Common Questions and Answers on the Humane Transport Regulations for the Sheep Sector.

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The intent of this Q & A document is to provide short answers to some common questions and act as a stepping stone to direct readers to the relevant parts of the published interpretive guidance (IG) document on CFIA's website.

Regulated parties are also encouraged to refer to their industry guidelines and their veterinarians' advice to ensure the best animal welfare practices during all phases of animal transport.

When interpreting Part XII of the *Health of Animals Regulations* (HAR) Transport of Animals, consider the **intent of the regulation** which is to minimize animal suffering due to the process of transportation whether due to inexperience, negligence, lack of planning, improper use of equipment or improper handling. Also keep in mind that several provisions can apply in a given situation, their combined meaning needs to be considered as well as the animal welfare outcome.

These other sources also provide relevant and valuable information:

- CFIA's Humane transport and animal welfare webpage
- NFACC Codes of practice for sheep https://www.nfacc.ca/sheep-code#section6

- National Farm Animal Care Council (NFACC) Code of Practice for the Care and Handling of Farm Animals: Transportation (referred to as the "Transport Code")
- World Organization for Animal Health (OIE) Terrestrial Animal Health Code Animal Welfare, Section 7, internationally recognized guidelines on the transport of terrestrial animals by sea, land and air in chapters 7.2-7.4

Application of the regulations (who they apply to)

1. I am a producer, not a transporter, do the Part XII HAR apply to me?

Humane transport is a shared responsibility. All persons involved in transport of animals share responsibility under the law. Part XII of the HAR apply to all those involved **directly** or **indirectly** in the transport of live animals, including those who:

- plan the transport,
- prepare animals for the journey (including food and water withdrawal),
- assemble animals,
- catch animals,
- load animals,
- confine animals in a crate or conveyance,
- move animals from a point of origin to their destination, and
- unload animals from the conveyance or container at their final destination.

For example whether a cull sheep is picked up to go for slaughter or a lamb is being picked up by a 4-H group going to a 4-H event, both the producer and the transporter are responsible for making informed, intelligent decisions to protect the animals in their care. All regulated parties are required to make decisions based on **the context of the specific situation**, such as the condition of the animal in question, the intended transport and what options are available. The producer is responsible for ensuring their animal(s) is fit for transport, communicating to the transporter if it has any conditions that would affect how it should be transported, and ensuring the selected mode of transport is appropriate and following the regulations. Once the animal is in the transporter's care, the transporter is responsible for the animal's care including monitoring and complying with the regulations.

2. The regulations contain both outcome-based requirements and prescriptive requirements. How are these different?

With outcome-based requirements, the regulation specifies the desired result that a regulated party must meet, rather than describing a specific process or action that must be followed to achieve compliance. This gives the regulated party flexibility in how to meet the requirement.

A prescriptive regulatory requirement prescribes a specific standard or process to follow or actions that a regulated party must take to achieve compliance.

For example, the ramp section of the regulation (s.145) describes that a ramp has to be used in a manner that prevents an animal's suffering, injury or death (outcome-based). This section also says that an ovine must not be loaded or unloaded using external ramps, gangways or chutes that have a slope from the horizontal that exceeds 35 degrees (prescriptive).

Feed, water and rest (FWR)

3. What are the maximum allowed intervals without FWR for sheep?

Sheep and lambs shipped off farm may travel through multiple stops for days before reaching their final destination.

The table below summarizes the various categories of ovine animals and the corresponding maximum FWR times. Animals may require feed, water, and rest at more frequent intervals and for longer periods than the maximum prescribed in the regulation.

If animals are at risk of becoming dehydrated, exhausted or of having a nutritional deficit prior to reaching the maximum interval, the animal's needs take precedence and **the transporter must promptly take action to address these situations**. For example, the maximum time limit to transport sheep without FWR is 36 hours. However, on a very hot and humid day, some sheep may suffer from exhaustion or dehydration before 36 hours is reached. The transporter is responsible for frequent monitoring and stopping before 36 hours if needed due to the condition of the sheep. Chapter 19 of the published Interpretive Guidance (IG) provides additional information about this topic.

