as a whole are increasingly concerned about the treatment of animals raised and slaughtered for food, not only is there virtually no government oversight of the treatment of animals on farms, but now there are Ag Gag laws popping up across Canada to further keep consumers in the dark about how animals raised for meat, eggs, dairy, and fur are treated.

Ag Gag laws cover up animal cruelty by making it illegal for an undercover investigator or investigative journalist to get a job on a factory farm. Undercover investigations are one of the only ways to expose hidden animal abuse, public health threats, unsafe working conditions, and environmental offences at farms and slaughterhouses. If the animal agriculture industry truly has nothing to hide, and is in fact proud of their practices, then what are they trying to hide behind Bill 62?

Manitoba passing Ag Gag Bill 62—which will serve to more severely punish people trying to expose the

horrific conditions for animals in the animal agriculture industry—will only serve to condone a further lack of accountability and transparency of the animal agriculture industry. Instead of trying to fix the problem of animal suffering, adopting these laws will be seen as the government's attempt at hiding, and effectively endorsing, systemic animal abuse.

At a time when we are seeing the world changing repercussions of zoonotic diseases (abundant in factory farming situations, and a most likely breeding ground of our next pandemic), it should be an absolute priority to allow there to be eyes on the ground to witness the ongoing conditions across the animal agriculture system—for animal and human health and safety alike.

Please let it be known that I, as a Manitoban, do not support Ag Gag Bill 62. I do not support animal cruelty. I ask that you will reject this dangerous law and step up to make Manitoba a less cruel province for animals.

Respectfully,

Kristy Carroll  
Winnipeg, MB

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Re: Bill 62

Good afternoon, I am hopeful that you will not support or vote in favour of Bill 62. This proposed bill is an affront to animal rights and safety. Should it pass, this will significantly empower animal abuse against animals. Their welfare must be considered above any financial influence from the agriculture industry. It is already a black stain on the province of Manitoba that unjust practices regarding animal welfare in the trade industry. One only needs to look at recent documentation on social media regarding the horses that are left out on airport tarmacs in freezing temperatures. Pigs who are transported in inhumane metal containers in hot summer days, or chickens who are dumped at the Brady landfill are just 2 of the other horrors of the animal industry. You cannot and should not, in good conscience support this bill which limits animal welfare and prevents the lifting of the proverbial veil from the cruel and reckless actions of the agriculture industry. I do not believe that any person, regardless of how blinded they may be by financial gain or influence, can go to sleep at night with a clear conscience and say that they did good in the world, knowing that they have supported this bill.



There is a need for accountability, transparency, and above all else, just and safe care. Furthermore, we must move forward with positive change, rather than backwards. Unfortunately, there are no consequences against animal cruelty in the province. regrettably, if you choose to support this bill, you choose to be an accomplice to atrocious animal abuse, and worse yet, you support industry wide attempts to conceal and prevent these inhumane practices from being made visible to the public.

Please let me be clear, I do not support animal abuse, and neither should you. There is no justification for you to support Bill 62. Should this bill pass, you will not have my support in any future election, and it is my sincere hope that your conscience and humanity take precedent over greed from the agriculture industry.

Thank you kindly for your time,

Michael Prout

Re: Bill 62

Thank you for the opportunity to state that I am disagreement of Bill 62 which infringes on the Charter of Rights of Manitobans.

The stated objective of Bill 62 is to protect the biosecurity of our food system and the rights of those who produce our food. However, Bill 62 is closer to what is referred to as "ag-gag" laws, which have been struck down as unconstitutional in other jurisdictions because it violates people's basic rights. For example, one provision could discourage agricultural workers from reporting concerns about illegal, unsafe, or unethical practices at their facility while other provisions give farmers sweeping powers to arrest individuals supposedly trespassing on their property. This reduces the ability of investigative journalists, farmworkers, and others from exposing issues in animal processing plants and farms, undermining public confidence in Manitoba's agriculture and food system. If anything, this Bill if passed will result in an increased risk to our food system with whistle-blowers silenced.

If the protections that Bill 62 provides to the agricultural industry were applied to other sectors, such as long-term care homes, for example, it would limit the ability for a group such as the Canadian Armed Forces to publish a report (2020) about the conditions they saw in the long-term care homes.

We've seen how important it is to have public and regulatory oversight over certain sectors and the agriculture sector is no different. Silencing whistleblowers and limiting peaceful protests is absolutely wrong. As it is currently written, Bill 62 will almost certainly face a costly court challenge. Not only is Bill 62 problematic, but the Government fast-tracking this bill in the middle of a global pandemic is unacceptable.

Advocates provide a level of accountability and transparency in the animal agriculture industry that processing plants and the CFIA will never provide. Who else is documenting pigs suffering heat stroke in +40 degrees weather in metal trucks or crying in pain from frost bite in winter? Who is releasing these images to the public if the advocates are not there? If the animal agriculture industry truly has nothing to hide and is proud of what they do, then why hide behind Bill 62? If passed, this Bill will make it illegal for peaceful protests outside of transport trucks carrying animals to slaughter. It will prohibit peaceful people offering a moment of compassion and valuable footage of their inhumane conditions moments before their brutal slaughter. The public deserves to know how these animals are treated. This Bill is not about protecting Biosecurity, but is about concealing animal suffering. There is already a lack of consequence against animal cruelty in our province.

