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DairyNZ Submission on:

# Proposed Dairy Cattle Code of Welfare

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DairyNZ

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## About DairyNZ

DairyNZ is the industry good organisation representing New Zealand's dairy farmers. Funded by a levy on milksolids and through Government investment, our purpose is to secure and enhance the profitability, sustainability, and competitiveness of New Zealand dairy farming.

We deliver value to farmers through leadership, influencing, investing, partnering with other organisations and through our own strategic capability. Our work includes research and development to create practical on-farm tools, leading on-farm adoption of best practice farming, promoting careers in dairying and advocating for farmers with central and regional government. For more information visit **dairynz.co.nz.**

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# DairyNZ Submission on: Proposed Dairy Cattle Code of Welfare



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## Executive summary

DairyNZ is firmly committed to ensuring all animals on dairy farms are cared for from birth, on farm and beyond the farm gate. Our Dairy Tomorrow strategy is to be world-leading in animal care – and dairy farmers already provide a high standard of animal care by global standards. We want to keep that up. DairyNZ supports a review of the Dairy Cattle Code of Welfare to lift the minimum standards to be in line with animal welfare science as well as common acceptable practice by dairy farmers in New Zealand. However, we believe that any changes to the code should be evidenced-based, practical, fair and allow an appropriate time for transition of practices.

We believe that the Dairy Cattle Code of Welfare is a valued tool in the farming community to help ensure that the welfare of cattle is kept to a high standard and farmers know what actions they should be taking to achieve this. We are concerned that many of the changes proposed add a layer of complexity to the document and the value of the code is being lost as it becomes difficult to navigate and utilise.

DairyNZ note that the Guidelines for Writing Codes of Welfare (referred to as 'Guidelines' in the rest of this document) describe how codes should be drafted to ensure their effectiveness to achieve the desired outcomes of animal welfare. However, DairyNZ have strong concerns that NAWAC have not followed the advice in this instance and recommend the proposed changes to the code be reconsidered alongside the Guidelines before any changes are finalised.

The following summarises our high-level positions on the consultation which is supported by the analysis in our submission below:

### DairyNZ supports

- Updating the code to incorporate recent animal welfare science, to lift the bar in areas of the code where common practice surpasses previous standards and to clarify actions that farmers should be taking to ensure the welfare of their cattle.

### DairyNZ do not support

- Changes to code that are overly prescriptive and are not drafted in a way that focuses on desired outcomes.
- Changes to the code that increase the complexity of the document and inhibits its value as a useful tool to ensure behaviour change to achieve animal welfare outcomes.

### DairyNZ recommends

- That NAWAC reviews all of the proposed changes to minimum standards, example indicators and recommended best practice to align with the criteria in the Guidelines published by MPI and NAWAC.
- That NAWAC consider alternative approaches to their proposed changes for specific minimum standards, regulations, example indicators and recommended best practice outlined in Appendices 1 and 2.
- That NAWAC carry out a further round of consultation to ensure all the changes to the code are adequately explained to those who will be impacted, including farmers.

## Introduction

1. DairyNZ welcomes the opportunity to submit on the National Animal Welfare Advisory Committee's (NAWAC) consultation on the Dairy Cattle Code of Welfare. The proposed changes to the Code of Welfare for Dairy Cattle incorporate:

    - Advances in animal welfare science;
    - Updates to dairy cattle farming systems and management practices;
    - Changing views and expectations by the New Zealand public.

2. We reserve the right to amend and finalise our submission as new information is released over the consultation period. We appreciate the extension of time for submissions given the volume and breadth of information that is being consulted on.

3. We acknowledge that our collective understanding of animal welfare has changed since the code was last reviewed in 2008, and there have been changes to the Animal Welfare Act to recognise animals as sentient – meaning they have the capacity to experience feelings and sensations. We support updating the code to minimise the negative experiences cattle are exposed to and provide for good welfare outcomes.

### DairyNZ represents 11,000 dairy farmers

4. DairyNZ is the industry-good organisation representing all 11,000 of New Zealand's dairy farmers. Our purpose is to provide a better future for farmers by enhancing their profitability, sustainability, and competitiveness. The dairy sector employs 50,000 people, generates almost $20b in export earnings, and comprises one third of all goods revenue.

5. We deliver value to farmers through leadership, and investment in research and development. We lead on-farm adoption of best practice farming, promote careers in dairying, and advocate for farmers with central and local government.

### DairyNZ is committed to improving animal welfare outcomes

6. DairyNZ and the dairy sector is committed to being world-leading in animal care – and our dairy farmers already provide a high standard of animal care by global standards.

7. To support this, DairyNZ run multiple animal care extension programmes for farmers and rural professionals to support better animal welfare outcomes, including:

    - CalvingSmart to upskill farm staff in caring for calving cows.
    - Healthy Provider Training Workshops for rural professionals so they can better support farmers in reducing lameness on-farm.
    - BCS Certification Programme to ensure accurate and consistent Body Condition Scoring on-farm. This informs farmers decision making on management and feeding. We currently have 470 certified assessors (this has grown from 270 in 2016).
    - Positive welfare workshops for rural professionals. We have trained over 300 rural professionals to date in the latest thinking around animal welfare and how they can support their farming clients to improve animal welfare on-farms.
    - Annual 350 animal care consults – these sessions involve talking through on-farm animal care practices with the opportunity to coach farmers if gaps are identified.

## General feedback on the proposed changes

### Volume of changes

8. This review is proposing a considerable number of changes to the code which will affect the ways in which farmers carry out day to day practices. The code proposes 100 new bullet points of minimum standards, 100 bullet points of recommended best practices and includes approximately 250 new example indicators.

9. This volume of change is difficult to review and analyse to provide valuable feedback on, particularly as the discussion document only covers a small proportion of the changes.

10. We are concerned that this consultation will not be able to provide for adequate feedback from affected parties (such as farmers) due to the complicated nature of what is being proposed.

11. DairyNZ has made considerable effort to collect farmer feedback through multiple methods to support our submission, including a farmer survey, farmer group meetings throughout the country and a simple submission template for farmers. However due the volume of changes we were only able to focus these efforts on a smaller set of priority issues.

12. NAWAC seems to have lost sight of the overall purpose of the code which is to is to provide detail on the minimum standards that need to be met and to promote recommended best practice. It does not need to be a complete 'how to' manual.

13. Industry stakeholders are constantly working on voluntary improvements to animal welfare for example, the latest intensive winter grazing inspections showing improvement from previous years.

14. DairyNZ suggest a further round of consultation should be carried out to ensure that all impacted parties have the opportunity to understand the implications of these changes.

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## Inconsistency with the Guidelines for Writing Codes of Welfare

### General code drafting

15. DairyNZ believe the Guidelines set out important criteria to ensure the code is drafted in a way so that it remains a valuable tool to inform farmers on aspects of animal care. The Guidelines state that;

    - *Codes should be written in plain language so that audiences can read and understand them easily.*
    - *Wherever possible, code writers should use simple vocabulary and short sentences.*
    - *The use of verbose language, long or complicated sentences, and unnecessary detail should be avoided.*
    - *Codes should only contain relevant information and not so much material that they become challenging to read.*

16. It appears that these criteria have not been followed. As an example, the Feed and Water section has increased from 2 ½ pages in the current code to 5 pages in the proposed code. Overall, there are an additional 22 pages of new content within the proposed code.

### Duplication and cross-over within the code

17. DairyNZ have concerns regarding cross over and duplication and at times inconsistency of how the code has been written. The code is a valuable resource to support farmers understanding of practices to ensure the welfare of cattle, but it is currently drafted to be complicated and confusing.

18. A few examples where the way the code is drafted does not support farmer understanding is;

    - Body Condition Score minimum standard 6 (b) does not align with Body Condition Score example indicator under pre-transport selection.
    - Duplication across sections: Calf feeding detail sits as an example indicator under the feed minimum standard. Heifers being familiarised with milking facilities is mentioned under animal handling and milking (where it is mentioned twice).
    - Duplication within sections: many of the example indicators are rewording of what is written in the minimum standard. The recommended best practice section under animal handling could be reduced by half if the duplication was removed. There is also numerous inconsistencies with the recommended best practice with some content being better suited as example indicators (e.g., heat and cold stress mitigations), while other content is going above what would be considered best practice – overall the recommended best practice sections have a haphazard feel to them.