Species and Class	Maximum time interval without feed, water, rest
Sheep This includes all those ovine animals that can be fed exclusively on hay and grain (this includes finished market weight lambs)	36 hours
Compromised animals Includes any ovine animal of any age, size, sex, or breed that meets the definition of compromised. A list of compromised conditions are defined in s136 of the regulations and described further in the IG	12 hours
Lambs that are 8 days of age or less	12 hours (single period, not repeated)
Lambs that are 9 days of age and older and too young to be fed exclusively on hay and grain. (In other words, those lambs still partially reliant on milk or milk replacer that are 9 days or older)	12 hours

4. Are unweaned lambs able to stop for feed, water and rest during their journey and then go for an additional 12 hours?

Lambs under 9 days may only be transported on one 12-hour trip with special provisions. These include sufficient space to lie down, individually loaded, not commingled with older animals, and being transported directly to their final destination. These under 9 day old lambs cannot go through an assembly centre (including an auction market).

Unweaned lambs aged 9 days or older may be provided adequate and appropriate FWR and then be transported again for 12 hours. The intent is to assure that these young lambs have the rest, hydration and nutrition they need so they are robust and ready for a second journey (maximum 12 hours each time), if one is required.

Refer to the IG, section 9 as well as the published " Is your calf fit for the trip" PDF which applies to other young livestock as well.

5. If lambs are transported with the dam, are they able to be transported for a longer period of time?

If the lambs are under 9 days of age, they may only go for a one-time trip of 12 hours of transport whether they are transported with the dam or not.

If the lambs are 9 days of age and older, and partially or completely dependent on milk or milk replacer for nutrition, then they are allowed a maximum of 12 hours in transport before having to stop on their journey to receive feed, water and rest. If they are being transported with their dam, they would still have to receive the equivalent feed, water and rest as would be required after 12 hours of transport to go for longer. Specifically, they would need to be able to suckle freely, to receive the FW to meet their nutritional needs, and able to lie down for rest on a stopped truck or a FWR location.

6. When do FWR times start?

Section 152.2(4) of the HAR breaks down the definition of what constitutes each of the 3 elements of feed, water, and rest. An interval begins:

- in the case of feed, when the animal was last fed
- in the case of safe water, when the animal was last given safe water
- in the case of rest, when the animal was last rested for a minimum of eight consecutive hours

A FWR interval begins when the animal last had access to the element. So as soon as one element (i.e. F, W or R) is not available to the animal, the time interval starts, and that element must be provided within the maximum interval. In most cases, all three elements (FWR) would be provided at that time to avoid multiple stops. For example: For group fed sheep, the feed time is when they last had access to feed before loading. If they have continued access to water after feed withdrawal right up until time of loading, the time for water begins at loading. For practical purposes, the maximum time an animal can go without FWR will be dictated by the element that the animal "runs out of time for" first. At that point usually FWR will all be provided as the transporter will not want to stop again when the maximum interval for "water" is reached at a later time.

Refer to the IG section 19 which provides additional information about this topic.

7. A two-year compliance promotion period has been given for industry to comply with the new FWR time intervals. What does this mean for the sheep industry?

The 2-year compliance promotion period (until February 20, 2022) is to be used to adapt and find solutions for those currently unable to meet the new FWR times in the regulations. If the regulated party can meet these times now, they are encouraged to do so. The FWR outcomes (not suffering from exhaustion, dehydration or a nutritional deficit) must still be met and CFIA will still act on serious animal welfare situations. It is important for the regulated party to be aware of and aim to meet these maximum intervals.

8. How do the FWR prescriptive times and the FWR outcome-based provisions in the regulations work together?

Both the outcome-based provisions and the prescriptive time provisions must be met.
Sheep/lambs in transport must be provided with:

- **feed** of an appropriate type for their species, age, and condition; and in amounts sufficient to prevent a nutritional deficit.
- **water** in amounts that are sufficient to prevent them from becoming dehydrated.
- **rest** that is appropriate for their age and condition to prevent them from suffering from exhaustion

The above are the outcomes to be met **AND** the prescriptive intervals are also to be met. Again, these are intervals that do not exceed 12 hours for compromised animals or lambs over 9 days old that are still dependent on milk or milk replacer for nutrition and 36 hours for all other sheep (those that are physiologically developed to the point they can get their nutrition exclusively from hay or grain).

If animals are at risk of becoming dehydrated, exhausted or of having a nutritional deficit prior to reaching the maximum time interval, the animal's needs take precedence and **the transporter must promptly take action to address these situations.**

What if a load contains a mix of adults and unweaned 2 week old animals, does the FWR for the younger animals prevail, i.e. 12 hours? Yes, the animals with the shortest FWR time interval dictates when the transporter will need to stop.

