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Chair: Mr. Kody Blois





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Thursday, November 9, 2023

• (0815)

[English]

**The Vice-Chair (Mr. John Barlow (Foothills, CPC)):** I call the meeting to order.

I understand from Mr. Perron that we'll have a little bit of committee business at the end of today's meeting regarding the documents from our grocery company, so we'll maybe deal with that at the very end of the second hour. With just two witnesses in that second hour, we shouldn't have a problem dealing with that relatively quickly.

Colleagues, welcome to meeting number 82 of the House of Commons Standing Committee on Agriculture and Agri-Food.

I have a few reminders for our witnesses.

Today's meeting is happening in a hybrid format. The meetings will be made available via the House of Commons website. Just so you are aware, the webcast will always show the person speaking, rather than the entirety of the committee.

Taking screenshots is prohibited. There will specifically be no taking of screenshots of our witnesses.

Members and witnesses may speak in the official language of their choice. Interpretation services are available for this meeting. If interpretation is lost, please inform me immediately. We will ensure interpretation is properly restored and we'll make sure you have sufficient time.

Before speaking, please wait for me to recognize you and then, if you are on video, click on your microphone or unmute yourself. If you're in the chamber, your microphone will be controlled by the staff here.

When speaking, please speak clearly and slowly for the benefit of our interpreters. When you are not speaking, your microphone should be on mute.

I remind you that all comments by members and witnesses should be addressed through the chair.

Colleagues, pursuant to Standing Order 108(2).... Just before I go to that, I guess we have a couple of substitutes today.

Mr. Shields is joining us for Ms. Rood. Welcome. It's certainly not your first rodeo. Welcome.

Ms. Mathysen is substituting for Mr. MacGregor. Welcome.

Pursuant to Standing Order 108(2) and the motion adopted by this committee on Thursday, October 19, 2023, this committee is resuming its study of electronic logging device requirements and animal livestock transport.

I would like to welcome the witnesses on our panel today. We have Dr. Raymond Reynen, past president of the Canadian Association of Bovine Veterinarians, who is joining us online.

From the Canadian Federation of Agriculture, we have Mr. Pierre Lampron and Mr. Scott Ross.

We have here with us in person, from the Canadian Sheep Federation, Corlena Patterson, executive director.

Thank you very much for coming.

To all of our witnesses, you'll have five minutes for your opening remarks and then we will start our rounds of questioning.

I will now invite Dr. Reynen from the bovine veterinarians association to start to start for five minutes, please.

• (0820)

**Dr. Raymond Reynen (Past President, Canadian Association of Bovine Veterinarians):** Thank you, Mr. Chair, and all members of the standing committee. The Canadian Association of Bovine Veterinarians, CABV/ACVB, is grateful to be granted the opportunity to present to this standing committee. Our association represents 759 veterinarians who are either in clinical practice, government, academia or industry, across all provinces in Canada.

ELDs, or electronic logging devices, are an effective tool to document service and driving hours. However, ELDs do not provide insight into occurrences during those hours that may necessitate flexibility in the enforcement of regulations. This lack of flexibility will then place drivers in a difficult position: Either the drivers comply with the hours of service regulation by going off duty, or they do what they know is right for animal welfare and get the cattle to their planned unloading site.

The vast majority of animal trailers are passively ventilated, so when the trailer is not in motion, the cattle will not receive appropriate airflow to ensure ideal ventilation rates and temperature control for the cattle. This is a threat to animal welfare.

The Canadian animal transport industry is carefully planned to follow all transportation guidelines. Nonetheless, adverse road and weather conditions, traffic accidents, border crossing delays or delays at packing plants cannot be planned for. It is for these inevitable delays that we are seeking flexibility in the use of ELDs to ensure the well-being of the animals being transported.

The CABV is hoping that a threat to animal welfare will be considered as an emergency situation and then will be covered under section 76 of the hours of service regulations. This will then provide clarity to enforcement officers, peace of mind to animal haulers, and, most importantly, not impair the welfare of cattle in Canada.

Cattle welfare is of paramount concern for the CABV. Hopefully we can attain some clarity of definitions and flexibility in the enforcement of hours of service with ELDs to ensure we maintain the highest level of welfare for cattle in Canada.

**The Vice-Chair (Mr. John Barlow):** Thank you very much, Mr. Reynen. That was short and to the point. I appreciate that.

Now we'll go to Mr. Ross for five minutes.

**Mr. Scott Ross (Executive Director, Canadian Federation of Agriculture):** Thank you for the opportunity to speak today.

My name is Scott Ross. I'm the executive director of the Canadian Federation of Agriculture. I should be joined shortly by our vice-president, Pierre Lampron, who is a dairy farmer from Quebec.

The CFA is Canada's largest general farm organization. We represent over 190,000 farmers and farm families across Canada. They are the heart of the Canadian agri-food system, generating \$135 billion of Canada's gross domestic product.

The concern farmers and ranchers have with electronic logging devices is not about hours of service but about recognizing the unique accommodations and flexibility required for the humane transport of animals. Our cargo, unlike freight, has unique temperaments that can lead to challenges and delays in getting the animals loaded or unloaded. Due to this, sometimes it takes longer to load a particular group than was planned. This can see the ELD beginning to calculate hours of service well before animals are loaded, putting unrealistic time constraints on farmers and drivers.

Drivers take their jobs very seriously, and animal care is a big part of transporting live cargo. Patience and attention to detail are crucial for animal transporters. Drivers hauling live animals cannot simply pull into a rest area and go off duty if they unexpectedly cannot get to their destination within their hours of service. Most of our livestock trailers are passively ventilated, which means the load cannot remain stationary for prolonged periods of time; it must be kept moving to attain optimum airflow and temperature control.

The issue at the heart of the matter is that unforeseen delays or events coupled with the functionality of the ELDs and hours of service can lead to animal welfare issues. These unforeseen situations can include adverse weather, traffic accidents, border crossing delays, road closures and breakdowns at processing plants that can hold up loading times.

We are not seeking a blanket exemption from ELDs or hours of service, but instead flexibility in enforcement of hours of service

when unforeseen circumstances arise. We cannot leave drivers in difficult situations when doing what's best for animals would see them fall out of compliance with hours of service regulations.

As it stands, the commercial vehicle drivers hours of service regulations permit drivers to extend the driving time allowed during adverse driving conditions or emergency situations in order to reach their destination for the safety of the occupants and the security of the load. However, it's unclear whether this includes animal welfare considerations, leaving the matter open to interpretation by individual officers.

Ideally, Canada would align with U.S. transport regulations and provide an exemption for animal transporters from drivers' on-time duty within a 240 air-kilometre radius of their load's origin and destination. This would not only align regulations on both sides of the border but would also recognize the unique considerations needed when transporting live animals.

However, this regulatory alignment could take time. In the interim, we need immediate guidance for all enforcement officers that clearly states that animal welfare issues are defined as emergency situations in subsections 76(1) and 76(2) of the commercial vehicle drivers hours of service regulations.

There are precedents for such treatment, with the Canadian Food Inspection Agency accommodating infrequent unforeseen events in their enforcement of feed, water and rest intervals.

Both driver safety and animal welfare need to be considered. This requires an interdepartmental solution from Transport Canada, Agriculture and Agri-Food Canada, and the Canadian Food Inspection Agency.