Agri-Business needs to be transparent to the public. It is the critics in history that allow for debate and the improvements in our society. Ag-Gag laws such as this only serve the interests of corporations. This is not about small farmers; this is about industrial factory farming. In Ontario, when this law was being pursued, it was said industrial factory farming does not exist in Canada. This is not true. There are fewer farms, more animals in smaller confined spaces, factory farming is the norm and it is only getting worse. Consumers need to be aware and read the science. Additionally, the public is not aware that all the agriculture industries such as hog, chickens are self-regulated meaning they have their own inspectors. Quite literally, the fox watching the hen house. There is no proactive provincial monitoring or inspection of farm facilities, neglect and abuse of livestock remains hidden and free from scrutiny. Only a complaint can trigger an investigation of a farm by provincial authorities. I have attached videos obtained by W5 which is a respected news outlet and their behind the scenes work which this Bill is trying to hide.

We urgently need more transparency in the food system because the industry keeps animals behind closed doors without government oversight or inspection. Ordinary Canadians are appalled to think the Government is trying to shut down the transparency of farms and hide from them where their food comes from. We need more transparency, not less.

I am opposed to Bill 62 as it is unconstitutional, puts agricultural workers at risk, undermines public confidence in Manitoba agriculture and makes it harder to expose animal cruelty.

Sincerely,

Ann Walker

Re: Bill 62

Thank you in advance for reviewing my submission and considering my perspectives on Bill 62.

I am a retired lawyer and a firm supporter of the principle that society should evolve towards the increased recognition of animal welfare and animal rights. I still have a long way to go on my personal journey to this goal, but so far I have at least reached the point captured in a song by Melanie Safka several decades ago: "I don't eat animals and they don't eat me."

I approach the consideration of Bill 62 with a puzzled perspective on our society's recognition and treatment of animals. We love dogs and cats, and make them our personal companions and members of our families. Yet when it comes to equally sentient and equally intelligent creatures like cows and pigs, we breed them for slaughter and eat their flesh with little regret or even reflection. Pigs in particular receive shameful treatment in Manitoba, with many being raised in factory farm operations that house hundreds of animals in grossly overcrowded conditions. Sows can occupy gestation crates for their entire lives, scarcely able to move their bodies in the confinement they are forced to endure. I'm sure it's no coincidence that factory hog barns are generally hidden away from proximity to provincial highways and roads, so that passers-by need not be troubled by any uncomfortable reflections on the shocking conditions inside.

The proponents of Bill 62 assert that tighter controls are required to protect so-called "biosecurity zones." They point to the spread of deadly animal pathogens in various parts of the world, and claim that what is required in Manitoba is a tight security net around

farming operations in order to ensure that similar outbreaks do not occur here. They identify ecological activists and other potential trespassers as possible carriers of deadly transmissions.

What is missing in this analysis is any recognition of how current practices might be implicated in the pathogenic dangers posed to farm animals in Manitoba. Specifically, the overcrowded conditions on factory farms are obvious pathways for the rapid transmission of pathogens.

An analogy can be drawn to the horrible death toll from hog barn fires in recent years. A hog barn fire in New Bothwell, MB on June 8, 2017 killed about 3500 animals. A fire in the RM of Hanover on November 10, 2017 killed about 7500 animals, sows and piglets combined. It is entirely reasonable to presume that these horrific numbers were directly connected to the crowded conditions in which the animals were confined—in other words, to the practice of factory farming. Assuming the arrival of a deadly pathogen in Manitoba, is it not then also reasonable to assume that its fatality rate would be directly linked to the degree of crowding in the gestation crates or the battery cages in which it takes hold? One way to avoid such fatal consequences would be to heed the warning signals sent out by the media or ecological activists about the excesses of factory farming—the very kind of signals that Bill 62 proposes to stifle.

It is also ironic that the proponents of Bill 62 cite the experience of the COVID-19 pandemic to support this proposed legislation. In fact, the pandemic is proof that the interaction between human and animal species requires close scrutiny and monitoring. It is not just a question of outside pathogens coming into animal barns, but also the possible transmission of pathogens from farm animals to the outside world, including humans. Just this month, the World Health Organization released a report entitled "Reducing public health risks associated with the sale of live wild animals of mammalian species in traditional food markets" (April, 2021). Although the title suggests that this report does not address the issue of domestic farming, the body of the report demonstrates otherwise. Recommendation 5 states as follows: "WHO (World Health Organization), OIE (World Organisation for Animal Health) and UNEP (United Nations Environment Programme) call on national competent authorities to strengthen animal health surveillance systems for zoonotic pathogens and to include both domestic and wild animals. This will provide an early warning for pathogen emergence and provide the evidence base for the development of

controls to prevent risks to human health, in association with public health surveillance systems."