### Purpose of minimum standards

19. DairyNZ support minimum standards being included in the code to support good outcomes for the welfare of dairy cattle. The Guidelines state that *minimum standards:*

    - *Must be applicable practically across the entire range of production systems.*
    - *Should avoid being prescriptive.*
    - *Should describe the intended welfare outcome for the animal and be capable of measurement or assessment.*

20. This enables flexibility in how outcomes may be achieved and allows for improvements in current good practice and development of new technologies, without the need for constant review and adjustment of standards. Many of the proposed minimum standards do not meet these criteria and therefore erode the value of the code as a useful, pragmatic guiding document to help ensure the welfare of cattle.

21. As an example of this, minimum standard 12 – Colostrum, Hand rearing and Weaning, is overly prescriptive which detracts from what the outcome needs to be and doesn't allow farmers the flexibility to decide how best to ensure a good outcome when rearing their calves.

22. The guideline also points out that minimum standards *cannot totally prohibit an activity, although they can impose restrictions.* Minimum standards can restrict an activity i.e., specify how and under what circumstance an activity can be carried out. DairyNZ believe multiple of the proposed changes should be reviewed in light of this guideline. For example, the proposed minimum standards to prohibit the use of electrified equipment and to prohibit the use of river stones as a surface.

### Purpose of example indicators

23. DairyNZ acknowledges the value of example indicators to aid interpreting the minimum standards. However, many of the proposed example indicators are not drafted in the way they are intended to be as outlined in the Guidelines i.e., *'Demonstrate in a factual way whether the minimum standard has been complied with or not'.*

24. Instead, many example indicators are either a duplication of content already within the minimum standard, or they are adding new content which does not inform farmers on how to meet the minimum standard.

25. In some cases, such as under minimum standard 6 - Feed, which has 23 example indicators, the inclusion of example indicators adds considerable length to sections of the code meaning valuable information is lost in the length of the document. The Guidelines also highlighted this issue should be avoided; *'Codes should only contain relevant information and not so much material that they become challenging to read'.*

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### Purpose of recommended best practice

26. DairyNZ acknowledges the value of recommended best practice to promote and encourage better care of animals. However, many of the recommended best practices included in the code do not meet the definition included in the Guidelines**:** *'practice identified by research or accumulated experience that is of a higher standard than the minimum standard. Recommended best practice is likely to be undertaken by the leading members of the group of animal owners in question'* and go beyond what leading farmers are doing.

27. For example, the recommended best practice; *aversive techniques for training animals to new technologies should not be used under part 5.2.* Farm facilities, Equipment, and Technologies could be interpreted to capture the use of electric fences. This is an unrealistic recommended best practice for inclusion in the code and could result in unintended consequences i.e., animals entering unsafe areas.

## High level positions

### DairyNZ Supports

- Updating the code to incorporate recent animal welfare science, to lift the bar in areas of the code where common practice surpasses previous standards and to clarify actions that farmers should be taking to ensure the welfare of their cattle.

### DairyNZ do not support

- Changes to code that are overly prescriptive and are not drafted in a way that focuses on desired outcomes.
- Changes to the code that increase the complexity of the document and inhibits its value as a useful tool to ensure behaviour change to achieve animal welfare outcomes.

### DairyNZ recommends

- That NAWAC reviews all of the proposed changes to minimum standards, example indicators and recommended best practice to align with the criteria in the Guidelines published by MPI and NAWAC.
- That NAWAC consider alternative approaches to their proposed changes for specific minimum standards, regulations, example indicators and recommended best practice outlined in Appendices 1 and 2.
- That NAWAC carry out a further round of consultation to ensure all the changes to the code are adequately explained to those who will be impacted, including farmers.

## Structure of feedback

1. Please see the section on Answers to Consultation Questions for detailed response to the issues outlined in the consultation document.
2. The table in appendix 1 outlines our key concerns with the proposed changes as well as recommendations for alternative approaches. The positions in this table were developed to include feedback received from farmers.
3. Appendix 2 is a table highlighting areas of concern that have not been raised in any of the consultation material but DairyNZ believe will have an impact on the value of the code.

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## Answers to consultation questions

Please refer to the table in Appendix 1 for a summary of our key points and recommendations.

### Code update: use of electric devices to manage animal behaviour

**Q 1. Do you support the proposed standard that electroimmobilisation devices must not be used? Why / why not?**

DairyNZ does not support this minimum standard. In 2007 NAWAC agreed that if used properly the benefits of the pacifier device outweighed the risk of misuse, based on research findings from work commissioned by NAWAC and the current evaluation report does not outline any new science to show that our understanding of these devices has changed. The fact that the pacifier device is only used by a small number of farmers on a very low number of animals does not justify prohibiting its proper use. DairyNZ does support appropriate use of the pacifier device. Note that in the Guidelines it states that a minimum standard in a code cannot totally prohibit an activity. DairyNZ recommend that NAWAC remove the proposed minimum standard and strengthen the current minimum standard in the existing code to provide further information on appropriate use, including considering alternative options prior to using the pacifier device; using the lowest effective setting for the minimum amount of time. This detail could sit within the example indicators to ensure the minimum standard is simple, clear and concise.

**Q 2. Do you support the proposed standard that electrified backing and top gates must not be used? Why / why not?**

DairyNZ does not support this minimum standard. In the evaluation report NAWAC cite research that states, 'providing there is enough room to move away from electric fences there is usually no welfare impact for the cattle'. DairyNZ suggests the focus should therefore be on appropriate use of top and backing gates (electrified or not). Many farmers use electrified top or backing gates strategically and intermittently throughout the season and if their use was prohibited the unintended consequence could be that alternative methods to encourage cow flow result in a worse outcome for the animals. Note that in the Guidelines for Writing Codes of Welfare it states that a minimum standard in a code cannot totally prohibit an activity. DairyNZ recommend that NAWAC remove the proposed minimum standard and strengthen current minimum standard in the existing code on appropriate use, including limiting the voltage that can be applied, intermittent use and having a timing switch. This detail could sit within the example indicators to ensure the minimum standard is simple, clear, and concise

**Q 3. Do you support the proposed standards on electroejaculation? Why / why not?**

DairyNZ supports LIC's view on this proposed standard, it is not a practice that farmers are generally involved with.

**Q 4. Do you support that the proposed standards and recommended best practice for Minimum Standard No. 10 to address virtual fencing? Why / why not?**

Q4 and Q5 are a duplication of the emerging technologies section. Please refer to our responses to Q15, Q16, and Q17 below

**Q 5. Is there a different approach to address virtual fencing that could be considered? Please provide your reasoning and any information or evidence that this different approach would meet the minimum requirements of the Act.**

Q4 and Q5 are a duplication of the emerging technologies section. Please refer to responses to Q15, Q16, Q17 below.

### Code update: Body Condition Score

**Q 6. Do you support the proposed changes to BCS requirements? Why / why not?**

DairyNZ does not support this minimum standard. The evaluation report contains no science to support increasing the minimum BCS to 'must not fall below 3.5'. While most farmers agree that BCS should not often fall below 3.5, the reality is that periodically it may for a range of reasons (e.g., illness), in which case the outcome should be that action is taken to rectify the situation. This proposed minimum standard no longer has the wording 'must take urgent remedial action', making it unclear what action farmers should take. DairyNZ does support that cows are managed appropriately to maintain a suitable BCS and would agree with the intent of farmers taking action before an animal drops below a BCS of 3.

**Q 7. Do you support the proposed example indicator for transport of end-of-life cattle with a BCS below 3.5? Why / why not?**

DairyNZ supports this example indicator, however it is inconsistent with the new proposed minimum standard for BCS where the BCS must not fall below 3.5.

**Q 8. Is there a different approach to BCS that could be considered? Please provide your reasoning and any information or evidence that this different approach would meet the minimum requirements of the Act.**

DairyNZ recommend that NAWAC remove the proposed minimum standard. Amend current minimum standard to 'when the BCS of any animal falls below 3.5 urgent remedial must be taken'. Please refer to Q6 for our reasoning.

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## Code update: Intensive Winter Grazing

**Q 9. Do you support the proposed standards, example indicators and recommended best practices relevant to intensive winter grazing? Why / why not?**

DairyNZ does not support these changes, please refer to the table in appendix 1 - topic area: Intensive winter grazing for our detailed response to the proposed minimum standards. While these changes are relevant to intensive winter grazing, they are not exclusive to this farm system and the proposed changes span multiple minimum standards which makes it difficult to consider all the relevant proposed minimum standards, example indicators and recommended best practice in one question. Please refer to appendix 2 for detail on the concern we have about the example indicator relating to fodder beet and feed related disease or disorders.