Thank you for this opportunity to speak today. I would be happy to answer any questions you might have.

● (0825)

**The Vice-Chair (Mr. John Barlow):** Thank you very much, Mr. Ross. I appreciate your comments.

Now we go to Ms. Patterson for five minutes, please.

**Ms. Corlena Patterson (Executive Director, Canadian Sheep Federation):** Good morning. Thank you. It's an honour to present our insights to this distinguished committee today.

My name is Corlena Patterson. I'm the executive director of the Canadian Sheep Federation, a position I've held for over a decade. I'm here to share the realities and challenges faced by our particular sector due to the implementation of ELDs in commercial livestock transportation. We're grateful for this opportunity to speak to you, despite today being Ottawa's first pop quiz on winter driving.

Despite its quiet profile, our industry plays a significant and dynamic role in Canada's agricultural tapestry. Our sector boasts close to 12,000 farms, ranging from eco-conscious scaled operations to substantial commercial enterprises. In fact, the community of sheep farms in Canada outnumbers that of dairy farms and is on par with those of pork and poultry farms put together.

Our industry's profile necessitates the long-distance transport of live animals from their rearing locations to their processing sites. With 80%, or the majority, of our processing occurring at provincially inspected facilities, we're compelled to move live animals for long distances across the country to get them near to the ultimate market destinations.

A recent environmental impact assessment of our supply chain that we did in conjunction with Clarkson University conservatively estimated that to transport approximately 275,000 head of sheep and lambs to various processing centres, our haulers covered over 914,000 kilometres. These figures are based on StatsCan numbers, which we know tend to underestimate the size and scope of our industry. Our own administrative data suggests that the real number pushes closer to 900,000 head, and this would mean that our haulers traverse three million miles to ensure our animals reach their intended processing sites. These numbers emphasize the critical nature of efficient and effective transportation in our sector.

Based on the complexities and the nature of the animals, the transportation of live animals is in stark contrast to that of moving inanimate goods, as I'm sure you've heard from many who have spoken to you through this hearing. Delays are inherent in the loading and unloading processes and in transportation events. They arise from the temperament of animals, welfare-oriented loading and unloading practices and delays along the route. Such delays cut into drivers' hours of service and can lead to unplanned stops, which further complicate adherence to humane transportation regulations. The potential for ELDs to count these non-driving hours towards total hours of service is a major concern.

The U.S. policy that exempts commercial livestock haulers from on-duty time within 150 miles of departure and destination sites is a recognition of these anticipated delays that are early and late in that transportation event. Such measures understand the intricate realities of animal transport and the necessity for regulations that are tuned to the industry's unique challenges. Similar Canadian exemptions would buffer against these unpredictabilities and safeguard animal welfare, ensuring compliance isn't compromised by variables outside of haulers' control.

Moreover, we have to understand the potential of negative public reactions to the sight of animals appearing to be in distress in

haulers that are parked at rest stops along the 401. This concern goes beyond mere compliance; it's about the balance between maintaining regulatory standards and the agricultural sector's public image. The delicate balance underscores the need for thoughtful and flexible regulatory frameworks.

We recognize the significant role that transport plays for us, so we place the highest emphasis on animal health and welfare. Sheep react differently to transportation events than some other species do, so to ensure our practices are reflective of this, we've invested heavily in research to objectively validate welfare during transport. Our innovative approach has led to the development of artificial intelligence systems designed to actively assess, monitor and report on the welfare of animals in real time during that transportation event. The system not only substantiates stress levels but can also signal welfare issues to haulers and drivers as the issues arise. It can also validate the need for an exemption should drivers need to exceed their hours of service.

We also feel we have additional mechanisms that can support accurate logging of drive times for livestock transport. We have incoming traceability regulations that necessitate that every shipment, including that of sheep, is accompanied by movement documentation, which, by virtue of that regulation, requires that we mark departure and arrival times at sites.

Our latest innovation in that traceability field and the design of our AgroLedger traceability system transforms those records to digital and uses blockchain technology for the management of the data. This advancement not only allows the real-time recording of transport events [*Technical difficulty—Editor*].

● (0830)

**The Vice-Chair (Mr. John Barlow):** I'm sorry, Ms. Patterson, but we have Mr. Lampron on. I think he's testing his sound.

I'll pause your clock for one second.

**Ms. Corlena Patterson:** I know Pierre, so I won't take it out on him later.

**The Vice-Chair (Mr. John Barlow):** He owes you a glass of wine afterward.

**Ms. Corlena Patterson:** He does. Pierre owes me one now. I always like when the dairy guys are beholden.

As I was saying, our latest innovation, the AgroLedger traceability system, takes these records from paper to digital and uses blockchain to manage that data. The advancement not only allows for real-time recording of transport events but ensures the integrity and permanence of that data. Moreover, it facilitates immediate access to authorized personnel, such as transport departments, to verify that information. It ensures that the data is tamperproof and available on demand. It exemplifies our commitment to transparency and excellence in animal welfare during transportation.

When we consider the transport of live animals, it's imperative to advocate regulatory flexibility that acknowledges the intrinsic differences between living beings and inanimate cargo. Much in the same way that we have distinct licensures for drivers based on their cargo, be it TVs or people, it is essential to tailor transport regulations to reflect the unique needs of sentient animals during transit. This is not merely a logistical consideration but a fundamental aspect of animal welfare. The well-being of these animals must be at the forefront and transcend the mere movement of goods to ensure that the journey from farm to market honours the life and integrity of the livestock we're entrusted to look after.

Thank you.

**The Vice-Chair (Mr. John Barlow):** Thank you very much, Ms. Patterson. Again, I apologize for the interruption.

Pierre, now you know you have to.... On a morning like this morning, maybe a couple of dozen coffees and Baileys will make up for it, if that works for you.

Now you're quiet.

Thanks to our witnesses.

We will now move on to the questions. The first six minutes are from Mr. Shields.

**Mr. Martin Shields (Bow River, CPC):** Thank you, Chair.

Yes, it's an interesting morning when the snow falls for the first time. Then it turns to ice.

I have questions for the witnesses.

I think most of you have identified two things: the definition and the flexibility. In my mind, it's about how we can clarify that definition. One of the things that I'm very familiar with is the integrated market for the livestock industry in the U.S. and Canada.

I'll start with the vets. When we're talking about flexibility in an integrated market, how does travel in our cattle industry in particular...? When you're looking for a definition of "flexibility" that fits the integrated market in the U.S. and Canada, what does that mean for you and the vets?

**Dr. Raymond Reynen:** We still want all the rules to be followed on both sides with the truckers going both ways. We don't expect that Canada just all of a sudden will follow all the Canadian rules, but we do expect that they will try very hard. We're just hoping that people are cognizant of the unforeseen events that could occur and have the flexibility to deal with them.

• (0835)

**Mr. Martin Shields:** The Canadian Federation of Agriculture talked about the same thing, the definition. How would you define "emergency"? That's the challenge, in a sense, when we have enforcement and we have a variety of people in an integrated market on both sides of the border and we have truck drivers on both sides of the border driving both ways, and it's the same truck driver. How do we get a definition that is going to work?