Bill 62 would do just the opposite: weaken Manitoba's surveillance systems and eliminate potential early warning of pathogen emergence in the animal farms that operate throughout this province. The running of a farm is, at one level, a totally private pursuit. But the emerging issue of zoonotic transmission of pathogens creates an overriding public health dimension that demands public scrutiny of farming operations. The additional consideration that Bill 62 would supply convenient cover for any mistreatment of animals (intentional or otherwise) on Manitoba farms simply reinforces the position that this proposed legislation is a backward step.

I urge the government to withdraw Bill 62 from consideration in the current session of the Legislature. The issue of biosecurity on Manitoba farms should be studied in a larger context that includes consideration of both the pathogenic risks and the animal treatment issues associated with the practice of factory farming in this province.

Thank you again for considering this submission.

Eugene Szach  
Winnipeg, MB

Re: Bill 62

Dear Standing Committee,

This proposed new law would further conceal farmed animal suffering and neglect. Bill 62, the Animal Diseases Amendment Act, is an ag gag law that is dangerous for farmed animals and violates our rights to free expression and peaceful assembly under the Charter of Rights and Freedoms. As citizens, we are allowed, and encouraged to protest issues that are of concern to us.

As Bill 62 makes it an offence to "interact" with farmed animals, this would silence people who bear witness on public property outside of slaughterhouses and document horrible conditions inside transport trucks. If there is no one protesting or bearing witness, there is no industry accountability. Animal agriculture will never show the public the truth of what goes on in transport trucks and slaughterhouses; therefore, it is critical for activists to document the lived reality of farmed animals and bring it to public attention.

I have personally stood vigil outside of Dunn Rite Foods in Winnipeg, and Maple Leaf Foods in Brandon. Many times, I have witnessed pigs suffering from heat stress, foaming at the mouth, trembling and lethargic. Pigs screaming in winter because they have severe frostbite. Canada has some of the worst animal transport laws in the western world; it is unconscionable how our laws treat farmed animals.

This Bill certainly is not about biosecurity either, or activist safety around transport trucks. When we hold vigils around processing plants, it is mandatory we wear safety vests and there is always a Safety Marshall appointed. Safety for all is of utmost importance, and we know how to handle ourselves professionally and safely.

We call on the Manitoba government do the right thing and vote down Bill 62. If the animal agriculture industry truly has nothing to hide, they would not be panicking at the thought of public accountability and a level of transparency. It is Manitobans right to know what they are paying for, through tax dollars which subsidize the meat, dairy, and egg industries, and what they are paying for at the grocery store.

Thank you so much.

Sincerely,  
Danae Tonge

Re: Bill 62

I do not support Ag-Gag laws.

Activists have the right and obligation to expose cruelty being imposed upon sentient beings.

These ag-gag laws are ridiculous and backwards.

This is Canada!

Animal suffering must be exposed and perpetrators will be brought to justice.

You cannot hide the truth.

Those who work in the industry suffer mental trauma as a result of the violence they are forced to inflict on animals and carry that anguish into their homes.

Eat plants.

Say no to ag-gag laws.

Bonnie Brandt

Re: Bill 62

We live in a society that relies on cognitive dissonance, propelled by overly emphasized "happy" farms. Words like natural, organic, family-owned & operated, grass-fed, and free-range make us feel good about our choices until you learn the truth. Bill 62 needs to be re-evaluated and changed to fit the needs of activists and citizens of Manitoba. The truth needs to be accessible to those funding these industries. I disagree with Bill 62 because people have a right to know what they are supporting with their dollar, and animals are individuals who deserve to have laws in place to protect them.

Almost 6 years ago, I learned the truth from seeing footage of animals in horrible conditions on route to slaughterhouses in transport trucks. Animals are treated as inanimate objects, stacked on top of each other in cages, given no room to move, and no food or water to sustain them throughout their journey. Farmed animals are forced to endure the conditions whether it be extremely hot to the point of death from heat exhaustion or freezing in extremely cold temperatures, with no accommodations millions of animals die on transport trucks. Bill 62 the "ag gag" bill will prevent individuals from giving an animal in distress their basic need of food or water, even when the animal is clearly in distress. Whether or not you choose to continue paying these companies for their products, we have no choice in funding these injustices through our tax dollars. Therefore, the people have a right to witness and expose the cruelty that they are subsidizing. Bill 62 will make it illegal for individuals to interact with and document animals on transport trucks on their way to slaughter. After learning the truth about my choices, it no longer became a choice for me; witnessing the victims of my actions made it real and poignant. It is crucial to allow the public insight on what they are inadvertently supporting with their food choices and to deny such a basic form of education to the public is wrong.

