

## **Response to the Review of Live Sheep Exports to the Middle East during the Northern Summer - Draft Report**

The recommendations contained in the Draft Report represent yet another step away from the recommendations of the McCarthy, Moss, and Heat Stress Risk Assessment (HSRA) Reviews and a further step towards another animal welfare disaster.

If implemented, the recommendations would see a cumulative reduction in the duration of the prohibited period by over 20%, allowing animals to be sent deeper into the Middle Eastern summer to experience climatic conditions that further exceed their heat stress thresholds. The recommendations would further limit the buffer between heat stress and mortality thresholds, making it extremely dangerous for shipments that will inevitably hit unseasonal and unforeseen weather conditions. This is irresponsible in light of the increasing frequency of extreme weather events associated with climate change.

It is also irresponsible due to the limited reliable data available to inform the recommendations, as acknowledged in the Draft Report itself. The limited evidence that is available demonstrates clearly that live sheep exports during the Northern summer period routinely result in poor welfare outcomes. Sixty per cent of voyages over this period in the last three years reported heat stress. Notably, every voyage that included an independent observer recorded heat stress. This evidence supports an extension of the prohibited period, not a reduction.

Mortality rates have declined significantly but the biggest factor behind this trend is the fact that shipments during the hottest periods of the year have been banned. It is illogical to cite this as a positive outcome and then propose to unwind the very regulations that produced that outcome.

We are concerned that with every successive review of the Northern summer prohibited period further concessions are made, and with them, the scientific evidence base for the regulatory settings is further eroded. The McCarthy and HSRA reviews both concluded that subjecting sheep to temperatures that cause open-mouth panting was unacceptable. Yet this is precisely the outcome the proposed recommendations in the Draft Report will produce.

If these recommendations are implemented, it will provide yet another example of the Department of Agriculture prioritising the commercial interests of the live export trade over animal welfare and will further diminish public confidence in the trade and the Department as regulator.

**We strongly urge the Department to review these recommendations with a view to taking a more precautionous approach to ensuring animal health and welfare is protected. The prohibited period should not be shortened, but extended, in line with the recommendations of the HSRA Review. At the very least, current regulatory settings should be maintained until more reliable data is obtained. This is the only responsible course of action in the circumstances.**

### **Inappropriate threshold for regulatory settings**

Despite continuing to cite the HSRA Review Report, the Department's proposed regulatory settings bear little resemblance to the central recommendation of that review:

*It is recommended that the heat stress threshold (HST) in the heat stress risk assessment model be applied in conjunction with 98% point on the distribution of deck wet bulb temperature (WBT) probabilities throughout the voyage. As such, a planned voyage would have a 98% probability of WBTs, experienced by sheep, not exceeding the HST.*

Not only has the Department relaxed the risk settings to a 95% probability, but it has fundamentally departed from the Technical Panel's advice by applying the risk settings, not to deck wet bulb temperatures (WBT) as experienced by the sheep, but to the ambient temperatures in the region. The threshold set by the Department is the 95<sup>th</sup> percentile maximum WBT of 29°C ambient WBT. As noted in the Draft Report, 29°C ambient WBT results in deck WBTs of between 30°C - 32°C. This exceeds the Heat Stress Thresholds (HST) of most classes of exported sheep.

Table 1 in the Review Report provides clear evidence of the inadequacy of this threshold. It notes that of the 15 Northern summer voyages analysed, 13 of them of experienced WBTs of over 30°C. It is therefore little wonder that heat stress was reported on 60% of these voyages (and on 100% of those with IOs onboard).

If subjecting sheep to open mouth panting is unacceptable, as the McCarthy and HSRA Reviews concluded, then it follows that a 29°C ambient WBT threshold is unacceptable also as it will routinely subject sheep to that outcome.

This threshold needs to change. If ambient WBTs continue to form the basis of the regulatory settings then the threshold should be reduced to 26°C. This would equate to deck WBTs of between 27°C - 29°C thus limiting exposure to temperatures exceeding the animals' HST. Anything higher than this implicitly accepts that subjecting sheep to prolonged heat stress is acceptable. This is inconsistent with past reviews, Australian community expectations, and indeed the Department's own regulatory responsibilities for ensuring that travel conditions are appropriate for the animals' health and welfare.

### **Inadequate justifications for limiting the prohibited period**

Despite the already high-risk threshold adopted by the Department, the Draft Report proposes to push the risk settings out even further to justify additional limits to the prohibited period. It was especially concerning to see that the Department is now

referencing 29.5°C ambient WBT, equating to deck WBT of 30.5 - 32.5°C, when providing the rationale for the substantial “conditional prohibition periods” for Kuwait, Oman and the Red Sea. These temperatures significantly exceed the HST of sheep and should not be seen as an acceptable threshold for justifying further reductions to the prohibited period.