**Q 10. Is there a different approach to ensuring the welfare of animals within intensive winter grazing systems that could be considered? Please provide your reasoning and any information or evidence that this different approach would meet the minimum requirements of the Act.**

Please refer to the relevant section on intensive winter grazing in both appendix 1 and 2.

## Code update: Shelter

**Q 11. Do you support the proposed amendments to the standard relating to the provision of shade or other means to minimise the risk of heat stress? Why / why not?**

DairyNZ agrees with the intent of this minimum standard, however NAWAC's dialogue around the topic of heat and cold stress seems to be biased towards artificial means of shade and shelter. Shade and shelter (natural or artificial) are only one of the many mitigation options for heat and cold stress. The focus of this minimum standard should be on the desired outcome, minimising the risk of heat and cold stress. The mitigation options for heat and cold stress should be clearly outlined in the example indicator section.

**Q 12. Do you support the proposed amendments to the standard relating to the provision of shelter or other means to minimise the risk of cold stress? Why / why not?**

DairyNZ agrees with the intent of this minimum standard, however NAWAC's dialogue around the topic of heat and cold stress seems to be biased towards artificial means of shade and shelter. Shade and shelter (natural or artificial) are only one of the many mitigation options for heat and cold stress. The focus of this minimum standard should be on the desired outcome, minimising the risk of heat and cold stress. The mitigation options for heat and cold stress should be clearly outlined in the example indicator section.

**Q 13. Do you support the proposed standard relating to photosensitive animals? Why / why not?**

DairyNZ supports this standard.

**Q 14. Is there a different approach to shelter that could be considered? Please provide your reasoning and any information or evidence that this different approach would meet the minimum requirements of the Act.**

Remove proposed minimum standard. Amend current minimum standard 7 (a) to: *All classes of dairy cattle must be provided with the means to minimise the effects of heat and cold stress.* We recommend that any mitigation options for heat and cold stress to go in the example indicator section be developed in consultation with industry stakeholders. Refer to Q11 and Q12 for reasoning.

## Code update: Emerging Technologies

**Q 15. Do you support the proposed amendment to the standard for farm facilities, equipment and technologies? Why / why not?**

DairyNZ supports this proposed minimum standard.

**Q 16. Do you support the proposed standard for providing dairy cattle that do not adapt to new technologies with alternative management? Why / why not?**

DairyNZ does not support this proposed standard, it is stating the obvious, and is standard practice for farmers that goes well beyond just applying to new technologies. It is unnecessary content contributing to the verbosity of the proposed code. The proposed amendment outlined in Q15 covers the area of emerging technologies sufficiently. DairyNZ recommends that NAWAC remove the minimum standard given the concern around the unnecessary volume of the code.

**Q 17. Do you consider that the proposals cover emerging technologies sufficiently? Why / why not?**

The proposed amendment outlined in Q15 covers emerging technologies sufficiently.

**Q 18. Is there a different approach to farm facilities, equipment and technologies that could be considered? Please provide your reasoning and any information or evidence that this different approach would meet the minimum requirements of the Act.**

The proposed amendment outlined in Q15 covers emerging technologies sufficiently.

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**Code update: Provision of lying surfaces and time limit for hard surfaces in off-paddock facilities (including stand-off)**

Q 19. Do you support the proposed revision of the standard for the provision of appropriate lying areas? Why / why not?

DairyNZ does not support this minimum standard. As stated in the Guidelines, minimum standards should be outcome focussed and the current minimum standard 6(b) *'Dairy cattle must be able to lie and rest comfortably for sufficient periods to meet their behavioural needs'* meets this requirement and hence should not be changed. Examples of a suitable surface could be included in the example indicators section.

Q 20. What do you consider an appropriate time (e.g., hours/consecutive days) for dairy cattle to be held in off-paddock facilities without access to well-drained compressible lying areas?

DairyNZ proposes consultation with Industry stakeholders to answer this question. The current minimum standard 6(b) *'Dairy cattle must be able to lie and rest comfortably for sufficient periods to meet their behavioural needs'* is adequate and hence should not be changed. Examples of a suitable surface could be included in the example indicators section.

Q 21. Do you support the proposed standard relating to the use of river stones in off-paddock facilities? Why / why not?

DairyNZ does not support this minimum standard. DairyNZ agrees that there are alternative substrates for dairy cattle with better comfort and welfare outcomes than river stones. However, the prescriptive nature and lack of focus on an outcome make it unsuitable as a minimum standard as per the recommendations within the Guidelines. Also note that page 10 of the Guidelines states that a minimum standard in a code cannot totally prohibit an activity. DairyNZ recommend the proposed minimum standard is removed and instead ensure example indicators for current MS6(b) contains detail about what type of surfaces would be considered suitable.

Q 22. Is there a different approach to stand-off that could be considered? Please provide your reasoning and any information or evidence that this different approach would meet the minimum requirements of the Act.

DairyNZ recommend NAWAC remove the proposed minimum standard and instead ensure example indicators for current MS6(b) contains detail about what type of surfaces would be considered suitable. Refer to Q21 for reasoning.

**Code update: Calf rearing**

Q 23. Do you support the proposed standard relating to offering colostrum/colostrum replacer after removal from the dam? Why / why not?

DairyNZ does not support this minimum standard, it does not align with the Guidelines, as it is overly prescriptive. DairyNZ does support an outcome focussed minimum standard e.g.: *to ensure their welfare, new-born calves must receive sufficient colostrum or good quality commercial colostrum substitute within 24 hours of birth,* this then allows farmers flexibility to best decide how this is achieved.

Q 24. Do you support the proposed standard on feeding calves up to 3 weeks of age? Why / why not?

DairyNZ does not support this minimum standard. It is overly prescriptive which does not align with the Guidelines and such prescriptive detail is better suited as example indicators. However, we strongly disagree that feeding calves 20% of their body weight is a reasonable minimum standard, young calves in the first week of life do not consume this much milk (as shown in ad-lib studies) and the unintended consequences of farmers trying to achieve this could result in negative outcomes (e.g., Nutritional scours and other nutritional disorders). While we acknowledge that the science is suggesting that calves fed 10% show signs of hunger, 15% of body weight would be considered high volume feeding. This proposed minimum standard goes well beyond the current recommended best practice of 10-15% body weight for one week, ideally, in no less than two feeds. DairyNZ supports a minimum standard that is outcome focussed, such that calves receive a suitable liquid feed at adequate volume and frequency to meet their needs. The current recommended best practice could then become an example indicator.

Q 25. Do you support the proposed amendment to the standard on weaning? Why / why not?

DairyNZ agrees with this proposed minimum standard.

Q 26. Is there a different approach to colostrum, hand rearing and weaning that could be considered? Please provide your reasoning and any information or evidence that this different approach would meet the minimum requirements of the Act.

Refer to Q23 and Q24 for suggested alternative approaches and reasoning and evidence to support these.

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### Code update: Selection and Breeding

**Q 27. Do you support the proposed standard and recommended best practices on selection and breeding? Why / why not?**

DairyNZ agrees with the intent of this minimum standard, but we are concerned that there is very limited detail provided about what issues this is trying to address. Detail within the current code of welfare under 6.11 - *the selection of animals for mating*, provides clear, easy to understand information for farmers and could be merged with this new minimum standard.

**Q 28. Is there a different approach to selection and breeding that could be considered? Please provide your reasoning and any information or evidence that this different approach would meet the minimum requirements of the Act.**

Provide clarification within the example indicator section as to what issues are trying to be addressed here in dairy cattle. We recommend that this should be developed in consultation with Industry stakeholders and could include detail in the current code part 6.11.

### Code update: End-of-life management

**Q 29. Do you support the proposed standard on end-of-life management? Why / why not?**

DairyNZ supports the intent of improving outcomes for all classes of stock being transported, this area is addressed in the minimum standard for pre-transport selection and preparation, therefore, to avoid unnecessary content and volume this proposed standard should be merged into that minimum standard.

**Q 30. Is there a different approach to end-of-life management that could be considered? Please provide your reasoning and any information or evidence that this different approach would meet the minimum requirements of the Act.**

Refer to Q29 for approach and reasoning.

### Code update: Pre-transport selection and preparation

**Q 31. Do you support the proposed standard relating to time limits for holding dairy cattle off green feed prior to transport? Why / why not?**

DairyNZ supports the intent of improving pre-transport preparation, however pre-transport preparation is only one piece of the puzzle when trying to address the issue of lactating cows going down in transport and lairage. DairyNZ recommends that all proposed minimum standards and regulations around pre-transport preparation, transport and slaughter premises are developed and agreed upon at the same time with relevant Industry stakeholder groups to ensure that the focus remains on how to achieve a better outcome with every relevant stakeholder in the supply chain taking committing to making improvements. There are issues with the current wording and more work is required to ensure to changes are outcome focussed and practical to implement.