Animal rights activists are not the enemy. Any person who is found guilty of giving an animal in a transport truck food or water may be fined up to \$10,000 and could spend up to a year in prison. This is a striking difference compared to what a first-time animal abuser who violently abuses an animal may receive which is a maximum of 6 months (This is found under the Animal Care Act).

The Manitoba government has stated that Bill 62 is meant to protect animals from biosecurity risks that may cause "injury and stress" to animals. However,

thanks to footage produced by concerned individuals who've documented farm animals in transport, within the farm environment, and in slaughterhouses it is clear that the animal's well-being is by far not the manufacturers top priority. Animals are abused, forced into tiny quarters with only standing room available, starved, and deprived of water, and constantly suffering from disease due to living in their own filth. It is clear that bill 62 is a way of covering up the truth from the public to create the image they want to disperse to the masses. The Manitoba government should be more focused on improving their animal welfare standards rather than keeping the public in the dark.

Bill 62 is absurd, meaning that their reasoning is illogical and completely unreasonable, and is only intended to benefit the large industrialized corporations that profit from the abuse of animals. It is clear that animal well-being is only considered by the government when the public becomes uncomfortably aware that their actions have consequences (the demand you create causes the suffering of the animals you turn into products). It is very unlikely that the animal's suffering can be addressed when you view each animal as a product rather than a living being. Bill 62 seeks to create a large gap in the understanding of how your "food" gets to your table. As it goes, "ignorance is bliss". Bill 62 must be re-evaluated for the people and the animals.

Submitted by Ashley Chihonik  
Private citizen

Re: Bill 62

Good day,

Thank you for taking the time to read my written submission to the Standing Committee on Agriculture and Food, who are meeting Tuesday April 20, to hear the people of Manitoba present their thoughts on Bill 36 and Bill 62.

My concern is with Bill 62, in that it is designed to make it impossible for the public to see what is going on in these industrial farms, transport trucks and slaughterhouses and ensure that animals rights are being protected and enforced.

By its heavy handed manner—such as 10000\$ fines for giving an animal dying of thirst some water—it is clear that Bill 62 is aimed at reducing activist activity

and revealing their operating practices, more so than biosecurity.

So instead of requiring activists to trespass to see what is going on in these facilities to ensure the animals are being treated as per their legal rights, let's address the root cause of the problem: lack of visibility of these facilities from government inspections. If there was more visibility shared with the public, no one would need to sneak in to see it for themselves. Surely the agriculture industry wants to be accountable as well that their biosecurity policies well in place, therefore they would appreciate the increased visibility of inspections as well. This is a win-win solution.

Here is my proposal to increase the public's visibility of farms, industrial farms, transport protocols and slaughterhouses:

- Inspections are to be done with another non-government person, who is trained in Animal Rights.
- Inspections are to be at random times and without advanced warning.
- Inspections are to be filmed in real time via livestream. Perhaps even issue body cameras to the Inspectors.
- Inspection reports will be made public immediately upon completion.
- Facilities not adhering to the current laws will have penalties enforced accurately and swiftly.

That's it. Give the public fair access to every step of the animal agriculture industry system, enforce the current animal rights laws in place, and the need for the draconian laws in Bill 62 will not be necessary.

Thank you.

Robert Driedger  
Winnipeg, MB

Re: Bill 62

Dear Manitoba Agriculture and Resource Development,

In consideration of the Bill 62, The Animal Disease Amendment Act, I would like to submit my request for appeal.

You have stated that "this Bill is partially regarding the issues facing us because of the Covid-19 pandemic, and that this act allows us to be more careful and stringent in that regards." As you may be aware, every pandemic in history has been the result

of animal agriculture. This includes HIV, Bird Flu, SARS, and MERS. This is proven by science. Covid-19 is a wake-up call if we don't shift to a plant-based diet.

You may think it's about "protecting your food". Do consider that animals are not "food". They are sentient beings who deserve better. The same way that we would not eat our cats or dogs – which they do in other parts of the world. 80% of illness comes from animal products. We have a global epidemic of sick and unhealthy people due to their "dietary choices". This includes diabetes, heart disease and obesity. Once again, this is science fact.

Even if you want to continue to view animals as "food"—which I understand that most of the world does, this Bill is dangerous. (for the record, just because something is "legal" does not make it ethical). This Bill would criminalize peaceful protests and vigils outside of slaughterhouses, along with any "interaction" with farmed animals. This act will infringe upon our legal rights for expression, and assembly.

It is our right as taxpayers to know what we are paying for—through tax dollars which subsidize the meat, dairy and egg industries; and also, what we are paying for at the grocery stores.

It is crucial that this Bill not be passed. I do not support Ag-Gag Laws in Manitoba.

Thank you for your consideration,

Sincerely,

Larry Palmquist

Re: Bill 62

I would like my name added to stop Bill 62.

It is important it is for the public to know where their tax payer money goes, if this bill passes there is no accountability for animal ag then abuse goes unchecked.

It is our freedom to protest and express concern over issues.

I'm concerned about how frequent barn fires are when the price of fed goes up, like when hay prices raised dramatically in 2019.