Furthermore, the Draft Report also seeks to justify shortening the prohibited periods on the basis that the outer shoulder period for some routes presents a “similar” risk profile to the immediate period preceding the commencement of the particular prohibited period (see reasoning for Kuwait, other Persian Gulf destinations, and the Red Sea conditional prohibited periods). A *similar* risk profile is not the *same* risk profile or a lower risk profile, it is an added degree of risk. This is another example of where the Department is pushing the boundaries of what is acceptable. The Department must be more precise in its approach, especially when changes in WBT of as little as 1°C can have significant consequences for health and welfare animals.

The additional justification for limiting the prohibited period for Kuwait because the port has lower WBTs than offshore Kuwait is illogical in light of the fact that the real risk occurs prior to this point in the Straits of Hormuz. The lower temperatures in Kuwait Port is not a new discovery. This was known to the Department when it set the current regulatory settings. As noted in the Department’s statement of reasons for its initial rejection of the *Al Kuwait* exemption application in 2020:

*I was satisfied that the risk of heat stress in Kuwait Port for a departure on or after 5 June 2020 was very low. However, I found that this did not address the significant risk of heat stress during the several days before the vessel reaches the Straits of Hormuz continuing through the Persian Gulf until just before the Port of Kuwait*

The rationale of this initial rejection was validated by the outcome of the *Al Kuwait* voyage. As predicted, deck WBTs far exceeded the animals’ HSTs, reaching 32°C WBT. Subsequently, 3% of the sheep (approximately 1,000 animals) experienced heat stress score 4, and 12% (approximately 4,000 animals) experienced heat stress score 3. Heat stress score 4 is the highest level of heat stress, described in the Department’s own Export Advisory Notice (EAN 2018-11) as ‘severe heat stress’ with ‘open mouth panting with tongue out’, ‘extremely laboured’ respiration, and ‘distressed’ demeanour. Heat stress score 3 is the next highest score, described as ‘open mouth panting’, ‘laboured’ respiration, and ‘extreme discomfort’ in demeanour. While mortality rates on this voyage were reportedly low, this was not a successful voyage by animal welfare measures.

The lower temperatures in the Port of Kuwait do not mitigate the heat stress risks presented by the Straits of Hormuz. The excessive temperatures in the Straits of Hormuz during the Northern summer are unacceptable and permitting more sheep to be sent into these conditions would be unconscionable and inconsistent with the Department’s responsibility to ensure the health and welfare of exported animals.

Finally, the proposed conditions for voyages departing in the “conditional prohibition periods” set out in section 6 of the Draft Report are far from exceptional and will be accessible to the majority of exporters who wish to export during these periods. In our view,



these conditional periods will become the default periods in which sheep exports will be permitted. Many of these conditions were met or exceeded by the *Al Kuwait* voyage yet they were not effective in preventing severe heat stress.

## **Lack of reliable data**

The Draft Report makes several references to the lack of reliable data:

*A range of factors beyond the department's control have affected the quantity and quality of the data available to this review. The relatively low number of voyages in the Northern Hemisphere summer shoulder periods since 2019, combined with the pause in the deployment of IOs due to COVID-19 travel restrictions, have limited the overall quantity of data available. Voyage reporting has also been of variable quality, in terms of accuracy, consistency and completeness.*

*The lack of an adequate amount of quality data has prevented a statistically robust analysis of the impacts of the implementation of a prohibition and related conditions during the Northern Hemisphere summer.*

The Department makes a strong point around the deficiencies in the daily and end of voyage reporting, particularly on heat stress indicators, and the problem of "observer bias" from AAVs. This has been a problem identified in multiple reviews of the live export trade dating back to the 2011 Farmer Review. It is very concerning to see that it is still occurring and again reiterates the urgent need for IOs to be reinstated onboard vessels. It is telling that 100% of the Northern summer voyages accompanied by IOs reported heat stress, while only 60% of those without IOs noted heat stress observations.

While it is positive to see this issue highlighted in the Draft Report, it is perplexing as to how the Department can then see fit to propose such consequential recommendations for animal welfare despite the limitations in the data base. Surely the prudent course of action following such an admission would be to confirm current regulatory settings pending the receipt of more reliable data upon which to make a more informed determination.

It is simply not responsible to proceed with the proposed changes under a cloud of unreliable data. We urge the Department to reconsider its recommendations for shortening the prohibited periods, and instead, confirm the current regulatory settings until more reliable data is forthcoming.

**ENDS**