**Q 32. Do you support the proposed standard on provision of water and roughage until the point of loading? Why / why not?**

As above.

**Q 33. Do you support the proposed standard on mineral supplementation? Why / why not?**

As above.

**Q 34. Do you support the proposed standard on milking and the recommended best practice on dry-off prior to transport? Why / why not?**

As above.

**Q 35. Is there a different approach to pre-transport selection and preparation that could be considered? Please provide your reasoning and any information or evidence that this different approach would meet the minimum requirements of the Act.**

DairyNZ recommends that development of minimum standard and regulations to occur at the same time as regulations proposed for the commercial slaughter and transport codes with Industry stakeholder consultation.

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### Code update: Working relationship with a veterinarian

**Q 36. Do you support the proposed standard and example indicator for having a working relationship with a veterinarian? Why / why not?**

DairyNZ agrees with the intent, however some of the wording is too prescriptive and suitable changes should be made in consultation with the veterinary profession.

**Q 37. Do you support the proposed definition of a 'working relationship'? Why / why not? If not, what definition would you support?**

DairyNZ agrees with the intent, however the exact wording should be reviewed in consultation with the veterinary profession.

**Q 38. Is there a different approach to disease and injury control that could be considered? Please provide your reasoning and any information or evidence that this different approach would meet the minimum requirements of the Act.**

Refer to Q36 and Q37 for approach and reasoning.

### Code update: Contingency planning

**Q 39. Do you support the proposed standard on contingency planning? Why / why not?**

DairyNZ supports the proposed standard. However, the detail within the example indicators and recommended best practice should be reviewed to ensure it aligns with criteria within the Guidelines.

**Q 40. Is there a different approach to contingency planning that could be considered? Please provide your reasoning and any information or evidence that this different approach would meet the minimum requirements of the Act.**

The detail within the example indicators and recommended best practice should be reviewed to ensure it aligns with criteria within the Guidelines.

### Code Update: Welfare Assurance Systems

**Q 41. Do you support this proposed standard on a Welfare Assurance System for dairy cattle? Why / why not?**

DairyNZ does not support this minimum standard. NAWAC have not provided evidence or science to show that having a fully documented and auditable quality assurance system will result in better welfare outcomes, this contrasts with other minimums standards in the code where meeting the requirements will result in better welfare outcomes. For this reason, it is not suited as a minimum standard. This topic could be included as a recommended best practice, however concern has been raised that the wording does not align with current dairy company animal welfare schemes and programmes and hence would require farmers setting up yet another system, which creates unnecessary duplication, so rewording would be required to make it fit for purpose as a recommended best practice.

**Q 42. Do you currently adopt an industry generic quality assurance system for welfare and husbandry procedures? If yes, please provide details of this system.**

We know many farmers have adopted other programmes and schemes in relation to animal welfare, however they are voluntary and vary in their requirements, with very few, if any, meeting the details outlined in this proposed minimum standard.

**Q 43. Do you think self-auditing is a sufficient method to monitor a Welfare Assurance System and ensure compliance? Why / why not?**

DairyNZ does not think self-auditing is a sufficient method to monitor an animal welfare assurance system, as it may be difficult to ensure a consistent approach.

**Q 44. Is there a different approach to welfare assurance for dairy cattle that could be considered? Please provide your reasoning and any information or evidence that this different approach would meet the minimum requirements of the Act.**

As outlined above, DairyNZ does not think this proposed standard should be included as a minimum standard as it is not directly linked to better welfare outcomes. However, it could be included as a recommended best practice, but the detail needs to better align with current Industry programmes and schemes.

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## Code update: General questions

**Q 45. Do you agree that the minimum standards in this Code, including those that have not changed, are the minimum necessary to ensure that the physical, health, and behavioural needs of dairy cattle will be met? For example, do the minimum standards reflect good practice (not just current practice), current scientific knowledge and available technology? If not, what alternative(s) do you suggest? Please state your reasons.**

DairyNZ supports minimum standards that meet the criteria within the Guidelines: *must be applicable practically across the entire range of production systems; should avoid being prescriptive; should describe the intended welfare outcome for the animal and be capable of measurement or assessment.* This allows for improvements in current good practice and development of new technologies, without the need for constant review and adjustment of standards. We think that many of the proposed minimum standards do not meet these criteria, and hence we do not agree that they are the minimum necessary to meet the obligations of the Act. We recommend that the proposed changes to all minimum standards are reviewed to align with the criteria in the Guidelines published by MPI and NAWAC.

**Q 46. Do you agree the example indicators given in this Code are appropriate to describe how to measure or assess the achievement of the intended outcome of the minimum standards? If not, what alternative(s) do you suggest? Please state your reasons.**

DairyNZ acknowledges the value of example indicators to aid interpreting the minimum standards. However, many of the proposed example indicators are not drafted in the way they are intended to be as outlined in the Guidelines i.e., '*Demonstrate in a factual way whether the minimum standard has been complied with or not*'. Instead, many example indicators are either a duplication of content already within the minimum standard, or they are adding new content which does not inform farmers on how to meet the minimum standard. In some cases, such as under minimum standard 6 - Feed, which has 23 example indicators, the inclusion of example indicators adds considerable length to the part of the code meaning valuable information is lost in the length of the document. The Guidelines also highlighted this issue should be avoided; *'Codes should only contain relevant information and not so much material that they become challenging to read'.* DairyNZ recommend that the proposed changes to all example indicators are reviewed to align with the criteria in the Guidelines published by MPI and NAWAC.

**Q 47. Do you agree that the recommendations for best practice in this Code are appropriate? If not, what alternatives do you suggest? Please state your reasons.**

DairyNZ acknowledges the value of recommended best practice to promote and encourage better care of animals. However, many of the recommended best practices included in the code do not meet the definition included in the Guidelines**:** '*practice identified by research or accumulated experience that is of a higher standard than the minimum standard. Recommended best practice is likely to be undertaken by the leading members of the group of animal owners in question*' and go beyond what leading farmers are doing. For example, the recommended best practice; *aversive techniques for training animals to new technologies should not be used* under *part 5.2*. could be interpreted to capture the use of electric fences. This is an unrealistic recommended best practice for inclusion in the code and could result in unintended consequences i.e., animals entering unsafe areas. Some of the recommended best practice sections also contain duplication and some bullet points would be a better fit as example indicators. Overall, the recommend best practice sections have a haphazard feel to them.

**Q 48. Do you have anything further you wish to say on the Code from an animal welfare perspective?**

DairyNZ is extremely concerned that NAWAC don't appear to have followed their own Guidelines when reviewing this code, some of the criteria include:

- *Codes should be written in plain language so that audiences can read and understand them easily.*
- *Wherever possible, code writers should use simple vocabulary and short sentences.*
- *The use of verbose language, long or complicated sentences, and unnecessary detail should be avoided.*
- *Codes should only contain relevant information and not so much material that they become challenging to read.*

With the proposed code containing an additional 22 pages and numerous examples of duplication we recommend that NAWAC review all proposed changes to align with the criteria within the Guidelines to ensure the code retains its value as a useful and practical tool for those caring for dairy cattle. Q45, Q36 and Q47 address further concerns with the specific parts of the code. Please refer to the general feedback section at the beginning of this document for further information.

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## Proposed code and regulations: General comments

**Q 49. Do you see any barriers to the implementation of the proposed Code? If so, what are they and how might they be resolved?**

Yes, numerous barriers: the scale of change is overwhelming, and it is hard for farmers to assess the impact it will have on their farm; the volume of change makes the document unwieldy and challenging to read; inconsistencies with how minimum standards, example indicators and recommended best practice have been drafted add unnecessary text and complexity making it hard for farmers to know what outcomes they need to achieve and how. Refer to the general feedback section at the beginning of this document for further detail as well as Q45-48.

**Q 50. What benefits do you see from having this proposed Code? Benefits may include, for example, increased certainty about animal welfare requirements.**

A code of welfare has the potential to provide clarity to persons in charge of animals regarding expected standards of animal care. New Zealand has long been considered to have high standards of animal welfare. Strong legislative tools are a significant part of this, and Codes of Welfare therefore play an important role in demonstrating New Zealand's performance on the world stage. However, as the proposed code is currently written we have serious concerns that it will not achieve these intended outcomes. Refer to the general feedback at the beginning of this document for further detail.