And the transportation of animals in our extreme weather.

"Canada has some of the worst animal transport rules in the industrialized world," said Kaitlyn Mitchell, Winnipeg-based Animal Justice staff lawyer. "Instead of protecting farmed animals forced to endure days-long journeys without food, water, or rest, the Manitoba government has introduced Bill 62, an ag gag bill designed to keep animal suffering hidden from public view. Manitoba's proposal to restrict peaceful protest rights and cover up the conditions in which animals are transported should be deeply disturbing to us all. It is not only dangerous to animals, but may well violate Manitobans' Charter-protected rights to freedom of expression and peaceful protest."

Submitted by Julie Lafreniere  
Private citizen

Re: Bill 62

Thank you for the opportunity to provide your Committee with my written submission in relation to Bill 62.

The proposed rationale for passing Bill 62 claims to be for the protection of farm animals by addressing issues of biosecurity. Ironically however, industrial farming in and of itself is statistically much more of a risk to biosecurity and the spread of disease than any "trespasser" or animal advocacy group would ever be. Further to this, the necessity to implement this bill seems questionable, given that there has never even been a single documented case where activists and protestors giving water to animals in transport or filming transport trucks has led to issues of biosecurity or risk to food safety. Based on these facts alone, it is clear that the reasons being provided to the public for passing Bill 62 are not the true motivation.

Groups across Canada document farm animals in their final moments of life, these horrendous scenes can cause a significant impact on the public's view of the farming industry. This documentation often includes animals who are suffering, starving, exposed to the elements—causing heat exhaustion and frostbite, and sadly animals who are dying or have already died during transport. The truth is, the large and powerful farming industry want these laws in place to ensure that the public remains blind to the animal cruelty that takes place within the industrial farming world every day. For this reason, the farming industry, supported by governments across the country, are now attempting to create laws under the guise of something that will help animals, when in reality these laws only

harm animals further, and punish those who advocate for their humane treatment.

Bill 62 will make it illegal for activists and peaceful protestors to "interact" with any farm animal during transport. This could target even those protesting on public property outside of slaughterhouses, or those taking video on public highways of the state in which animals are transported to slaughter. The term "interacting" is very ambiguous in this context, yet individuals who do so are subject to extreme fines of up to \$10,000, and even jail time of up to one year. This certainly seems excessive given that violently abusing an animal in Manitoba carries only a maximum sentence of six months under the Animal Care Act.

Animal welfare on farms is not regulated by either the province or the federal government, which may be why Canada has some of the worst transport laws in the industrialized world. Alternatively, the National Farm Animal Care Council (NFACC) creates its own code of conduct. The bias being that, the NFACC is made up largely of those closely involved in the industry, often with their own personal and financial incentive in supporting the ongoing concealment of the inhumane treatment towards farm animals.

As there are currently no official governmental regulatory bodies in place, documentation by activists is one of the few ways to ensure the public is adequately informed about the realities of how food makes its way to their table every day, and subsequently for the industry to be held accountable. There is very little about the current farming industry that actually looks like what the public thinks it is. Farms are focused on getting as much value as quickly as possible from animals. The industry wants the public to believe that farming in Manitoba is made up of ethical family farms, run by hardworking farmers, just trying to support their families. In reality, the majority of farms these days are industrialized factory farms. Although the farm may be owned by a family and not a corporation, the level of mass production and approaches used, qualifies as factory farming.

These ag gag laws are a clear breach of the Canadian Charter of Rights and Freedoms. This includes section 2(b) of the Charter of Rights which protects Canadians' right and freedom to peaceful assembly and expression. Similar ag gag laws were passed in the United States starting over a decade ago, however since then, many states have voted down these laws, as they were deemed to be unconstitutional. This is also supported by leading law experts who have

cautioned the government against Bill 62 for these exact reasons.

Voting in favour of these ag gag laws clearly restricts freedom to expression, as it makes it illegal for the citizens of our country to gather, advocate, and draw attention to unethical matters. Biosecurity issues are being identified only as an excuse in order to discreetly put laws in place that will prevent images of animal suffering from being shared with the public. This law will only increase the power of industrial farming to target activists in order to safeguard their ultimate goal of larger, faster, and cheaper production without any ramifications.

I appreciate the Committee's thoughtfulness in the matter, and I strongly urge you to vote against Bill 62.

Sincerely,

Victoria Caldwell  
Winnipeg, MB

Re: Bill 62

Dear Standing Committee of the House,

My name is Shari Lee Block and I am a constituent who resides in Winnipeg, Manitoba. I, and fellow Manitobans care deeply about animal protection, and this includes the humane and compassionate treatment of animals being raised and slaughtered for food. As someone in the past who has spent a great deal of time in transit on local highways around the province, it is deeply disturbing for me to see the animals crammed into transport trucks knowing that it is legal for these animals to go without food, water or rest for more than 24 hours, in extreme weather conditions. Banning people from interacting with animals inside of transport trucks is an appalling move to suppress free expression, cover up cruelty, and conceal the truth about the meat industry from consumers. If there is nothing to hide, then there should be no reason to ban this.