**Dr. Raymond Reynen:** That is a major struggle, and that was a main focus of our submission.

Because the vehicles are passively ventilated, ventilation is a serious problem when they're stopped. I would like to have it recognized once they're stopped, regardless of temperature, because when you start putting a temperature rule in, it just gets goofy.

Being at a stop is a threat because of the way they're ventilated, and if we start limiting air supply during warm weather, that is a problem. I would like it to be recognized that animals loaded in a vehicle parked on the side of the road are in an emergency to their welfare.

**Mr. Martin Shields:** Thank you.

Mr. Ross, I'll ask you the same question.

**Mr. Scott Ross:** I would suggest that one point that's important to note here is that we're not necessarily talking about extensive periods past the hours of service limits. This is a small amount of time.

When it comes to flexibility, we look at the commercial vehicle drivers hours of service regulations. They already incorporate some flexibility around emergency situations, so this is not a fundamentally new approach; it's simply making sure that there is language specific to animal welfare considerations in the definition of emergency situations.

It therefore doesn't really fundamentally change how we approach the issue of flexibility; it just ensures that officers, when looking at their guidance and understanding what constitutes an emergency situation, also factor in those animal welfare considerations.

**Mr. Martin Shields:** Hence, some explanation of what an emergency is, and maybe some training, would be an advantage. It's an understanding of what "emergency" means so that enforcement looks the same, whether you're in Nova Scotia or British Columbia.

**Mr. Scott Ross:** Yes. We would always be in favour of national consistency. Training is an absolutely critical component of that, certainly.

**Mr. Martin Shields:** Thank you.

Ms. Patterson, for a little more on the question, I know, for example, that sheep are shipped from my riding to Ontario. This is not the issue of capacity; this is the issue of the market.

When the sheep in my area were shipped out by the producer, that producer was looking for the best market price. It wasn't the capacity they were talking about. It's the market price that can sometimes dictate long hauls in this country, right?

**Ms. Corlena Patterson:** It is, in fact, to an extent, a function of that capacity to process, and that really does dictate market prices. In the east, they will pay more for animals. That is where the processing facilities are, so there's an opportunity to do that. There's less transport involved and it's easier to get them to that marketplace. In the west, it's a lower price because of the transport and the "shrink" involved in getting them across the country.

On the capacity issue, if you had the capacity to process where you were and move meat as opposed to moving live animals, we would see a differentiation in the price paid to a western producer versus the price paid to an Ontario producer. It is what we have often argued in the price-versus-location argument.

I would argue that it's not always about the price. The price is driven by where the processors are. That's where they need sheep and that's where they pay for them to come to, but they have to come from somewhere, and there aren't enough in that jurisdiction to supply the demand that they have.

We can't process in Manitoba. We can't process in Saskatchewan. We can't process in B.C., New Brunswick, P.E.I. or Newfoundland and get those lambs and those sheep—not the live animals, but the meat—to any other province in the country.

**The Vice-Chair (Mr. John Barlow):** Thank you, Mr. Shields. Your time is up.

Now we'll go to Mr. MacDonald for six minutes, please.

**Mr. Heath MacDonald (Malpeque, Lib.):** Thank you, Chair. I am going to go to Ms. Patterson.

I'm interested in hearing a little more about your blockchain database and some of the benefits you could tell us about in relation to the blockchain database, because it's really the first time I've heard about it in this committee.

• (0840)

**Ms. Corlena Patterson:** We would love to, because it's our favourite subject.

As a national industry organization representing primary producers, as my counterparts know, it becomes our role to deliver traceability. "Deliver" means getting producers engaged and participating, but it also means helping ensure that the government's regulatory requirements are upheld and met.

What that means in the Canadian context is that the government makes the regulations and says, "Here are the traceability regulations. Industry, make it happen."

We have been involved in that because we've had mandatory ID in the sheep industry since 2004. We've been involved in delivering traceability for that amount of time. Traceability has evolved from simply tracking where animals go for reasons of disease response to tracking everything about that animal—tracking for export purposes, for product assurances and for disease monitoring.

I sit on Canada's FMD working group, the working group for foot-and-mouth disease. We just had a large discussion yesterday about whether we are going to use vaccines and about a vaccine strategy: How do we know which animals have been vaccinated? How do we know when to depopulate? It gets very complex. It's more than just looking at where they went; it's about the things that happened to that animal in its life that are important to somebody further down the chain.

In our mandate to deliver traceability and also to wrap all of those requirements into it, we felt that what existed in Canada—no disrespect to my counterparts—wasn't sufficient to do all of that in a single system, which is really where it needs to live, so we built a new technology from the ground up at the Canadian Sheep Federation.

You'll be surprised to hear "the Canadian Sheep Federation", "blockchain" and "artificial intelligence" all in the same discussion.

We built a tracing system. At its core, it is designed to meet, and does meet, regulatory requirements for disease tracking. On top of that, it meets our industry's need to scan the tag and know something about the animal. When we challenged the industry to say what it needs from it, that's it.

Now, every player has a different need with regard to the data that it finds. However, the goal of our technology and our work in traceability is to create a system, an integrator of information about that animal, to affix that information, such as whether it's certified disease-free for export or is on an insurance program to meet some product-free requirement from an exporting country. All the data that we collect becomes part of the animal's history as the animal moves through the supply chain. By virtue of traceability, we connect one player to the next player, and we move that information with the animal.

We started working on this in 2019. We did a use case study with the community of federal regulators and the CFIA shortly after that, and that solidified that blockchain would be the best fit for livestock traceability. It's been uphill-downhill since then.

With regard to that system, that technology that we've built, we've now submitted a proposal to the CFIA for it to be the system used in the regulated space for traceability in Canada.

**Mr. Heath MacDonald:** That was my next question: Do the regulators have access, or will they have access, to this database?

**Ms. Corlena Patterson:** Absolutely. Within that regulatory requirement, we're collecting regulated data on behalf of the government and sharing it with them. We have to bring everybody up to speed, and blockchain means that we don't have to transfer new data; it means that you can tap into the data, with permission, and see it. We'll get everybody to that understanding of blockchain eventually.

In other words, yes, it will be there to support their traceability requirements.

**Mr. Heath MacDonald:** Maybe I'll go to the CFA on this one, just to have their input on what's taking place with what Ms. Patterson's group is doing.

Mr. Ross, are you looking at this type of system that could alleviate some of the concerns for other sectors that are using ELDs?

**Mr. Scott Ross:** I'll let my colleague Pierre also respond to this.

I would suggest that from a traceability standpoint, we're always in favour of strong traceability systems and we think that they certainly do add value wherever possible.

At the CFA, we tend to not get directly involved in the commodity-specific elements required and involved in developing those systems. While we certainly are in favour of anything that helps streamline the supply chain and provides more clarity, transparency and consistency, there are a lot of sector-specific considerations on how you implement traceability models. I think that's something that we're always very cognizant of.

However, writ large, at the highest level, it's certainly something that's always an added benefit to the supply chain.

Pierre, is there anything you would like to add to that?

[*Translation*]

**Mr. Pierre Lampron (Second Vice-President, Canadian Federation of Agriculture):** Thank you, Mr. Ross.

Traceability is very important for producers and consumers because it helps maintain confidence in our products. We take pride in our productions, but traceability is very important. We are quite diligent about the traceability of the product all the way to the abattoir, but it could be even better. We urge every link in the chain to ensure that traceability with help from the government.