9. Where can FWR be provided?

Once the transporter determines that the animals must be fed, watered, and rested, this can be done by unloading the animals at a suitable FWR station/location or on board a stopped conveyance. Such a facility or conveyance needs to have sufficient supplies of, and give each animal access to, feed and water and must have sufficient space for all of the animals to lie down at the same time without

affecting the welfare of other animals in doing so. The conveyance or the facility must be well ventilated and held at a temperature that allows suitable rest and must provide the animals an environment that will keep them clean and dry, be well bedded and have secure footing. It is important to note that rest is not considered to have occurred while a conveyance is moving.

There are benefits and disadvantages to the provision of FWR at FWR rest locations versus on board those conveyances that are suitably equipped. FWR rest locations can provide adequate conditions and facilities but require that animals be unloaded and therefore handled. They are however required to address the animal's needs when the transport and confinement duration is prolonged. While providing FWR for animals on board a conveyance can remove the need for unloading, there are concerns regarding space, the quality of rest, weather protection, bedding cleanliness, safe footing, air quality, and feed and water access that remain.

10. Is there any situation where a transporter would be exempt from the 36 hours maximum time interval for sheep for feed, water, and rest?

If a truck/conveyance meets all the requirements for a "fully equipped conveyance" as listed in section 152.4 of the HAR, then the transporter is not required to meet the maximum FWR time interval, but they must meet the outcome based requirements. The requirements for a fully equipped conveyance include feed and water dispensing systems, environmental controls, and monitoring systems.

Isolation and segregation

11. What do isolation and segregation mean for sheep transport?

Isolation is used in two different sections of the regulations.

In section 140, *Compromised Animals*, there is a requirement for a compromised animal to be isolated. This means the **physical separation** of the compromised animal from all the others. The animal is to be separated from the others to ensure its safety. Sheep are timid herd animals and may become stressed when confined alone. There is an exception in section 140(3) in the regulations where a compromised animal may be transported with one other familiar animal as long as it is not likely to cause either animal suffering. The other option to consider is isolating the compromised animal in a way that it can visually see the other sheep.

In section 149, *Isolation*, there is a requirement to isolate incompatible animals. This means protecting animals in transport by selecting and confining animals together that are compatible for transport. Predictably incompatible animals are to be segregated or separated from each other to minimize the potential for injury, suffering or death of an animal due to aggression, trauma, social dominance, or other forms of harm. This could be one animal separated from the rest or two groups of incompatible animals separated from one another on the truck.

Examples of sheep transport situations where negative outcomes could occur and where segregation of sheep in transport should be considered include, but are not limited to:

- mature intact males that are likely to fight
- animals that have previously shown a pattern of aggressive behaviour
- dominant and submissive animals
- a ewe-lamb pair and other animals of significantly different size and weigh

Keep in mind that producers will know their animals best and the regulations are outcome based in this section to ensure the best decision is made. The above are examples only where resulting negative outcomes have been seen. It's up to those responsible for the welfare of the animals to ensure the animals are loaded to prevent injury, suffering, or death.

Unfit animals

12. Which specific conditions indicate a sheep is unfit for transport ?

Animals defined as unfit are **likely to suffer** during transport. They cannot be loaded or transported unless they are going for veterinary care under the recommendation of a veterinarian. Animals will be considered unfit if they are showing the following conditions:

- Non-ambulatory;
- Any fracture that impedes the animal's mobility;
- Is lame in one or more limbs to the extent that it exhibits signs of pain or suffering and halted movements or a reluctance to walk;
- In shock or is dying;
- Severe prolapse (uterus, rectal or vaginal);
- Signs of a generalized nervous system disorder;
- Labored breathing;
- Severe open wounds;
- Hobbled to aid in treatment of an injury;
- Signs of dehydration;
- Signs of hyperthermia or hypothermia;
- Signs of fever;
- Has a large hernia;
- Last 10% of gestation or has given birth within the preceding 48 hours;
- An unhealed infected navel;
- Gangrenous udder;
- Severe cancer eye (squamous cell carcinoma of the eye);
- Bloat with discomfort and weakness;
- Signs of exhaustion;
- Is extremely thin; or
- Has any other sign of infirmity, illness, injury, or a condition that indicates an animal cannot be transported without suffering.

The definition of unfit is in section 136 of the HAR. Each of these conditions is further discussed in section 7 of the IG.