**Q 51. Do you see any unintended consequences from the proposed code? If so, what are they and how might they be mitigated?**

As the proposed code is currently written there could be numerous unintended consequences, examples include increased stress on farmers; increased labour requirements in an industry with existing labour shortages; increased expenditure (both capital and operational); due to the scale of additional content, inconsistencies and complexity, the code could lose its credibility as a useful document. To mitigate these unintended consequences, we recommend that all proposed changes within the code and reviewed to align with the criteria within the Guidelines and that Industry stakeholders are consulted with to ensure that changes are practical to achieve.

**Q 52. What broader impacts do you think this proposed Code could have on New Zealand society, the economy, and the environment?**

New Zealand has long been considered to have high standards of animal welfare. Strong legislative tools are a significant part of this, and Codes of Welfare therefore play an important role in demonstrating New Zealand's performance on the world stage. However, New Zealand's extensive pastoral farming systems are relatively unique in the global context, and it can be difficult for food producers in New Zealand to demonstrate equivalence with international welfare standards. This is a key reason why standards within New Zealand's Codes of Welfare should be outcomes-based – as it is much simpler to assess standard equivalence when comparing outcomes rather than inputs. There is a risk that the complex structure of the proposed Code, and its focus on inputs (rather than outcomes) makes it difficult for trade consumers to understand New Zealand's welfare standards. Therefore, we recommend that all proposed changes within the code are reviewed to align with the criteria within the Guidelines.

A clearer outcomes-based Code is also more likely to support improvements in animal welfare outcomes, as persons in charge of animals are better able to understand and implement good on-farm practices. The focus on assuring compliance with the minimum standards within the proposed Code (per Part 11) may also present an opportunity cost which hinders development and adoption of higher welfare assurance schemes. Farmers and wider industry have limited resources, and these would be better spent demonstrating achievement of higher welfare standards – where the return on investment is higher. We therefore suggest farmers and industry not be unnecessarily burdened with demonstrating minimum standard compliance, instead being supported to pursue higher welfare initiatives.

**Q 53. Do you have any other comments you would like to make?**

DairyNZ would welcome the opportunity to work with NAWAC, MPI and other Industry stakeholders to ensure the dairy cattle code of welfare remains a valuable tool to inform farmers on aspects of animal care.

## Proposed regulations: Electroimmobilisation

**Q 54. Do you agree with NAWAC's proposal to develop a regulation to prohibit the use of all electroimmobilisation devices?**

DairyNZ does not agree with this proposed regulation. In 2007 NAWAC agreed that if used properly the benefits of the pacifier device outweighed the risk of misuse. Research findings from work commissioned by NAWAC and the current evaluation report does not outline any new science to show that our understanding of these devices has changed. The fact that the pacifier device is only used by a small number of farmers on a very low number of animals does not justify prohibiting its proper use. DairyNZ does support appropriate use of the pacifier device. DairyNZ recommend NAWAC remove regulation and strengthen the existing minimum standard in the code.

**Q 55. Do you agree with NAWAC's recommendation for the regulation to come into effect without a transition period?**

n/a

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### Proposed regulations: Electrified top and backing gates

**Q 56. Do you agree with NAWAC's proposal to develop a regulation to prohibit the use of electrified top and backing gates used to move dairy cattle in dairy yards?**

DairyNZ does not agree with this proposed regulation. In the evaluation report NAWAC cite research that states, 'providing there is enough room to move away from electric fences there is usually no welfare impact for the cattle'. DairyNZ suggests the focus should therefore be on appropriate use of top and backing gates (electrified or not). Many farmers use electrified top or backing gates strategically and intermittently throughout the season and if their use was prohibited the unintended consequence could be that alternative methods to encourage cow flow result in a worse outcome for the animals. DairyNZ recommends NAWAC remove proposed regulation and strengthen current minimum standard in the existing code on appropriate use, including limiting the voltage that can be applied, intermittent use and having a timing switch. This detail could sit within the example indicators to ensure the minimum standard is simple, clear, and concise.

**Q 57. Do you agree with NAWAC's recommendation for the regulation to come into effect without a transition period?**

n/a

### Proposed regulations: Wintering

**Q 58. Do you agree with NAWAC on the proposed regulation for water provision for all animals in intensive winter grazing systems? Why / why not?**

DairyNZ does not agree with this proposed regulation. The evaluation report does not contain science to support that water needs to be available at all times and DairyNZ does not agree that IWG systems need to be singled out. DairyNZ does support minimum standard 5 (a) *'all dairy cattle must have easy access to palatable and high-quality drinking water sufficient for their needs and that is not harmful to their health'*.

**Q 59. Do you agree with NAWAC on the proposed regulation for the provision of lying space for all cattle in intensive winter grazing systems? Why / why not?**

DairyNZ does not agree with this proposed regulation. DairyNZ does not agree with singling out IWG systems and that having access to a comfortable lying surface needs to be considered for all dairy cattle no matter which farm system they are in. DairyNZ believe this concern is already sufficiently covered in the current minimum standard 6. The dairy industry has taken an educational approach which has led to better outcomes for lying conditions for animals in intensive winter grazing systems and does not believe that regulations are necessary given the voluntary improvements already made.

**Q 60. Do you agree with NAWAC on the proposed regulation for preventing calves born into unsuitable conditions? Why / why not?**

DairyNZ does not agree with this proposed regulation. The wording implies that provision of shelter is required even if not needed by the animal. 'Scan-dated' is also not suitable to use, given that not all farmers use scan dating. DairyNZ does support the intent of calving cows having access to shelter from adverse weather, a suitable lying surface and calves not being born into unsuitable conditions but believe there are other minimum standards that already address these issues of surface and shelter; hence this regulation is unnecessary duplication.

**Q 61. Do you agree with NAWAC's recommendation for the three regulations to come into effect without a transition period?**

n/a

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**Proposed regulations: End-of-life cow transport**

Q 62. Do you agree with the regulation recommendation that end-of-life cattle to be transported to slaughter or saleyards must be adequately prepared for the intended journey as outlined above? Why / why not?

DairyNZ recommends that all proposed minimum standards and regulations around pre-transport preparation, transport and slaughter premises are developed and agreed upon at the same time with relevant Industry stakeholder groups to ensure that the focus remains on how to achieve a better outcome with every relevant stakeholder in the supply chain committing to making improvements. There are issues with the current wording and more work is required to ensure changes are outcome focused and practical to implement.

Q 63. Do you agree that such a regulation should come into force without a transition period? Why / why not?

Refer to Q62

Q 64. Do you agree with the regulation recommendation for an 8-hour transport limit for end- of-life dairy cattle? Why / why not?

Refer to Q62

Q 65. What do you consider an appropriate transition period for such a regulation, if any?

Refer to Q62

Q 66. Do you agree with the regulation recommendation for a limit to lairage time (i.e. slaughter within 24 hours of last milking on farm)? Why / why not?

Refer to Q62

Q 67. Do you agree that such a regulation should come into force without a transition period? Why / why not?

Refer to Q62

Q 68. Do you agree with the regulation recommendation to restrict the transport of lactating end-of-life cattle across the Cook Strait? Why / why not?

Refer to Q62

Q 69. What do you consider an appropriate transition period for such a regulation, if any?

Refer to Q62

Q 70. Q70. Are there any exemptions or defences that should apply to prevent worse welfare outcomes?

Yes, the pandemic over the past 2 years has provided a good example of how situations can change rapidly and that contingency needs to be considered to avoid worse welfare outcomes. Also see Q62.

Q 71. Do you agree with the regulation recommendation to restrict transport of lactating end-of-life cattle to slaughter via saleyards? Why / why not?

Refer to Q62

Q 72. What do you consider an appropriate transition period for such a regulation, if any?

Refer to Q62

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### Proposed regulations: Heat stress

**Q 73. Should this area be regulated? Why / why not?**

DairyNZ does not agree with the development of a regulation for a heat load threshold. The desired outcome is that the risk of heat stress is minimised. Behaviour change is more effective when the focus is on what farmers can control (i.e., mitigating hot and cold) than what they can't (i.e., the weather). Additionally, the current science is not clear enough to set a threshold that could be included in a regulation to be applied to every farm. It is also worth noting that the lack of detail within the evaluation reports makes it incredibly difficult to know what is being proposed here.