• (0845)

[*English*]

**Mr. Heath MacDonald:** Thank you.

In regard to the ELDs—and maybe this goes back to CFIA again—we've seen cyber-attacks, obviously. With the traceability and the program Ms. Patterson introduced, what security is there around our regulators regarding ELDs and cyber-attacks?

**Mr. Scott Ross:** I'm not familiar with the protections that are in place.

I know that when it comes to the traceability systems referenced by Ms. Patterson, certainly blockchain technology has some fundamental privacy protections embedded in it. These are intended to protect information and ensure there's confidentiality.

I'm not in a position to speak to the regulatory protections the government may have in place. It's not something I'm familiar with.

**Mr. Heath MacDonald:** Thank you.

**The Vice-Chair (Mr. John Barlow):** Thanks, Mr. Ross.

Thank you, Mr. MacDonald.

[*Translation*]

Mr. Perron, you have six minutes.

**Mr. Yves Perron (Berthier—Maskinongé, BQ):** Thank you, Chair.

I thank the witnesses for being here this morning.

Mrs. Patterson, in your presentation, you talked about the blockchain technology and your AgroLedger traceability system. That is very interesting. I think that this path should be explored further.

You said that we need to think about public reaction and the public image of our producers when there is a stop during transportation.

Could you elaborate on that?

[*English*]

**Ms. Corlena Patterson:** Yes.

Livestock haulers don't have specific rest areas where they might pull over. If they've maxed out their hours of service, they use whatever facilities are available. Feed, water and rest are few and far between, and they are ill-equipped to accommodate truck drivers versus the livestock.

The concern is this: Those trucks pull over into truck stops, just like cargo and freight trailers do, and sit there.

Folks were talking about passive ventilation; if it's 30°C outside and all pavement.... I travel the 401 far too frequently, and it's nightmarish at best. Those truck stops are very crowded with trucks and with the general public, and the general public get out to stretch their legs and walk around.

Now you have a trailer full of animals at 30°C with no ventilation, stopped because it has maxed out its hours of service and there's no other place to do it. People look at the animals and become concerned and try to give them water, or they go to the truck driver and say, "What are you doing? There's a problem. You need to do something about it."

Do we want that truck driver to say, "The government makes me do it?"

[*Translation*]

**Mr. Yves Perron:** Thank you very much for that excellent response.

Essentially, the priority has much more to do with animal welfare than public image.

During previous meetings, representatives from organizations that work for animal protection shared their concerns with us. They fear that making the regulations more flexible will only make the transportation distances longer on a regular basis. This would pose a risk to animal health.

From what I understand, the opposite is true.

Do you have any comments to add?



[English]

**Ms. Corlena Patterson:** My argument is that the challenge with the ELDs' max service means we can't meet those regulatory requirements.

If you're stopped on the side of the road because you've maxed out your hours, the animals are on the trailer. That adds to your total feed, water and rest interval time. Now you can't make it to a rest stop. You have no way to oblige the federal regulation around humane transport.

In fact, our argument and our concern with the ELD policy for livestock transportation is that it won't allow us to keep our obligation to provide feed, water and rest intervals. Most of our sheep will make it from Manitoba to Toronto in a single trip because we have nowhere to feed, water and rest them.

Our industry is already designed to work around and respect those regulations. The risk is that these logs may mean that we can't respect those regulations. We push back on these driving logs because we want to ensure that we're respectful of the welfare of the animals.

[Translation]

**Mr. Yves Perron:** Thank you very much.

You noted the importance of increasing processing capacity in the different regions. There could be government measures to promote the creation of more small to mid-sized processing plants. They would not replace the big plants, but could be complementary to them.

Do you think this could also help significantly reduce the problems around transporting the animals and their well being?

• (0850)

[English]

**Ms. Corlena Patterson:** Absolutely.

The study we did on the comparative environmental impact assessment of our supply chain was partly to help inform the discussion around how moving to more regionalized, smaller-scale processing means we could move more meat than we do live animals. We can put more meat in a trailer than we can live animals.

Plus, when you move long distances, you have “shrink”. They've consumed resources that disappear in transport because of the stress, and you need to feed them again, so you double that 10% of resources into the animal.

Yes, I absolutely agree: It wouldn't just mitigate the need to transport live animals, but our study suggests that by improving regional processing capacity, we could reduce our carbon footprint strictly from trucks and shrink by 14%.

[Translation]

**Mr. Yves Perron:** Thank you very much. That is a very good response.

I am very pleased to meet you, Mrs. Patterson. We had not spoken yet. I will give you my card.

Mr. Lampron, could you add a few comments on the same topic?

**Mr. Pierre Lampron:** Thank you for the question.

There is no doubt that access to regional abattoirs could vastly improve the situation. Another direction was taken with the decision to close many of them. That is why the regulations need to be eased a bit to make it possible to reopen some of the regional abattoirs.

We are certainly in favour of the transportation regulations. What we are asking for is to ease them somewhat to buffer against the unpredictabilities. Livestock transporters have animal welfare at heart. They plan their work for things to go smoothly, in compliance with the law.

However, when something unforeseen happens, the animals should not have to suffer because of the regulations. That is why we are calling for some flexibility in the regulations, which should be aligned with those in the United States. In that country, there is some flexibility with respect to on-duty time for livestock haulers within a 240 km radius of departure and destination sites.

**Mr. Yves Perron:** Thank you very much.

**The Vice-Chair (Mr. John Barlow):** Thank you very much, Mr. Perron.

[English]

We now go to Ms. Mathysen for six minutes, please.

**Ms. Lindsay Mathysen (London—Fanshawe, NDP):** Thank you. Thank you for allowing me to visit this lovely committee. I appreciate the time.

I did want to ask something and continue on from where Mr. MacDonald was headed in talking about that AI technology.

You said that you were starting to share that with other groups and were looking to the CFIA to take leadership on that or to share it. I was able to tour with the Ontario dairy farmers, and they were showing us the technology that they use for traceability, for tracking. Is it similar? Are the Sheep Federation and the dairy farmers association working together in that technology and on requests from the CFIA, Ms. Patterson?

**Ms. Corlena Patterson:** As livestock sectors, there are not many of us. There are five or six. We all sit in the same room very frequently.

When it comes to traceability, we all work and pull together about regulations and, to a certain extent, around technology. This is identifying animals for the purpose of traceability, because traceability is about identifying the animals, identifying the places and then identifying when the animals go to places and tracking that so that you can move backwards and understand who and what may be involved if there is a disease outbreak.

From a technology perspective, our trace system is blockchain-based, and we built it for ourselves. We'd be the first industry in the livestock sector to bring it in at that scale. There have been lots of pilot projects.

We are certainly open to sharing that experience with anybody who is interested in exploring it, but we don't want to.... I don't want to call it stealing market share and we're not all competing in a traceability database space, but....

We'll do it. The great thing about being a quiet eco-conscious industry—I won't call us small, as that's my least favourite word in the world—is that it's a great testing ground for how successful this might be in a regulated space.