13. Pregnant ewes within the last 10% of their gestation period are considered unfit for transport in the new regulations.

Giving birth during transport puts both the dam and offspring at risk. Heavily pregnant animals should not be loaded or transported except under exceptional circumstances. Animals with signs of impending birth such as engorged udders and red, swollen and stretched vulvas should not be loaded.

Regulated parties should be aware of the following:

- the normal length of gestation for the species being transported;
- the date of breeding;
- the signs of impending birth for the species of interest, especially if the date of breeding is unknown

Who is responsible if an animal gives birth during transport or if a ewe lambs at a slaughter plant?

This is not a black and white question, determining who "the person(s) who are responsible", or who contributed to an animal's suffering requires knowledge of facts and judgment. Again, all regulated parties (producer, transporter) are required to make decisions based on **the context of the specific situation**, the condition of the animal(s) in question, the intended transport and what options are available.

14. Can pregnant ewes within the last 10% of gestation be moved to lambing areas within the same farm to receive better care when they give birth?

Yes, the HAR (Part XII) do not apply to movements of animals on an owner's property. If the sheep must be transported on the road to get to a different property, then HAR (Part XII) does apply. Unfit animals such as ewes in last 10% of its gestation could still be moved to a nearby lambing area to receive better care when they give birth with veterinary oversight.

Is a letter from a veterinarian needed each time?
No, as long as there is a vet-client-patient relationship with their vet, and the vet recommends the practice and protocols. However, if a person requires a veterinarian's advice to make an educated decision each time about whether the ewe should be transported (i.e. likely to give birth during transport), then they need to seek advice from their veterinarian. As always, keep in mind that the intent of the regulations is to prevent avoidable suffering of animals in transport.

Compromised animals

15. Which specific conditions indicate a sheep is compromised for transport.

A compromised sheep or lamb is one with a reduced capacity to withstand transportation. The animal may exhibit signs of infirmity, illness, injury, or fatigue. A list of defined conditions that make an animal compromised are in Part XII of the HAR:

- **(a)** is bloated but has no signs of discomfort or weakness;
- **(b)** has acute frostbite;
- **(c)** is blind in both eyes;
- **(d)** has not fully healed after a procedure, including castration;

- **(e)** is lame other than in a way that is described in the definition *unfit*;
- **(f)** has a deformity or a fully healed amputation and does not demonstrate signs of pain as a result of the deformity or amputation;
- **(g)** is in a period of peak lactation;
- **(h)** has an unhealed or acutely injured penis;
- **(i)** has a minor rectal or minor vaginal prolapse;
- **(j)** has its mobility limited by a device applied to its body including hobbles other than hobbles that are applied to aid in treatment;
- **(l)** exhibits any other signs of infirmity, illness, injury or of a condition that indicates that it has a reduced capacity to withstand transport. (*fragilisé*)

* note that (k) is a wet bird and does not apply to sheep

Section 136 of the HT regulation contains the definition of what constitutes a compromised animal and the section 140 is on treatment of compromised animals. See chapter 8 of the IG for more information.

16. What provisions need to be taken for compromised sheep or lambs?

A sheep or lamb (or any animal) that is assessed as compromised must be:

- loaded and transported with care taken to minimize their suffering included being:
  - isolated
  - loaded individually without having to negotiate ramps within the convenience
  - provided any needed additional measures to mitigate suffering
- transported directly to the nearest suitable place, to receive care or treatment, or to be humanely killed, except to an assembly centre
- provided feed, water, and rest at a minimum every 12 hours

17. What are examples of "additional measures" that could be taken to protect compromised animals in the case of sheep?

Additional measures/special provisions appropriate for a given compromised sheep depends on the situation and the condition of the animal. Examples include, but are not limited to:

- using specialized loading and unloading processes
  - last on, first off
  - no ramp climbing within the conveyance
- providing the animals with additional bedding
- isolating the animal from others (or in some cases placing the animal in a pen with a familiar companion animal)
- providing additional climate control measures appropriate for the conditions
- taking measures to prevent hypothermia or hyperthermia (providing heat source, or boarding up some of the ventilation holes, adjusting stocking density)
- preventing dehydration

See species specific NFACC Codes of practices for sheep and other resource material for more information.

Commercial carrier

18. Am I a commercial carrier?

This term refers to those who operate a transport business or who are in the business of transporting animals for compensation. This is important as commercial carriers are the transporters that require **training** in the regulations. All other transporters are required to have the knowledge and skills to conduct the activity they are doing.