Not only is this an unethical move, it is likely unconstitutional. In at least six US states, ag gag laws have been struck down as unconstitutional. A similar ag gag law is currently being constitutionally challenged in Ontario. Dozens of leading constitutional law scholars around the country have publicly warned that laws that make it an offence to "interact" with animals in transport likely violate the Canadian Charter of Rights and Freedoms.

Bill 62 has been described as aimed at preventing the spread of disease, but there has never been a single documented case of disease transmission or risk stemming from someone giving water to thirsty animals, or from documenting conditions inside a slaughter truck. Ultimately, biosecurity is being used as an excuse to chill free expression and prevent images of animal suffering from being shared with the public. In conclusion, I wish to add my voice to those in dissent of Bill 62 from being passed.

Thank you,

Shari Lee Block  
Winnipeg, MB

Re: Bill 62

Dear Committee Members:

These are the comments of the Canadian Coalition for Farm Animals, People for the Ethical Treatment of Animals, Mercy For Animals Canada, and Humane Society International/Canada regarding Bill 62, The Animal Diseases Amendment Act ("Bill 62"). The above-listed groups and organizations have significant concerns that Bill 62 constitutes so-called "agricultural gag" or "ag gag" legislation that will further conceal animal cruelty in the food system and violate the constitutional rights of Manitobans. We are concerned that section 13.2(2) in particular would infringe individuals' rights to freedom of expression and peaceful assembly, and therefore violate the Canadian Charter of Rights and Freedoms (the "Charter").

We urge the Manitoba government to abandon Bill 62 and instead, focus its efforts of enacting new legislation that aims to protect farmed animals from suffering. At a minimum, Bill 62 requires significant amendment. We would welcome the opportunity to discuss these issues with you in further detail if that would be of any assistance.

#### 1. Background

Most animal suffering and death in Canada takes place in the animal agriculture industry, which slaughtered more than 834 million land animals for food in 2019 alone. Animals confined on Canadian factory farms are subjected to appalling conditions. There are no federal or provincial laws regulating on-farm animal welfare, and government inspections of farms to assess the wellbeing of animals tend to occur only after a complaint has been made.

Standard animal farming practices—even those that cause significant pain and suffering—are largely exempt from Manitoba's general animal protection laws. The Animal Care Act, CCSM c A84 does not apply to farmed animals who suffer harm or injury from standard or "generally accepted" agricultural uses (ss 3(2), 4, 6(2)). As a result, animals at intensive livestock operations throughout the province are subject to standard industry practices that cause significant pain and distress, including crowding egg-laying hens into battery cages so small that they cannot spread their wings, confining mother pigs in gestation and farrowing crates so small that they cannot turn around, grinding male chicks alive in macerators, and performing painful mutilations without anesthesia, including slicing off the tails of piglets, debeaking hens, and castrating cows and pigs. Manitoba relies on the voluntary codes of practice created by the National Farm Animal Care Council ("NFACC")—a non-governmental body dominated by members of the agricultural industry.

Canada's Health of Animals Act, SC 1990, c 21 sets standards for the transport of farmed animals, but those standards are among the worst in the western world. For many types of farmed animals, it is permissible for them to be transported more than 24 hours without food, water, or rest. Animals are transported in extreme weather conditions in open-sided vehicles, with more than one million arriving dead at slaughterhouses each year based on Government of Canada data.

Rather than passing legislation like Bill 62, which will make it even more difficult to publicly expose and prevent abuse and mistreatment of farmed animals, we urge the government to enact legally-binding standards of care to protect the welfare of farmed animals and ensure proactive and transparent enforcement of those standards. Transparency and oversight benefit farmed animals and the environment, promote public confidence in farmers, and foster public knowledge and discussions regarding the ways that animals are treated on farms.

We wish to be clear that despite claims to the contrary, Bill 62 does not further biosecurity objectives. There has never been a single documented case of a biosecurity or food safety risk created by someone giving water to animals or filming them inside transport trucks. Yet these activities are directly targeted by the Bill.

Disease risks in farmed animal agriculture are overwhelmingly caused by farm owners and operators

failing to follow their own biosecurity protocols, or farmed animals coming into contact with wild animals that may carry viruses. Examples of activities that have resulted in disease outbreaks and other biosecurity problems at farms include animals being fed the remains of other animals (e.g. mad cow disease), farm operators sharing needles and other equipment between animals, workers entering multiple facilities, and viruses passing the species barrier between animals and workers (e.g. COVID-19 at mink farms, bird flu, swine flu).

Biosecurity is being used as an excuse to chill free expression and prevent images of animal suffering from being shared with the public.

It is against this backdrop that the Canadian Coalition for Farm Animals, People for the Ethical Treatment of Animals, Mercy For Animals Canada, and Humane Society International/Canada oppose Bill 62 in the strongest possible terms. There should be more transparency in animal farming—not less.