In terms of ID, what I think you were talking about was the RFID technology that identifies the animal, which is a pillar of that. We use RFID technology. It's still slow if you want to have traceability reporting move quickly and efficiently and reduce the administrative burden on stakeholders in doing the reporting.

Our AI tools started with using facial recognition of livestock as the form of ID so that you could capture information about the animal autonomously. We designed ours to work from a cellphone. You can ID them from a cellphone, a networked camera and a high-volume intermediate site that captures the ID, takes date stamps and time stamps and geolocates the event. That's the vast majority of movement reporting.

Although I'm often looked at it like I have three heads and people question the sanity when I say I want facial recognition for sheep, the reality or the goal is to move toward autonomous data collection in that field to alleviate the work that people have to do. The push-back we've always seen around tracing has never been about whether a traceability system is important. Everybody fundamentally agrees with that. All the push-back to the regulations has been on how hard all of that is going to be to do with the technology we have. I just feel that someone should have spent the 10 years looking more at how to fix the technology issue that made it difficult rather than being overly concerned about how difficult it might be.

• (0855)

**Ms. Lindsay Mathysen:** That was coming into my next question. It seems that one side—your organization and maybe others—is far more ahead of the game. When the regulatory bodies, the government bodies, are receiving that data, they are not at the same level.

**Ms. Corlena Patterson:** Yes. Even the regulation will allow seven days to report any movement. Now, under the future regulation, it's 30 days, depending on which sector you're in and what type of event you're reporting, but even seven days in a foot-and-mouth disease outbreak is a lifetime of disease moved around, if you really look at the demographic patterns of livestock movement.

With integrated systems like pork, it might be easier to predict patterns and understand where those movements are going, but in the beef industry—like the cow-calf operation—and the sheep industry, our livestock movement demographic study suggests there are two million movement events out of fewer than a million ani-

mals in a year. If we're waiting long periods of time to do it, it's too long.

Even with the regulation, it's too much. The goal is to get to that autonomous piece so that we take time, people and data entry out of the equation and nobody even knows they reported traceability—it just happened and we were successful.

Our hope is to move that out past our own sector and make it available. Somebody has to start, so we took it on. We're going to accommodate anybody else who is interested in partnering or exploring and looking at the technologies.

**Ms. Lindsay Mathysen:** I can open this up to whoever wants to answer.

The last line of questioning referenced the slaughter and production facilities. There is a desire, of course, for an increase in the capabilities in the actual facilities themselves. We certainly saw throughout COVID that it was a huge problem.

What is required or what is industry asking for overall from the federal government that can go into a report that would come out to help with that specifically?

**Ms. Corlena Patterson:** In our sector, we've always called that transition from provincial to federal inspection the kiss of death. The seasonality and the size of our sector means that federally inspected facilities, which carry a higher regulatory and cost burden to maintain them, have difficulty surviving.

For us, it wouldn't even necessarily need to be giant investments in the infrastructure—the physical buildings that do the processing—as much as it may be simply alleviating those interprovincial trade barriers around meat moving between provinces. We saw exemptions for this during COVID.

I understand there's work there, but for us, I think that really solves it. Then you just open the door for industries and sectors—well, not sectors; we don't do always do our own processing—and groups that want to get into it to understand that they can maintain a sustainably sized processing facility in their area and serve their community but still move the meat to where the major market is.

Our markets for lamb are Vancouver, Toronto, Ottawa and Montreal, but raising sheep around the Ottawa Valley.... I don't know if you've tried to buy a house near Ottawa lately. I live in the region. You can't really afford to put livestock on acreage that is worth \$100,000 an acre. You move it elsewhere.

**The Vice-Chair (Mr. John Barlow):** Thanks, Ms. Patterson. Thanks, Ms. Mathysen, for your questions.

We'll now move on to the second round.

We'll start with the Conservatives and Mr. Steinley for five minutes, please.

**Mr. Warren Steinley (Regina—Lewvan, CPC):** Thank you very much, and thank you, everyone, for being here.

I just want to get it on the record to make it clear to everyone that there are vehicles and trucks on the road right now that don't have ELDs. There are trucks still on the road and in service that don't have the technology to use ELDs. They are still using paper log-books.

Is that correct?

• (0900)

**Ms. Corlena Patterson:** Yes. Although there were regulations that were required to be implemented by a certain date, I suspect there still are some making that transition. I would suspect it.

**Mr. Warren Steinley:** Scott, is that what you hear as well?

**Mr. Scott Ross:** It's my understanding as well, yes.

**Mr. Warren Steinley:** I'm just going to summarize some of the testimony we heard today.

I'm hearing that there needs to be more clarity. One recommendation that should probably come out of this committee would be to look at subsections 76(1) and 76(2) and make sure that the idea of animal safety will be taken into consideration in unforeseen circumstances. I would just like to get everyone to nod heads in agreement that this would be one of the recommendations that you expect from this committee.

A second one is something we've talked about. Obviously, regulations are a bit harder to change, and it's through Transport Canada and Agriculture and Agri-Food Canada. Another thing we would like to see is more integration with what is going on in the U.S.A. We've heard that from the Canadian Federation of Agriculture.

I would like to know if your group has submitted anything to Transport Canada or Agriculture and Agri-Food Canada that is looking at trying to integrate some of those regulations.

The cross-border treaty we have with our largest trading partner, the U.S.A., is obviously significant, especially in the livestock sector. I'm wondering if you've had conversations with departments. If you have, how has that gone? Is your group planning to do a submission and have more conversations to make sure we can get those regulations more integrated with the U.S.A.?

**Mr. Scott Ross:** Yes. We have made submissions to the government, to Transport Canada, with respect to the needs on this front.

I would say that there are two components, one being the long-term need to harmonize regulations around that 240-kilometre radius, but the more immediate element we're talking about is more about guidance. It doesn't actually require a regulatory change.

Those conversations have been ongoing. I would suggest that they're not over yet. There's more to be done there, but we certainly have made this point very clear for some time now, and we continue to suggest that it is the most workable solution in front of us today.

**Mr. Warren Steinley:** Thank you very much, Scott.

We did have Transport Canada here. They said there's an inter-provincial committee that looks at those guidelines for commercial

vehicle hours of service. That committee would need to have meetings to come together to make sure there would be changes in those guidelines.

Has your group or any group submitted a request to that committee to have animal safety in unforeseen circumstances in those guidelines? If not, I would really urge you guys to do a submission to that interprovincial committee that reviews the commercial vehicle hours of service. Has anyone had conversations with that group so far?

**Mr. Scott Ross:** I can't speak to the broader network of organizations that are working together. There is a whole host of us working together on this, recognizing that this is of shared import for the entire livestock industry. I can't comment on what others have done.

Certainly the substance of that ask has been put forward to the government, with the understanding that whatever is required to make that happen is a reality, but I take your point. We can take that back and look at it further.

**Mr. Warren Steinley:** Thanks, Scott.

Next is Corlena.

**Ms. Corlena Patterson:** I have just a comment. We haven't submitted to the committee directly, but the national livestock groups have been working on this for over a year. We have a group that has met quite routinely and has communicated and met with both the agriculture and transport ministers' staff to discuss the issue.