"Commercial carrier" is defined in Part XII of the HAR, s. 136 (1)

a) Examples of commercial carriers:

- carriers who own vehicles that are hired to transport animals
- owner-operators who contract an agent (employee) to transport animals
- large, vertically integrated companies with a transport division
    - for example: slaughter establishments that own vehicles they use to transport the animals to be slaughtered

This commercial carrier category of transporter is required to have training, knowledge and skills, a contingency plan, and records.

b) Examples of persons not considered commercial carriers but are transporting animals for financial benefit:

- a producer transporting their own animals to an assembly centre.
- a feedlot that transports its animals to slaughter

This category of transporter is not required to have training but are required to have knowledge and skills necessary to load, unload and transport sheep, a contingency plan and records.

c) Examples of persons not considered commercial carriers or transporting for financial benefit:

- a producer transporting their animal to a 4H exhibition
- a neighbor or friend who occasionally transports your animals in exchange for baked goods; or a producer moving sheep from pasture to a lambing barn.

This category of transporter is required to have knowledge and skills.

Contingency plan

19. What is needed for a contingency plan to transport sheep?

If you are a commercial carrier or if you are transporting animals in the course of business for financial benefit you need a contingency plan.

Pre-planned procedures to be used in the event of unforeseen transport events (e.g. an accident, inclement weather, or traffic delays). This plan will also include instructions about what to do if the

animal becomes compromised or unfit for transport while en route. Contingency plans should be realistic, practical, and focused on the prevention of animal suffering.

An example template is provided in Appendix 2 of the IG and further information can be found in section 5. Depending on the type and length of transport, contingency plans may be simple and short (transporting animals on a 1-hour journey) or need to be detailed and more extensive (commercial transporter moving sheep from western Canada to eastern Canada).

Transfer of care

20. When is transfer of care documentation needed?

When sheep or lambs are **left at any slaughter facility, or assembly centre,** the transporter must provide a written notice that the animals have arrived, along with a document specifying certain information about the load of animals, to the receiver. This is done to ensure the continuity of care for the animals and so the individual responsible for caring for the animals is always clearly identified. The format of this documentation is not specified in the regulations and may be in paper or electronic format.

Refer to the IG document section 20 - Transfer of care for additional information.

Records

21. Do I need an animal transport record?

If you are a commercial carrier or if you are transporting animals in the course of business or for financial benefit, you need an animal transport record. The regulation prescribes the information to be contained in the records:

- the name and address of the producer or shipper, the receiver, the transport company (if applicable), and the driver's name;
- conveyance information;
    - license/registration number
    - **usable** floor space in the conveyance or crate
- the date and place that the crates or conveyance were last cleaned and disinfected;
- the date, time and place where the animals were loaded;
- the number, description, and weight of the animals; and
- the date and time when the animals last had FWR.

The format of the record is not prescribed. The regulated party can choose how they want to do it.

Refer to the IG section 21.0 - Record keeping for transport (commercial carriers and those who transport in the course of business) for further information and appendix 4 for an example of a record template.

Training

22. Is there a special course I have to take to be considered "trained"?

No, there is no required course. The regulations require that all regulated parties must know what to do and have the necessary knowledge and skills to meet the outcomes required by the regulation. Only commercial carriers are required to be trained, but the type of training is not specified only the subjects to cover.

You need whatever knowledge to ensure the well-being of animals in your care as well as to ensure your own personal safety. The information can come from mentorship, formal training, or both.

The needs of sheep and lambs vary with age, health and production status, physiology, and the degree to which they have been socialized. The knowledge and actions you take must be appropriate for animals you work with.

Refer to the IG section 4 - Knowledge and skills for further information.

Assessment of risk factors and monitoring

This section is similar to best practices as described by NFACC sheep code.

23. What risk factors for transport should sheep producers and transporters be aware of?

All those involved in the transport of animals must assess:

- the animal's capacity to withstand the transport process;
- factors that could reasonably be viewed as likely to cause animal injury, suffering or death during the transport process; and
- the risks **prior to** loading, confining, transporting, or unloading animals.