2. Bill 62 is Unconstitutional and Cannot be Justified on the Basis of Alleged

"Biosecurity Concerns"

Bill 62 would amend the Animal Diseases Act, CCSM c. A85—a statute that applies to horses, cattle, sheep, pigs, "live poultry", wildlife, and other animals raised for meat production or the production of other products (e.g., fur, eggs, dairy). The stated purpose of The Animal Diseases Act is to prevent disease outbreaks in farming. However, Bill 62 extends far beyond this mandate by restricting the documentation of animal suffering and chilling animal advocacy.

Bill 62 prohibits individuals from entering a "biosecurity zone" at a farm or slaughterhouse without consent (s. 13.1(1)). A "biosecurity zone" is defined as an area at a farm or slaughterhouse that meets certain criteria. As currently defined, it appears to capture areas of farms and slaughterhouses that are already off-limits to the public. Indeed, trespassing at farms and slaughterhouses, as well as any other private property in Manitoba, is already illegal, as is any conduct that damages private property or harms farmed animals during transport. We are concerned that the Bill would allow for the introduction of regulations to expand on the definition of a "biosecurity zone".

Bill 62 also makes it an offence to "interfere" with a biosecurity zone (s. 13.1(2)). The lack of clarity as to what constitutes "interference" in the context of Bill 62, and what conduct may actually be considered



illegal, is a cause for concern. It is unclear to us what sort of conduct would run afoul of s 13.1(2).

One of the most problematic aspects of Bill 62 is that it would make it an offence to "interfere" or "interact" with farmed animals in transport (s 13.2(2)). These are not defined terms in the Bill. The wording of Bill 62's prohibition on this conduct is virtually identical to s 6(2) of Ontario's recently-enacted Security from Trespass and Protecting Food Safety Act, 2020, which has been widely criticized as an unconstitutional ag gag law and is currently subject to a legal challenge by a group of applicants including Animal Justice. Bill 62's prohibition is perhaps even broader than the prohibition set out in Ontario's law, in that it would prohibit any and all forms of interaction, unless the government chooses to exempt certain classes of conduct or persons by regulation.

By creating a new and broad ban on interacting with animals in transport, this Bill could have a chilling effect on animal protection advocates, such as members of the Animal Save Movement who hold peaceful vigils outside slaughterhouses. These peaceful protestors, who stand on public property and go near vehicles in order to bear witness to the suffering of farmed animals and/or to observe and document the conditions in which they are being transported, could be subject to severe fines or even jail time under Bill 62. The images captured by these groups have often been used to submit legal complaints to the Canadian Food Inspection Agency and to provincial animal welfare law enforcement authorities when it appears federal and provincial laws governing the transport of animals have been violated. By preventing concerned citizens from going near transport trucks for fear of being found to have interacted with a farmed animal, the law could cut off an important source of footage and information about transport conditions.

In addition, Bill 62 would explicitly make it an offence to give food or water to an animal, even when the animal is showing clear signs of thirst, hunger, malnourishment, distress, or heat exhaustion, whether in a biosecurity zone (13.1(3)) or in transport (13.2(2)). There is no need for such an offence, since giving food or water to animals does not cause them harm. In any event, it is not a common occurrence for individuals in Manitoba to be giving food and water to farmed animals without permission. On the rare occasion when individuals have given water to thirsty animals in transport trucks or elsewhere, it has not caused any biosecurity problems and the animals have

nonetheless been accepted for slaughter and for use in the food system.

Industry representatives can be expected to argue that it is necessary to make it an offence to give animals food and water because it is impossible to know what a person is really giving to an animal. This is not a convincing argument. If an individual actually did give an animal a harmful or poisonous substance, that person would not only be liable to conviction under Manitoba's existing Animal Care Act, but could also be found guilty of a criminal offence contrary to 445.1(2)(c) of the Criminal Code. That section makes it a criminal offence to administer a poisonous or injurious substance to an animal.

Section 2(b) of the Charter promotes and safeguards the open debate and discussion essential to a free and democratic society. Section 2(c) guarantees public access to, and use of, public spaces to carry out collective peaceful protest activities. Bill 62 flies in the face of both of these constitutionally-enshrined rights.

Leading legal experts across Canada have already warned that Bill 62 is likely unconstitutional in a letter to the Manitoba government dated April 8, 2021.<sup>6</sup> In this letter, these legal experts warned that in its present form Bill 62 would effectively cut off sources of information and footage showing the condition of farmed animals in transport, and "restrict a broad range of protest activities on public property in the vicinity of trucks transporting animals, thus violating individuals' Charter rights to freedom of expression and peaceful assembly". We agree with these experts' analysis and conclusions. Indeed, given the existing prohibitions on actually harmful conduct, restricting peaceful protest appears to be the very aim of this Bill.