**Q 74. How do you think this area could be regulated?**

DairyNZ doesn't think it needs to be regulated, efforts would be better spent supporting farmers to focus on what they can control – i.e., Mitigation options rather than what they can't control i.e., the weather.

**Q 75. Is the current issue being managed adequately by codes of welfare or other instruments under this Act?**

DairyNZ agrees there is room for improvement in how farmers mitigate heat stress, however the approach each farm should take will vary from farm to farm and region to region and is limited to certain times of the year. A code of welfare can outline the requirements to be met but rural professionals are better placed to provide tailored support to farmers to achieve good animal welfare outcomes.

**Q 76. Are there any non-regulatory options that would be more effective?**

Yes, see Q75.

**Q 77. Do you think that, once sufficiently advanced, a HLI threshold could be used to regulate a cut-off for when shade or heat mitigation strategies must be provided? Why / why not?**

As stated above DairyNZ does not think that regulation is the right approach, see Q73, Q74, Q75.

### Proposed regulations: Electric prodders – change to Regulation 48

**Q 78. Do you support the proposed review of regulation 48? Why / why not?**

DairyNZ does not support the review of this regulation. In the evaluation report NAWAC states that there has only been 1 infringement based on current regulation 48 which came into effect in October 2018 (and was developed after as extensive consultation process) and that MPI does not have any data to show that this regulation requires modification. DairyNZ recommend that NAWAC remove the proposed regulation as the current regulation is adequate.

### Proposed regulations: Castration of cattle beasts - change to Regulation 53

**Q 79. Do you support the proposed review of regulation 53? Why / why not?**

DairyNZ supports the proposed review of regulation 53, it is important that pain is minimized as much as possible when painful procedures are performed.

### Completeness of regulations

**Q 80. Do you consider that any of the other minimum standards, or additional matters, should become regulations? Please provide reasons for any proposals.**

Where it can be demonstrated that regulation is necessary to drive further improvements in animal welfare, this is worthy of consideration. However, non-regulatory tools and services are preferable to achieve general advances in animal welfare standards. DairyNZ recommends the impact of changes to minimum standards within the Code of Welfare be given time to embed before further regulation is considered.

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## APPENDIX 1 - Summary of DairyNZ positions and recommendations

