



Proposed Animal Health Legislation

Information Overview

October 2009

Introduction

- If passed and proclaimed in force, the proposed Animal Health Act would protect animal and human health, and the economic viability of the livestock and poultry sector, by reducing the impact of animal diseases.
- The proposed legislation would complement the ministry's other activities in support of animal health.
- Ontario is currently the only province without its own animal health legislation.
- Province-wide consultations were held in 2006 on an animal health strategy for Ontario.
- In June 2009, the ministry consulted on a more detailed proposal for an animal health statute. In general, comments received from key stakeholder organizations supported the introduction of legislation.

Introduction (continued)

- The proposed Animal Health Act:
 - Provides measures to assist in the prevention of, detection of, response to and control of animal diseases and other hazards to protect the livestock and poultry sector.
 - Requires the reporting of specific animal diseases (to be set out in regulations) to the Chief Veterinarian for Ontario (CVO).
 - Enables the use of quarantine orders, surveillance zones and animal health control area orders to help control the spread of diseases or hazards.
 - Supports a future traceability framework for the quick identification and control of disease and food safety hazards.

Reporting Animal Health Hazards

Mandatory Reporting

- A key aspect of the proposed Bill would be requirements to report certain diseases and other hazards to the CVO.
- The specific hazards that would have to be reported would be set out in regulations.
- There would generally be three classes of hazards to be reported (similar to the federal Health of Animals Act):
 - Reportable Hazards (applies to all persons)
 - Immediately Notifiable Hazards (applies to laboratories)
 - Periodically Notifiable Hazards (applies to laboratories)
- The list of diseases that are prescribed currently under the Health of Animals Act for reporting and notification may be used as a guideline for the development of provincial regulations in this area in the future, should the proposed legislation be passed and proclaimed into force.
- Veterinarians may also be required in the future to report certain incidents or findings (as would be set out in regulation).

Proposed Response Authorities

Proposed Response Authorities in the Bill

- ***Quarantine Order:***
 - Would be issued, amended or revoked by an inspector.
 - Quarantine could cover premises or part of it, or a conveyance, animal, or other thing in the premises or part of it.
 - Use limited to cases when the inspector reasonably believes that a hazard exists or may be present and that it needs to be contained.
 - For example, the order can include requirements for posting signs, movement restrictions, biosecurity measures, animal isolation, treatment/vaccination, cleaning and disinfection, reporting of mortality and morbidity and record-keeping.

Proposed Response Authorities

Proposed Response Authorities in the Bill (continued)

- ***Surveillance Zone Order:***
 - Can be issued by CVO, where a premises has been quarantined, and the CVO is of the opinion that further monitoring/surveillance is required to determine prevalence of the hazard.
 - Up to a 10 km radius around the quarantined premises.
 - For example, the order could require treatment/vaccination, biosecurity measures, cleaning and disinfection and record-keeping.

Proposed Response Authorities

Proposed Response Authorities in the Bill (continued)

- ***Animal Health Control Area Order:***
 - Established by Minister on the advice of the CVO; CVO exercises authorities in the control area.
 - Purpose is to minimize the risk of a new hazard coming into the province, or spreading from one part of the province to another, or where a significant hazard needs to be prevented, detected, controlled or mitigated.
 - The order could apply to part or parts of the province, or the entire province.
 - For example, the order could require animal treatment/vaccination, restrictions on possession/movement of animals and related things, destruction and disposal of animals and related things and record-keeping.
 - Action taken or required under an order must be consistent with the purpose of the order and limit its intrusiveness.

Proposed Response Authorities

Response Authorities in the Bill (continued)

- ***Destruction and/or Disposal Order:***
 - Can be issued by CVO to the owner/custodian of animals or other things.
 - Where the CVO considers it necessary to control a significant hazard from spreading or threatening animal or human health.
 - Could apply to animals and certain things related to animals.
 - CVO can direct the method of destruction and disposal.

Compensation Proposal

Compensation

- If passed and in force, the Minister would have discretionary authority to pay compensation to certain persons affected by an order:
 - Animals ordered destroyed
 - Animals that have died or were injured during testing, treatment or identification
 - Things other than animals ordered destroyed or disposed of
 - Cleaning and disinfection costs to comply with an order

Appointments & Inspectors

Appointments

- Minister would appoint a Chief Veterinarian for Ontario (CVO).
- Minister may also appoint a Deputy CVO to assist the CVO.

Inspectors

- The CVO may appoint qualified persons to serve as inspectors.
- Inspectors could exercise inspection authorities, for example:
 - When a hazard / disease or incident has been reported to the CVO, and the inspector has reasonable grounds to believe that the thing to be inspected has been exposed to the hazard or is associated with the incident.
 - When the CVO has reasonable grounds to suspect there is a disease or hazard that is significant because of its potential to spread or threaten animal or human health.
 - Where required and authorized within a surveillance zone or animal health control area.

Traceability System

Traceability

- Enables the establishment of a provincial traceability system for animals, animal products, animal by-products and related things (which may include premises and conveyance identification, animal identification and movement reporting).
- This permits provincial traceability initiatives to be coordinated under the Federal Government's national traceability initiative.
- The Minister has committed to consultation with industry partners and other stakeholders should the province move forward with a traceability system.
- Ontario has been clear that if the federal government would like to move forward on a mandatory traceability system for livestock and poultry, the implementation would have to be supported by the federal government.

Repeals and Consolidation

Repeals and Consolidation

- The proposed legislation provides for the repeal of the Bees Act, the Livestock Medicines Act and the Livestock Community Sales Act.
- The proposed legislation could provide a common framework for the subject matter addressed currently by these statutes and their regulations.
- New regulations would need to be prepared (in consultation with industry and other stakeholders) under the proposed Animal Health Act to support these repeals.

Other Notes

- If the proposed legislation is passed by the Legislature, the Act would come into force on a day to be named by the Lieutenant Governor.
 - Proclamation would be a necessary step before the Act would come into effect and create legal requirements.
 - Parts of the Act could come into force on different dates.
- Should the proposed legislation be passed, the Minister has made a commitment to consult with industry and other stakeholders on the development of substantive regulations, such as any list of hazards/diseases that must be reported to the CVO.

Further Information

See the [Animal Health and Welfare/Chief Veterinarian for Ontario](#) page on OMAFRA's website (under the "Agriculture" heading):

http://www.omafra.gov.on.ca/english/food/inspection/ahwb_cvo.htm

<http://www.omafra.gov.on.ca/english/food/inspection/animalhealthandwelfare/CompendAnHealthAct.htm>

Questions can also be directed to animal.health@ontario.ca for response