### 3. Conclusion

Rather than passing ag gag legislation, we urge Manitoba to take action to legislate rules for the protection of farmed animals, and develop public oversight and transparency for farms. Ultimately, if the Manitoba government is concerned about citizens protesting and documenting the conditions on agricultural facilities and in animal transport, it should address the root cause of these issues in order to prevent their occurrence, including the lack of regulation and oversight of animals on farms. The public is experiencing a crisis of confidence in the animal farming system, and attempting to shut down lawful protest and publicity, instead of addressing the

poor conditions in farms, slaughterhouses, and transport trucks will not resolve these concerns. Please do not hesitate to contact us if we can be of any further assistance.

Sincerely,

Scott Tinney  
Barrister & Solicitor

On behalf of:  
Canadian Coalition for Farm Animals  
People for the Ethical Treatment of Animals  
Mercy For Animals Canada  
Humane Society International/Canada

Re: Bill 62

Dear Committee Members:

I'm writing on behalf of World Animal Protection to express concerns about the proposed Bill 62, The Animal Diseases Amendment Act ("Bill 62") or "ag gag" legislation that threatens to conceal animal cruelty in the food system and violate the constitutional rights of Manitobans. Section 13.2(2), in particular, would infringe individuals' rights to freedom of expression and peaceful assembly, and therefore violate the Canadian Charter of Rights and Freedoms (the "Charter").

We urge the Manitoba government to abandon Bill 62 and instead, focus its efforts of enacting new legislation that aims to protect farmed animals from suffering. At a minimum, Bill 62 requires significant amendment. We would welcome the opportunity to discuss these issues with you in further detail if that would be of any assistance.

World Animal Protection is a registered Canadian charity and a global organization with offices in 14 countries. We work on a range of local and international animal protection issues. In Canada, our work focuses on increasing protections of wildlife and farmed animals.

World Animal Protection is a member of the National Farm Animal Care Council (NFACC) and we value the opportunity to work with representatives of the various animal agriculture sectors to develop the codes of practice for farm animals. The open dialogue and trust are key to understanding the problems, the barriers to change and ultimately our success in improving standards for farm animals as much as possible. The proposed legislation threatens to undo

the good work that can be achieved by having animal welfare organizations and industry bodies together at the same table.

We were known as WSPA (World Society for the Protection of Animals)

Public trust

We believe, if passed, legislation similar to the recently enacted laws in Ontario and Alberta will erode consumer confidence in Manitoba animal agriculture as more people will ask 'what are farmers trying to hide' when people are prevented from speaking out about abuse or wrong-doing on Manitoba farms. This outcome does not benefit farmers as it erodes public trust and engenders suspicion in the system.

In fact, research shows that this type of legislation has the opposite outcome than what the government desires. Researchers at UBC looking at public perceptions and responses to 'ag-gag' laws in the US, found a significant decrease in public trust in farmers and an increase in support for animal welfare regulations. These are important findings that should not be ignored by the agriculture industry or the government. We would expect many farmers would also oppose the legislation for these reasons.

Public expectations and lack of legislation

Animal protection is important issue to Canadians. According to an August 2019 national poll we commissioned, 73% of Canadians believe it is important that the government of Canada passes stronger legislation to protect animals to ensure they do not experience pain and suffering. This means the public looks to the government to protect animals and their interests. If an "ag-gag" law were to be enacted, however, it could prevent witnesses to animal mistreatment and abuse from coming forward to report these crimes, and could also make pictures, videos and reports of animal cruelty concerns inadmissible in courts. In short, these types of laws do the opposite of what Canadian citizens expect from its government.

This is particularly concerning given the lack of any existing legislation to protect farm animals in Manitoba or the rest of Canada. Government oversight and adequate legislation to protect farm animals is what is needed instead.

Exposés over the past 10 or so years have revealed repeated situations of severe animal abuse on farms

such as the case of the Chilliwack dairy farm in BC where workers violently kicked, punched and hit animals with chains, metal pipes, and other weapons.

We are left to wonder is this really the behaviour and activity the Manitoba government wishes to hide? We ask: how does this help farmers or the farming industry who are doing the right thing?

World Animal Protection represents a growing constituency across Canada and around the world that is increasingly concerned about farm animal welfare. This is indicated by a growing public discourse on these topics and changes in the marketplace. Consumers are demanding more information and public transparency about the treatment of animals raised for food.

Trespassing versus whistle blower activity

Let me be clear, World Animal Protection does not condone trespassing or any other illegal activity, however, trespassing is already a provincial offence and we believe stiffer penalties are neither warranted nor effective. However, it is very important that farm workers and anyone else who witnesses animal cruelty or mistreatment of animals on a farm have a safe place to report it to the appropriate authority.

We would appreciate the opportunity to meet with you and your staff on this important issue and hope that we can find solutions that protect both farm animals and farmers.

Sincerely,

Lynn Kavanagh, Farming Campaign Manager  
World Animal Protection

The Legislative Assembly of Manitoba Debates and Proceedings  
are also available on the Internet at the following address:

**<http://www.manitoba.ca/legislature/hansard/hansard.html>**