| Topic | Area of change | Support | Reason | Recommendation |
|---|---|---|---|---|
| Use of electricity | **MINIMUM STANDARD**<br>Electroimmobilsation devices must not be used | No | DairyNZ does not support this minimum standard. In 2007 NAWAC agreed that if used properly the benefits of the pacifier device outweighed the risk of misuse. Research findings from work commissioned by NAWAC and the current evaluation report does not outline any new science to show that our understanding of these devices has changed. The fact that the pacifier device is only used by a small number of farmers on a very low number of animals does not justify prohibiting its proper use. DairyNZ does support appropriate use of the pacifier device. Note that in the Guidelines for Writing Codes of Welfare it states that a minimum standard in a code cannot totally prohibit an activity. | Remove proposed minimum standard and strengthen the current minimum standard in the existing code to provide further information on appropriate use, including considering alternative options prior to using the pacifier device; using the lowest effective setting for the minimum amount of time. This detail could sit within the example indicators to ensure the minimum standard is simple, clear, and concise. |
| | **REGULATION**<br>Electroimmobilisation devices must not be used | No | DairyNZ does not support this regulation. In 2007 NAWAC agreed that if used properly the benefits of the pacifier device outweighed the risk of misuse, based on research findings from work commissioned by NAWAC and the current evaluation report does not outline any new science to show that our understanding of these devices has changed. The fact that the pacifier device is only used by a small number of farmers on a very low number of animals does not justify prohibiting its proper use. DairyNZ does support appropriate use of the pacifier device. | Remove regulation and strengthen current minimum standard as outline above. |
| | **MINIMUM STANDARD**<br>Electrified backing and top gates must not be used | No | DairyNZ does not support this minimum standard. In the evaluation report NAWAC cite research that states, 'providing there is enough room to move away from electric fences there is usually no welfare impact for the cattle'. DairyNZ suggests the focus should therefore be on appropriate use of top and backing gates (electrified or not). Many farmers use electrified top or backing gates strategically and intermittently throughout the season and if their use was prohibited the unintended consequence could be that alternative methods to encourage cow flow result in a worse outcome for the animals. Note that in the Guidelines it states that a minimum standard in a code cannot totally prohibit an activity. | Remove proposed minimum standard and strengthen current minimum standard in the existing code on appropriate use, including limiting the voltage that can be applied, intermittent use and having a timing switch. This detail could sit within the example indicators to ensure the minimum standard is simple, clear and concise. |
| | **REGULATION**<br>Electrified backing and top gates must not be used | No | DairyNZ does not support this regulation. In the evaluation report NAWAC cite research that states, 'providing there is enough room to move away from electric fences there is usually no welfare impact for the cattle'. DairyNZ suggests the focus should therefore be on appropriate use of top and backing gates (electrified or not). Many farmers use electrified top or backing gates strategically and intermittently throughout the season and if their use was prohibited the unintended consequence could be that alternative methods to encourage cow flow result in a worse outcome for the animals. | Remove proposed regulation and strengthen current minimum standard in the existing code on appropriate use, including limiting the voltage that can be applied, intermittent use and having a timing switch. This detail could sit within the example indicators to ensure the minimum standard is simple, clear, and concise. |
| | **REGULATION**<br>Electric prodders must not be used | No | DairyNZ does not support this regulation. In the evaluation report NAWAC states that there has only been 1 infringement based on current regulation 48 which came into effect in October 2018 (and was developed after as extensive consultation process) and also that MPI does not have any data to show that this regulation requires modification. Hence the current regulation seems appropriate. | Remove proposed regulation as the current regulation is appropriate. |
| Body condition score (BCS) | **MINIMUM STANDARD**<br>BCS must not fall below 3.5 or go above 8 | No | The evaluation report contains no science to support increasing the minimum BCS to 'must not fall below 3.5'. While most farmers agree that BCS should not often fall below 3.5, the reality is that periodically it may for a range of reasons (e.g., illness), in which case the outcome should be that action is taken to rectify the situation. This proposed minimum standard no longer has the wording 'must take urgent remedial action', making it unclear what action farmers should take. DairyNZ does support that cows are managed appropriately to maintain a suitable BCS and would agree with the intent of farmers taking action before an animal drops below a BCS of 3. | Remove proposed minimum standard. Amend current minimum standard to 'when the BCS of any animal falls below 3.5 urgent remedial must be taken'. |
| Lying surface/ space | **MINIMUM STANDARD**<br>Dairy cattle must have access to a compressible well-drained surface so they are able to lie and rest comfortably for sufficient periods each day to meet their behavioural needs | No | DairyNZ does not support this minimum standard. As stated in the Guidelines for writing codes of welfare minimum standards should be outcome focussed and the current minimum standard 6(b) 'Dairy cattle must be able to lie and rest comfortably for sufficient periods to meet their behavioural<br>needs' meets this requirement and hence should not be changed. Examples of a<br>suitable surface could be included in the example indicators section. | Remove proposed minimum standard. Current minimum standard 6(b) is retained. Examples of what would constitute a suitable surface should be developed with industry stakeholders and this information could be included in the example indicator section. |
| | **MINIMUM STANDARD**<br>Dairy Cattle must have sufficient space for all animals in a herd to lie down and rest comfortably at the same time | No | DairyNZ does not support this minimum standard, current minimum standard 6(b) outlines what the outcome needs to be in terms of lying and hence this minimum standard is not required. | Remove proposed minimum standard. Current minimum standard 6(b) is retained. |
| | **MINIMUM STANDARD**<br>River stones must not be used as a surface cover or bedding substrate in off-paddock facilities | No | DairyNZ does not support this minimum standard. DairyNZ agrees that there are alternative substrates for dairy cattle with better comfort and welfare outcomes than river stones. However, the prescriptive nature and lack of focus on an outcome make it unsuitable as a minimum standard as per the recommendations within the Guidelines. Also note that page 10 of the Guidelines states that a minimum standard in a code cannot totally prohibit an activity. | Remove proposed minimum standard. Ensure example indicators for current MS6(b) contains detail about what type of surfaces would be considered suitable. |
| Intensive winter grazing | **MINIMUM STANDARD**<br>Where a change of feed is incorporated into the diet it must be introduced gradually and abrupt changes must be avoided | Yes intent - requires amendment | DairyNZ agrees with the intent of this minimum standard however it needs to be reworded to focus on the intended outcome as per the recommendations in the Guidelines. | Amend proposed minimum standard to ensure the focus is on the intended outcome, for example: 'where a change of feed is incorporated into the diet it must be managed in a way that minimises feed related diseases or disorders.' |
| | **MINIMUM STANDARD**<br>Persons in charge of dairy cattle must have a documented contingency plan in place to address any anticipated adverse events which can negatively affect the welfare of animals | Yes | DairyNZ agrees with this minimum standard. Many farmers are already required to have contingency plans in place by their dairy company or regional council. | |
| | **REGULATION**<br>Cattle kept in IWG have access to a well-drained lying space (i.e.. No surface pooling) of 10m2/cow | No | DairyNZ does not support the proposed regulation. DairyNZ does not agree with singling out IWG systems and that having access to a comfortable lying surface needs to be considered for all dairy cattle no matter which farm system they are in. DairyNZ believe this concern is already sufficiently covered in the current MS6. The dairy industry has taken an educational approach which has led to better outcomes for lying conditions for animals in intensive winter grazing systems and does not believe that regulations are necessary given the voluntary improvements already made. | Remove regulation. |
| | **REGULATION**<br>Where animals are managed in IWG clean drinking water is available in the grazing area at all times | No | DairyNZ does not support this regulation. The evaluation report does not contain science to support that water needs to be available at all times and DairyNZ does not agree that IWG systems need to be singled out. DairyNZ does support minimum standard 5 (a) 'all dairy cattle must have easy access to palatable and high-quality drinking water sufficient for their needs and that is not harmful to their health'. | Remove regulation. |
| | **MINIMUM STANDARD**<br>Calving cows must be provided with a compressible well-drained surface and effective shelter at least 14 days prior to scan-dated calving to prevent calves being born into unsuitable conditions, including surface water or mud. | No | DairyNZ does not support this minimum standard. The wording implies that provision of shelter is required even if not needed by the animal. 'Scan-dated' is also not suitable to use, given that not all farmers use scan dating. DairyNZ does support the intent of calving cows having access to shelter from adverse weather, a suitable lying surface and calves not being born into unsuitable conditions but believe there are other minimum standards that already address these issues of surface and shelter, hence this minimum standard is unnecessary duplication. | Delete minimum standard. The content of this proposed minimum standard is already covered by current minimum standards for surface and shelter. |
| | **REGULATION**<br>Calving cows must be provided with a compressible well-drained surface and effective shelter at least 14 days prior to scan-dated calving to prevent calves being born into unsuitable conditions, including surface water or mud. | No | DairyNZ does not agree with this proposed regulation. The wording implies that provision of shelter is required even if not needed by the animal. 'Scan-dated' is also not suitable to use, given that not all farmers use scan dating. DairyNZ does support the intent of calving cows having access to shelter from adverse weather, a suitable lying surface and calves not being born into unsuitable conditions but believe there are other minimum standards that already address these issues of surface and shelter; hence this regulation is unnecessary duplication. | Remove regulation and strengthen current minimum standard as outline above. |
| Shade/ Shelter | **MINIMUM STANDARD**<br>All dairy cattle must be provided with shade or other means to minimise the risk of heat stress due to warm and/or humid conditions. | No | DairyNZ agrees with the intent of this minimum standard, however NAWAC's dialogue around the topic of heat and cold stress seems to be biased towards artificial means of shade and shelter. Shade and shelter (natural or artificial) are only one of the many mitigation options for heat and cold stress. The focus of this minimum standard should be on the desired outcome, minimising the risk of heat and cold stress. The mitigation options for heat and cold stress should be clearly outlined in the example indicator section. | Remove proposed minimum standard. Amend current minimum standard 7 (a) to : All classes of dairy cattle must be provided with the means to minimise the effects of heat and cold stress. .We recommend that mitigation options for heat and cold stress to go in the example indicator section be developed in consultation with Industry stakeholders |
| | **MINIMUM STANDARD**<br>All dairy cattle must be provided with shelter or other means to minimise the risk of cold stress due to cold and/or wet conditions. | No | As above | As above |
| | **REGULATION**<br>Proposed development of regulation to address heat stress | No | DairyNZ does not agree with the development of a regulation for a heat load threshold. The desired outcome is that the risk of heat stress is minimised. Behaviour change is more effective when the focus is on what farmers can control (i.e., mitigating hot and cold) than what they can't (i.e., the weather). Additionally, the current science is not clear enough to set a threshold that could be included in a regulation to be applied to every farm. It is also worth noting that the lack of detail within the evaluation reports makes it incredibly difficult to know what is being proposed here. | |
| Calf rearing | **MINIMUM STANDARD**<br>All newborn calves removed from their mother must be offered sufficient good colostrum/substitute as soon as possible after, but within 2 hours of being removed, to ensure that any calves that have not sucked from their dam receive colostrum within 24hrs after birth | No | DairyNZ does not support this minimum standard, it is too prescriptive and does not align with the Guidelines this type of detail best sits as an example indicator. DairyNZ does support an outcome focussed minimum standard:<br>to ensure their welfare, new-born calves must receive sufficient colostrum or good quality commercial colostrum substitute within 24 hours of birth, this then allows farmers flexibility to best decide how this is achieved. | Remove proposed minimum standard. Amend current minimum standard to: "to ensure their welfare, new-born calves must receive sufficient colostrum or good quality commercial colostrum substitute within 24 hrs of birth" |
| | **MINIMUM STANDARD**<br>For the first 3 weeks after birth calves must be fed a suitable good quality liquid feed at a rate of no less than 20% of their body weight divided into no less than 2 feeds per day | No | DairyNZ does not support this minimum standard. It is overly prescriptive which does not align with the Guidelines, and such prescriptive detail is better suited as example indicators. However, we strongly disagree that feeding calves 20% of their body weight is a reasonable minimum standard, young calves in the first week of life do not consume this much milk (as shown in ad-lib studies) and the unintended consequences of farmers trying to achieve this could result in negative outcomes (e.g., nutritional scours and other nutritional disorders). While we acknowledge that the science is suggesting that calves fed 10% show signs of hunger, 15% of body weight would be considered high volume feeding. This proposed minimum standard goes well beyond the current recommended best practice of 10-15% body weight for 1 week, ideally, in no less than 2 feeds. DairyNZ supports a minimum standard that is outcome focussed, such that calves receive a suitable liquid feed at adequate volume and frequency to meet their needs. The current recommended best practice could then become an example indicator. | Remove proposed minimum standard. Add in minimum standard to the effect that calves receive a suitable liquid feed of an adequate volume and frequency to meet their needs. Example indicators could then detail the current recommended best practice, 'colostrum, milk or milk replacer being fed at the rate of 10-15% of bodyweight during the first week after birth, divided into not less than two feeds per day'. |
| | **MINIMUM STANDARD**<br>A calf must be given suitable liquid feeds until the rumen has developed sufficiently to allow it to utilise solids as the sole feed source but must not be fully weaned off milk before 6 weeks of age | Yes | DairyNZ agrees with this proposed minimum standard. | |
| Quality assurance | **MINIMUM STANDARD**<br>Each commercial farm must have a fully documented and auditable quality assurance system that ensures compliance with the minimum standards required by this Code of welfare. The documented system must be verified using performance-based audits on at least an annual basis. Corrective actions must be completed as required by the audits. | No | DairyNZ does not agree with this minimum standard. NAWAC have provided no evidence or science that failure to have a fully documented and auditable quality assurance system will result in negative welfare outcomes, however with all other minimums standards outlined in the code there is a risk of negative welfare outcomes. For this reason, it is not suited as a minimum standard. This topic could be included as a recommended best practice, however concern has been raised that wording does not align with current dairy company animal welfare schemes and programmes and hence would require farmers setting up yet another system, which creates unnecessary duplication, so rewording would be required to make it fit for purpose as a recommended best practice. | Remove this proposed minimum standard. Further consultation with Industry stakeholders to develop suitable content for a recommended best practice. |
| Pre transport preparation | **MINIMUM STANDARD**<br>Dairy cattle must undergo suitable preparation for the intended journey including:<br>• Dairy cows transported to saleyards or slaughter must receive sufficient and effective mineral supplementation prior to transport to prevent metabolic complications.<br>• Lactating dairy cattle transported to saleyards or slaughter must be milked as close to transport as possible.<br>• Dairy cattle must not be held off green feed for more than 6 hours prior to transport if lactating or for more than 12 hours prior to transport if dry.<br>• Water and roughage must be available in collection areas at all times until the point of loading. | No - requires whole of supply chain approach | DairyNZ supports the intent of improving pre-transport preparation, however pre-transport preparation is only one piece of the puzzle when trying to address the issue of lactating cows going down in transport and lairage. DairyNZ recommends that all proposed minimum standards and regulations around pre-transport preparation, transport and slaughter premises are developed and agreed upon at the same time with relevant Industry stakeholder groups to ensure that the focus remains on how to achieve a better outcome with every relevant stakeholder in the supply chain taking committing to making improvements. there are issues with the current wording and more work is required to ensure to changes are outcome focussed and practical to implement. | Development and further consultation of minimum standard and regulations to occur at the same time as regulations proposed for the commercial slaughter and transport codes. |
| | **REGULATION**<br>• Dairy cows transported to saleyards or slaughter must receive sufficient and effective mineral supplementation prior to transport to prevent metabolic complications<br>• Water and roughage must be available in collection areas at all times until the point of loading<br>• Lactating dairy cattle transported to saleyards or slaughter must be milked as close to transport as possible<br>• Restriction of transport time to 8 hours<br>• Maximum time from last milking to slaughter of 24 hours<br>• Prohibition of transport of lactating dairy cattle to slaughter via the Cook Strait<br>• Prohibition of transport of lactating dairy cattle to slaughter and via saleyards | No - requires whole of supply chain approach | DairyNZ recommends that all proposed minimum standards and regulations around pre-transport preparation, transport and slaughter premises are developed and agreed upon at the same time with relevant Industry stakeholder groups to ensure that the focus remains on how to achieve a better outcome with every relevant stakeholder in the supply chain taking committing to making improvements. There are issues with the current wording and more work is required to ensure to changes are outcome focussed and practical to implement. | Development and further consultation of minimum standard and regulations to occur at the same time as regulations proposed for the commercial slaughter and transport codes. |
| Emerging technologies | **MINIMUM STANDARD**<br>Farm facilities, equipment and technologies used with animals must be designed, constructed, maintained and used in a manner that minimises the likelihood of distress, pain or injury to animals | Yes | DairyNZ feels that this is stating the obvious and is standard practice that goes well beyond just applying to new technologies. It is unnecessary content contributing to the verbosity of the proposed code. | Remove minimum standard Given the concern around the increased volume of the code DairyNZ suggest this is removed. |
| | **MINIMUM STANDARD**<br>Dairy cattle that do not adapt to new technologies must be provided with alternative management | No | DNZ feels that this is stating the obvious, and is standard practice that goes well beyond just applying to new technologies. It is unnecessary content contributing to the verbosity of the proposed code. | Remove minimum standard Given the concern around the increased volume of the code DNZ suggest this is removed. |
| Selection and Breeding | **MINIMUM STANDARD**<br>The animal welfare impacts of animal selection and breeding objectives must be monitored for favourable and unfavourable consequences, and the results incorporated into future objectives | Not with further clarification | DairyNZ agrees with the intent of this minimum standard, but we are concerned that there is very limited detail provided about what issues this is trying to address. This should be developed in consultation with industry stakeholders. | Provide clarification within the example indicator section as to what issues are trying to be addressed here in dairy cattle. We recommend that this should be developed in consultation with Industry stakeholders. |