Section 138.3 specifically lists risk factors that **could reasonably be viewed as impacting the animal's capacity** to withstand the process of transport:

- the current condition of the animal;
- a pre-existing infirmity, illness, injury or condition of the animal;
- the space requirements for the animal;
- the compatibility of the animal with any other animal;
- animal handling and restraint methods;
- the expected time that the animal will be without feed, safe water and rest;
- the expected duration of the transport and confinement of the animal in the conveyance or container;
- the foreseeable delays during transport and at the destination;
- the foreseeable weather conditions during transport;
- the foreseeable conditions that may be encountered during transport that could result in sharp inclines and declines, vibration and shifting of the container or swaying of the conveyance; and

- the type and condition of the conveyance, container and equipment.

Refer to the IG section 6 - Assessment of risk factors related to transportation and monitoring requirement for further information.

Space requirements

24. What stocking density should I use for sheep

The appropriate number of animals for a load depends on the type and size of the animal in question, the condition of the animal, the kind of transport vehicle, the temperature, the humidity, what other animals are on the load, and many other factors. Sections 147 (space requirements) and 148 (overcrowding) of the regulations list the outcomes (e.g. overcrowding occurs when an animal cannot maintain its preferred position or adjust its body position in order to protect itself from injury or avoid being crushed or trampled) that need to be met.

- Recommended loading densities and charts are provided in the NFACC Codes of Practice for some species. Remember that standard loading density charts apply to "ideal" situations: where fit, healthy animals are being transported under good conditions and should be used as a guideline. Each scenario must be evaluated case by case because there are many factors that impact these situations.

Compliance with HAR s.148 will be assessed by observing animals in a conveyance and evaluating if there is any indication of problems that occurred or were likely to be encountered due to overcrowding, such as animal to animal contact that results in:

- panting
- scrambling for footing, losing their balance
- animals forced to climb on top of each other
- restlessness or agitation
- distress
- panicking and injuring each other by jumping on top of each other
- injury
- death.

Refer to the IG section 15 - Overcrowding for further information.

Conveyances and containers

25. Does the transport vehicle I am using for my sheep/lambs meet the requirements of the regulation?

Acceptable conveyances and containers are designed, constructed, equipped, maintained, and used in a manner that prevents animals suffering, injury, or death.

In addition, the conveyance and the container, if the animal is within either, must:

- be suitable for the species of animal;
- prevent the animal's escape;
- provide adequate ventilation for each animal;
- provide a floor that prevents the animal from tripping, slipping and falling;
- be free of exposed bolt heads, angles or other projections;
- have secure fittings;
- contain absorbent bedding material in order to prevent pooling or escape of water, urine and liquid manure (such bedding may include sand, straw, wood shavings or other material);
- be cleanable (unless the conveyance or container is designed for one-time use) as a measure to ensure adequate biosecurity and disease prevention; and
- not be likely to collapse or topple over.

If using a container on a conveyance, the container must be secured to the conveyance in a manner that prevents it from moving during transport.

Refer to IG section 17.0 - Conveyances and containers for further information.

More Information

Refer to the CFIA's Humane transport and animal welfare page for further relevant and valuable information.

This communication document was developed by a sheep humane transport working group consisting of CFIA and sheep sector representatives.

Working Group Participants:

(alphabetical order)

Allan Ribbink – Canadian Sheep Federation (co-chair)
Anne Allen (Dr.) – Canadian Food Inspection Agency
Barbara Ydenberg – BC Sheep Federation
Chris Moore – Ontario Sheep Farmers
Corlena Patterson – Canadian Sheep Federation
Darlene Stein – Alberta Lamb Producers, National Sheep Network
Debbie Barr (Dr.) – Canadian Food Inspection Agency
Fred Baker – Ontario Lamb Producers Caucus
Gord Schroeder – Saskatchewan Sheep Development Board
Harry Elsinga – PEI Sheep Breeders Association
Heather Brown (Dr.) – Canadian Food Inspection Agency (co-chair)
Jennifer MacTavish – Ontario Sheep Farmers, National Sheep Network
Jennifer Woods – Alberta Animal welfare auditor and trainer
Liezel Kennedy – Saskatchewan Sheep Development Board
Marie-Odile Rozon (Dr.) – Canadian Food Inspection Agency
Morgan Moore – Manitoba Sheep Association
Pierre Lessard – Les Éleveurs Ovins du Québec
Ruth Mathewson – Canadian Cooperative Wool Growers and Canadian Sheep Federation
Sarah Johannson – Canadian Food Inspection Agency at
Ted Skinner – Canadian Sheep Breeders Association
Tom Lewis – Ontario Sheep Farmers
Virginie Rochet – Agriculture and Agri-Food Canada