It would be critically important, and here is why. On the guidance around whether that's an animal welfare issue, the inspectors are transport department inspectors, not animal welfare people, and the concern when you leave it to just guidance is that it becomes very subjective.

The gold standard would be a change in the regulation and, in the interim, some strong guidance. At a very minimum, the livestock sectors support Animal Health Canada's CLT division, Canadian Livestock Transport, which trains truck drivers on humane transportation.

If we want to provide guidance to Transport Canada folks in determining if there's an animal welfare issue, I see a great fit for them to be taking the training. I think we created a second tier for inspectors—government inspectors or whatever—to learn about what humane transport is through that. At a minimum, I would really encourage the committee to consider having inspectors use that as education on guidance.

**Mr. Warren Steinley:** That's perfect. Thank you very much. We'll make sure we have that in the recommendations.

**The Vice-Chair (Mr. John Barlow):** Thanks, Ms. Patterson.

Thank you, Mr. Steinley.

Now we'll go to Mr. Drouin for five minutes, please.

**Mr. Francis Drouin (Glengarry—Prescott—Russell, Lib.):** Thank you, Mr. Chair.

I obviously want to thank the witnesses who are before us today on this important issue.

My questions will start with Dr. Reynen. I have some questions with regard to animal welfare.

We do find ourselves in a bit of a conundrum between CFIA regulations. With fully mature or weaned bovine, the maximum hours of transportation before a stop are 36 hours. With ELDs, we're saying 12 to 13 hours. There's a bit of flexibility, but if we were to add that clarity at 276 kilometres, we could say that's another extra three hours.

I am supportive of more clarity from ELDs. I am supportive of that, but when we advocate on the animal welfare issue, we would find ourselves, on the human transportation side, saying that you could drive up to perhaps a maximum of 19 hours in extreme cases before making a stop.

I'm just concerned with.... Obviously, there's the maximum number of hours—36 hours versus 19 hours—and if we go only on the maximum hours, if Transport Canada turns around and says, “Hey, CFIA, we're at 19 hours: Is this an animal welfare concern?”, CFIA would say, “No, because we don't care about anything below 36 hours. We don't care.”

Can you explain to this committee why there could be other animal welfare concerns, and that it's not necessarily around times but the impacts of times—unloading, for instance?

• (0905)

**Dr. Raymond Reynen:** This is an excellent question, and you nailed it. There's quite a big difference in what the rules are for the length of time for cattle transport and for the length of time for the person transporting the animals. There has been a study just released in the last year or two showing that if you compare animals with long-haul rest versus moderate-haul rest—moderate haul to come up to 36 hours—the animals actually did better with the long haul.

The problem was that when you stop and unload them and put them in a place they're not used to and then reload them, it's just like, “Oh, where is everything?”, and there's a lot of stress, even though there are food and water there. There's a lot of difference. They quite often don't get comfortable. They don't sit and eat and drink the way we expect them to.

The animals can tolerate longer travel. That was shown in that recent study, but we do have to work together, the two groups, and we realize that. We don't want to put drivers at risk, but the science is clear: We can go longer for the sake of the animal, but that truck is always moving. This is where a lot of the concern comes in. When we have an unplanned stop on the side of the 401 and it's 30°C with no air moving, that's a major problem.

**Mr. Francis Drouin:** Normally a truck driver would have a plan to get to a place where there's a mandatory stop. I'll use the last example of Ontario.

If we're going along from eastern Ontario—if I'm going from eastern Ontario to Manitoba or Saskatchewan, for instance—I know I'm going to have to stop in Thunder Bay, but I know already that I have to stop in between that. I would have to stop close to Wawa or a little further than that, past Sudbury, because I'd be at my max time.

What would the driver be doing then? Would it mean just stopping on the side of the road and resting for eight hours, and then the next day he or she goes back on the road and then has to stop because CFIA regulations kick in at the Thunder Bay stop?

**Dr. Raymond Reynen:** I can't speak exactly to what the truckers do. That's not my background from the veterinarians association. I do know that they try very hard to get to one of the truck stops, the animal rest stops, and use them and go on and always comply with the human transport part of it.

There are better people than I am to answer what they do day to day.

**Mr. Francis Drouin:** That's great. Thank you.

[*Translation*]

Mr. Speaker, I am pleased to be able to address you by video conference.

After several meetings with stakeholders, it is my understanding that the people at Transport Canada listened to your demands. They told you loud and clear that you were already covered by the regulations.

However, we know full well that in Canada, for example, we can drive 100 kilometres an hour without being stopped by the police. We can even drive up to 118 kilometres an hour on autoroute 40 or autoroute 20 in Quebec without worrying about the police. However, under the law, the speed limit is 100 kilometres an hour.

What you are looking for is clarification from Transport Canada to prevent livestock haulers from getting in trouble.

Is that it?

• (0910)

**Mr. Pierre Lampron:** That is exactly it.

[*English*]

**The Vice-Chair (Mr. John Barlow):** Give a fast, quick answer, Mr. Lampron, please.

[*Translation*]

**Mr. Pierre Lampron:** We do not want to be at the mercy of how an inspector might interpret the regulations. It is in our interest for this to be clear, including for the well being of the animals. Drivers need to know what to expect, instead of wondering where a rule applies or not. There needs to be a clear and universal rule in Canada so that everyone is on the same page.

**Mr. Francis Drouin:** Thank you.

**The Vice-Chair (Mr. John Barlow):** Thank you very much.

[English]

Thank you, Mr. Drouin,

Mr. Perron, you have two and a half minutes, please.

[Translation]

**Mr. Yves Perron:** Thank you, Chair.

Mr. Lampron, I invite you to finish your response. Essentially, you want clarification in writing so that this is not subject to the interpretation of each inspector.

Is that it?

**Mr. Pierre Lampron:** We can do that, but what we want is for this to be clear.

As Mr. Drouin was saying, transportation cannot be carried out any which way. We want to obey the rules. However, if there are unforeseen circumstances, let us find a way to say that a driver cannot stop just anywhere because, for the well being of the animal, the trucks need to keep moving for the ventilation to work.

**Mr. Yves Perron:** Thank you, Mr. Lampron.

Mr. Reynen, your presentation was very interesting and your presence here is extremely important. We often talk about veterinarians, but we do not often talk to them. I am pleased to talk to you this morning.

I would like your thoughts on the questions I raised earlier on regional processing and having more processing plants, which would be spread out better. This may pose a problem for your profession in terms of inspections.

I would like your thoughts on that.

[English]

**Dr. Raymond Reynen:** First—and most vets will agree—we would love to see a lot more plants all over the country. Pierre mentioned previously that we've lost a lot of plants over the years. That creates.... Especially with the haul to their end destination, that's a big concern.

Yes, we want them. They're valuable and we need them, but that's a slow fix for this problem.

Yes, please. That's another topic. Let's go down that path. Let's encourage more slaughter plants regionally, but I'm sure it takes a few years to approve and build slaughter plants.

[Translation]

**Mr. Yves Perron:** Clearly that is not attainable in the short term, but we can give the government direction anyway.

As far as veterinary capacity in Canada is concerned, do you have any recommendations for the committee with respect to the inspections? I would ask you to be brief because my time is running out.

[English]

**Dr. Raymond Reynen:** I'd like some clarity on that question. Are you asking how we get more veterinarians doing inspections?