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## APPENDIX 2 - Areas of concern not raised in consultation material

| Areas of concern not addressed in the consultation material | |
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| **Proposed minimum standards of concern** | **Reason and recommendation** |
| Part 7 Husbandry practices: Animals must not be freeze branded on the head or udder | This is prescriptive and draws attention to an unacceptable practice. We recommend that this minimum standard is rewritten focussing on what would be an appropriate outcome. |
| Part 9 On-farm humane killing: Any animal rendered insensible by a captive bolt or shot to the brain must receive a secondary procedure to ensure death occurs before recovery from stunning (e.g., bleeding out or pithing) | This conflicts with the DairyNZ information that sits in the general information section stating that because death is not guaranteed following the use of a captive bolt firearm, a follow-up procedure needs to be employed such as a second shot, pithing or bleeding out. It is unclear why a gunshot now requires a secondary method and that a second shot has been left out as an example of a secondary method. There are serious health and safety concerns with approaching a large animal to perform a secondary method and a better approach may be that persons in charge must confirm death. We recommend that this minimum standard is reviewed and rewritten. |
| Part 9 On-farm humane killing: Calves must not be killed by cutting of the throat or by the use of blunt force to the head except in the circumstances described in regulation 8(1) of the Animal Welfare (Care and Procedures) Regulations 2018 | This wording is confusing and implies that regulation 8 applies to both cutting the throat and blunt force trauma when in fact it only applies to the latter. We recommend that this minimum standard is reviewed and rewritten. |
| **Example indicators of concern** | **Reason and recommendation** |
| Part 3 Water and Feed: Fodder beet does not make up more than 60% of the diet of dry cows and growing cattle and no more than 30% in lactating cows | In relation to the 60% in dry cows – the study referenced in the evaluation document supporting this figure of 60% did not test on a range of allocations. Therefore, there is not enough science to set a threshold like this for dry cows, and more research is required. We recommend that this example indicator is rewritten to ensure the diet provides adequate protein and minerals, and management must minimise the risk of overfeeding/ breakouts. |
| Part 3 Water and Feed: dairy cattle do not suffer from feed-related diseases or disorders | It would be impossible not to have any feed related diseases and disorders. It is what happens to prevent a disease or disorder and how the animal is managed if it does get a disease or disorder that's important. We recommend that this example indicator is removed as it is impractical and minimising ill health is already addressed in the feed minimum standard. |
| Part 3 Water and Feed: water sources are within acceptable walking distance (e.g., within 20m in intensive systems and within 250m in more extensive systems) | There is no clear definition of intensive and extensive. Despite this it is likely that 'within 20m' would be totally unrealistic. We recommend the bracketed part of this example indicator is reviewed and rewritten. |
| **Proposed recommended best practice of concern** | **Reason and recommendation** |
| Part 4 Behaviour: Dairy cattle should have the choice to access a place to separate for calving, such as appropriate hides in intensive pasture settings or separate calving pens in off paddock facilities | Hides are calving pens would rarely if ever be used in NZ pasture-based systems, hence reference to them here seems out of place. We recommend this recommended best practice is reviewed and rewritten to better align with our pasture-based farm systems. |
| Part 5 The physical environment: Aversive techniques for training animals to new technologies should not be used | This could be interpreted to include electric fences. This is an unrealistic recommended best practice for inclusion in the code and could result in unintended consequences i.e., animals entering unsafe areas resulting in poor welfare outcomes. We recommend this recommended best practice is removed. |
| Part 6 Calf rearing: Where the management system allows, consideration should be given to rear calves on cows if there are no adverse implications for animal welfare | Only a few New Zealand farms on a small-scale use cow-calf contact system. This would not meet the definition of a recommended best practice as outlined in the Guidelines '*practice identified by research or accumulated experience that is of a higher standard than the minimum standard. Recommended best practice is likely to be undertaken by the leading members of the group of animal owners in question*' and goes beyond what leading farmers are doing. We agree this is an area that is receiving focus from public and industry but there is not enough understanding to make a recommendation at this stage. More research is needed in this space before recommendations can be made in a code of welfare. We recommend this recommended best practice is removed. |
| Part 6 Calf rearing: Where calves are reared on cows they should be weaned before being separated from the dam (i.e., 2 stage process) | As above. |
| Part 6 Calf rearing: Calves not raised as replacements should be raised for beef production wherever possible | This is not a welfare concern - it is an ethical concern, therefore sits outside the code of welfare. Industry stakeholders are driving change in this space. We recommend this recommended best practice is removed. |
| Part 7 Husbandry practices: Floatation technology for recumbent cows should be used as a preferred method | From our animal care consults we have had 1 farmer in the past 12 years confirm they have a floatation device. Hence this would not meet the definition of an acceptable recommended best practice as outlined in the Guidelines as it goes well beyond what is done by leading farmers. We recommend this recommended best practice is removed. |
| Part 11 Welfare Assurance system: The quality assurance system should provide for all incidents resulting in significant sickness, injury or death of animals be investigated and reported to DairyNZ, MPI or the farm veterinarian | In the case of significant sickness, injury or death farmers should be contacting their veterinarian. Depending on the situation MPI may need to be brought in. While DairyNZ has an Early Response Programme, it is aimed at working with farmers to prevent such incidents occurring and hence it would not be appropriate for DairyNZ to be called after an incident has occurred. We recommend DairyNZ is removed from this recommended best practice. |

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