[Translation]

**Mr. Yves Perron:** What I mean is that even if there are more plants, often it is the inspections and resources, such as people in your profession that may be lacking.

Do you have any advice or directive for the government that might help resolve this problem?

[English]

**Dr. Raymond Reynen:** There are two things. One is that we need to generate more veterinarians. The vet colleges—four out of the five—are going to increase their enrolment this year or next year, so we will have more people.

The other thing is that I think there are times when veterinarians and other trained professionals could work in tandem and not harm anything in the food chain and still get the work done.

Yes, we need veterinarians to make the final declaration on food quality, but there are other people who can help in that situation. The colleges are doing their job. We're going to have a lot more veterinarians in three or four or five years, but I also think there are ways to have other trained professionals help to make sure that—

**The Vice-Chair (Mr. John Barlow):** Thank you, Doctor. I didn't mean to cut you off. We were way past the time there. I think we got the gist of it.

Now we have Ms. Mathysen for two and a half minutes, please.

**Ms. Lindsay Mathysen:** I was going to expand on that. Mr. Reynen, when you say “other trained professionals”, can you be more specific?

**Dr. Raymond Reynen:** The one I would probably go to really quickly is the RVT. They're the registered veterinary technicians. They already have a science background, but there are other ones you could use. There are other science education backgrounds that could be used, but the RVT, the registered veterinary technician, would be the one I would refer to immediately.

● (0915)

**Ms. Lindsay Mathysen:** Okay.

Obviously we are all very concerned about animal welfare, and that's primary, but of course these regulations have also been put in place to protect the drivers and to protect people along that very busy 401, which I travel along too. If you're talking about all these emergency issues that come up, such as accidents, certainly you increase the potential for those accidents if you have a very tired driver.

Maybe CFA can comment—or anybody, really, who wants to jump in—on what could be required from the federal government as part of these transportation considerations to protect those drivers, even when asking for those exemptions, because a lot falls upon them.

Are there any additional recommendations to protect those drivers from employers or what have you to ensure that we find that flexibility while we're still looking at a greater overall public good and employee good?

[*Translation*]

**Mr. Pierre Lampron:** That is a very good question.

A few years ago, the United States implemented that type of on-duty driver exemption on review of the situation. It is very important for the drivers and for society. In the wake of that exemption, there was no significant increase in the number of accidents among livestock haulers in the United States.

I think we need to view these drivers differently because they have to pay more attention when they transport a load of living animals. They have living beings on board their vehicle and they are well aware of that. They have to be on heightened alert, in a way. We could certainly do something similar to what the United States did because they have not observed an increase in the number of accidents.

[*English*]

**Ms. Lindsay Mathysen:** Absolutely.

**Ms. Corlena Patterson:** I'd love to jump in on that suggestion, because we absolutely don't want to impair the human health side of this. It is a "one health" approach in agriculture. The safety of drivers is very important.

We talk about delays at the beginning and end of trips. That time counts towards drive time, but it is not really drive time. Often, the drive time is the fatiguing part of the voyage for the driver. I grew up in an auction barn setting, so I've been in multiple-deck pot-belly trucks far too often.

The difference and challenge with ELDs versus paper-based is that when it was paper-based, when your truck was loaded, you marked and moved. The ELDs kick in at five miles an hour. The truck, in an auction barnyard or on a feedlot, may make multiple stops at multiple pens, and each of those stops kicks off their time. It starts their time and counts towards it. However, that whole loading event could be hours long.

We're teaching our truck drivers and handlers to respectfully load animals into those trailers. If you've seen them, you know they have to go up a ramp, down a ramp, up the ramp on the back side and back up this way. You can't do that quickly and ensure that animals are safe while they're getting on and off those trailers. You're slowly and cautiously loading animals and moving them from one loading ramp to the next to fill up your truck. For sheep, it's 400 animals on a trailer, and they may not all come from the same place. Now all of that time spent getting loaded is part of your drive time, whereas it wasn't with paper. Your drive time was this: "I'm loaded and heading out of the driveway." That was the drive time.

I think that's where the difference comes in—it's where that ELD kicks off. We're not changing, I don't think, the total suggested drive time for trucks. Maybe we are. I could be mistaken there. I should have researched that better. However, the point is that there is a delay now, which gets captured. That's how long they've driven, and that's where we start to spark an issue.

**The Vice-Chair (Mr. John Barlow):** Thanks, Ms. Patterson.

Thanks, Ms. Mathysen.

Those were great questions, and great comments from our witnesses.

Thank you very much to the witnesses. We appreciate your being with us here today.

We will now suspend the meeting for a few minutes as we get the second panel on.

Thank you very much again, and we'll see you all very soon.

The meeting is suspended and witnesses are free to go.

● (0915) \_\_\_\_\_ (Pause) \_\_\_\_\_

● (0925)

**The Vice-Chair (Mr. John Barlow):** I call the meeting back to order.

I welcome our second panel of witnesses here today for our study on electronic logging device requirements and animal livestock transportation.

I'd like to welcome, from the Alberta Beekeepers Commission, Ron Greidanus, who is the Canadian Honey Council delegate and director.

Welcome, Ron. It's good to see you again.

From Thunder Bay, Ontario, from the the Barn Feed & Livestock Company, we have Andrew Livingston, president.

Andrew, welcome to our committee today. We're pleased to have you.

We will be inviting our two witnesses to give five minutes of opening remarks. Afterwards we will have a couple rounds of questions from our committee members.

Now we'll start with Mr. Greidanus for five minutes.

**Mr. Ron Greidanus (Canadian Honey Council Delegate and Director, Alberta Beekeepers Commission):** I want to thank the committee for taking the time to study this issue regarding electronic logs and for including the Alberta Beekeepers Commission. We bring a unique problem to the ELD requirements.

As many of you may know, I am a beekeeper here in Stettler, Alberta. I pollinate hybrid canola seed and I produce a tremendous amount of honey. We run about 3,600 hives.

Previously, my colleagues have covered many important points in previous presentations. My objective is to bring out the unique aspects of hauling honey bees and how hauling honey bees has similar challenges and concerns under the current regulations but is also quite different in terms of risk to public safety, which is not currently contemplated in the enforcement of regulations and the use of ELDs.

First, we will reiterate that the requests and recommendations put forth today are in regard to interprovincial movement of bees only. Movement of bees within a province is governed under the provincial acts.

Honeybees, like all livestock, are subject to the Health of Animals Act. While it may be strange to contemplate animal welfare in terms of honeybees, transit from one location to another is very stressful for the bees. Our primary concerns are the health and viability of the honey bees, the safety of the drivers and vehicles and the safety of the public. Perhaps it's important to articulate the distinction that when trucks hauling bees are stopped, the bees become a risk to the public in that general area, particularly if they're stopped in the middle of the day and it's hot.

In general, honeybees are moved for the following reasons: We move hives to fill fields for contract pollination. We move bees when we're receiving packages from overseas from the port of entry to the beekeeper's place of residence. We move bees back to where the farm is located after wintering in warmer climates.

During transport, we take the welfare of our bees and public safety very seriously. We recognize that regulations are important; however, in these cases regulations can have a negative impact on livestock and public safety.

To expand on that, when we're moving bees, we plan where we're going to get fuel, when we're going to get fuel, when we're going to stop and take a leak, and where we're going to stop and have a rest.

The Alberta Beekeepers Commission recommends amending the regulations to bring them into alignment with the regulations in the United States, which allow a radius of 150 air miles from origin or destination in unforeseen circumstances. Recognizing that this would take some time in the short term, we, along with the other sectors presenting at this committee, recommend the creation of a guidance document to be provided to the drivers and enforcement officers to provide greater clarity so that doing the right thing when the plan falls apart is not in judiciously punished. We're not asking for an exemption, but for flexibility and discretion when it comes to enforcement of hours.

Beekeepers need to load their trucks in the evening or in the early morning, when all the foragers that are in the hive are back in the hive. You don't want to load up a pile of hives and leave 90% of your bees out flying around so that when they come back, they're like, "What happened to our house?"

Most moving of bees happens at night, but on long hauls the trucks need.... In Canada, we have very short nights and very long days, so on long hauls you need to run your truck during daylight hours. This brings a unique danger to the travelling public. These trips are carefully planned and orchestrated with contingencies, as nothing ever goes according to plan, right down to where and when to refuel and what speed to drive and where you are going to go to the washroom if you have to do that.

Due to economies of scale, many beekeepers are using larger and larger equipment to move hives, packaged bees, and honey across this country. The need to move bees stems from a dependence on

*apis mellifera* for food security and to make the industry more resilient in the face of winter losses.

More often than not, honey bees are hauled by the producer on self-owned equipment. Because we have to do the long hauls and we need to have the bees in a timely fashion, a lot of commercial carriers don't want to carry bees, so it's the beekeepers themselves who are doing the moving.

The Alberta Beekeepers Commission recommends changing section 2(1)(a) of the regulation, where it says "Application", to reflect the current realities in agriculture. While most agriculture producers are now transporting with tractor-trailer units, a significant number of producers in the Prairies have expanded to the point that they operate across jurisdictional boundaries. Section 2(1)(a), which restricts it to two-axle and three-axle trucks, is too narrow a definition. Most commercial producers are driving equipment that is way bigger than that.

● (0930)

Our sectors and drivers want assurance that a threat to bee health viability and public safety is deemed an emergency situation. In the regulations, there is no definition for "emergency". The definition of "adverse conditions" that expanded beyond traffic accidents or weather also includes situations such as delays by road closures, accidents, smoke, or whatever the case might be—weather and other unforeseen circumstances. At this point, no definition exists of what constitutes an emergency. Unforeseen circumstances that occur on the road may, in the mind of a producer, be an emergency, but not to an enforcement officer. That's a problem.

Moving bees during daylight hours and warm temperatures is doable. Stopping to refuel for even two minutes or to go to the washroom is not. Stopping represents a real and present danger to everyone else on the road. Bees want to fly when the sun is shining. Stopping for even a few minutes when the sun is shining presents a clear and very real danger to the travelling public.

The changes requested by the Alberta Beekeepers Commission would have a positive impact for beekeepers across Canada, such as Manitoba beekeepers moving their beehives to B.C. for wintering and Ontario beekeepers moving hives into the Maritimes for blueberry pollination.

I have a couple of personal anecdotes of unforeseen events that really messed with moving bees. If there's time, I would like to be able to read them into the record.

Thanks very much for your time.

**The Vice-Chair (Mr. John Barlow):** Thank you, Mr. Greidanus.

I'm sure, during the questions, you'll have an opportunity to talk about some of the personal experiences you've had. I appreciate your testimony.

Now we'll move to Mr. Livingston.

You have five minutes for your opening comments.

**Mr. Andrew Livingston (President, The Barn Feed & Livestock Co. Inc.):** Thank you for having me here.

I'm Andy Livingston. My wife and I run the feed and water station in Thunder Bay called The Barn. We look after all the livestock going east and west. We're right in the centre of the country. We move about 240,000 to 250,000 animals through our place every year. It's a unique type of business. In layman's terms, it's a bed and breakfast for livestock.

The animals are brought in on semis, unloaded and put in pens where they have adequate feed and water and a place to lie down and rest. At the same time, the truckers house in their trucks, but we have a facility here that is similar to a truck stop. We have a kitchen, a washroom, showers, laundry and a common place for everybody to relax.

The average time here is about eight to nine hours, but since the ELDs have come in, we're seeing more and more drivers having to sit out a 36-hour rest period. When that happens, things get very complicated around here, because that pen is taken up for three to four shifts and nobody wants to pay the extra bills.

In my estimation, ELD and livestock should not go in the same sentence. These are live animals, and it's a long way from Clyde, Alberta, to Quebec City. When they have to get within an hour of here and stop for eight hours so that they can drive an hour to get here in order to stop for another eight hours, they're wasting a whole lot of time, and the driver's not making any money. He's out in no man's land. Everybody forgets about him.

It's not good for the animals to be sitting on the side of the road, only moving for an hour and then getting off the truck. If they're moving, get them to stop and get them off the truck so they can relax and take their time.

What we're seeing here is a lot more of an increase in mortality and injured animals by the time they get here. That's caused by the time frame they're under. They have to drive at a fairly steady pace and they can't afford to stop for 15 minutes to check their cattle because now, if they do that, they're not going to make their destination.

You should stop with a load of cattle. You should stop every three or four hours and take a quick peek at what's going on in the trailer behind you. Get any downers up, and rearrange where everybody's standing on the trailer if you have to. Those things all take time, and those 15 minutes here and 15 minutes there just take away from your total driving time.

In northern Ontario, you have 2,000 kilometres of two-lane highway. It's probably the worst highway in the world. It's just a disaster, with the freight haulers and the livestock haulers all trying to share the same road. With the ELDs, everybody is at 105 kilometres an hour because we have to make time—we have to make time. Time is the only thing that anybody considers. Throw a bit of a fender-bender in there or some weather, for example, and the road is closed. It's nothing for it to be closed for 18 hours at a time.

Our place here gets backed up with road closures. We have the capability to handle 22 straight loads of cattle, and we've had 38 loads in here at any given time because of road closures. Why are there road closures? It's because the ELDs are forcing people to drive erratically.

I drove a truck for a while and I know what it's all about, so I'm not a big fan of a machine telling me when to sleep and when to go to work. You do your own thing at your own pace and you make it work.

• (0935)

When COVID was here, we were one of the few organizations where these livestock trucks had a place to get something to eat and have a shower, whether they were empty going west or loaded going east. We did whatever we had to do to ensure all the drivers were taken care of and the livestock was looked after at the same time.

On the two-lane highway from West Hawk to North Bay, there are very few safe places, or even any places, just to pull in to rest. With all the local restaurants going out of business, they block off all the entrances, so there is no more truck parking. You're seeing more trucks parking on the side of the road or in what we call up here the snowplow turnarounds. You can put two or three trucks in. You maybe only have enough room for that and one guy's ass-end is still sticking out on the highway and somebody else comes along and hits him.

**The Vice-Chair (Mr. John Barlow):** Thanks, Mr. Livingston. That's your five minutes. You'll have lots of opportunity to add additional information in the question round.

We'll now move on to our questions. The first round will be Mr. Steinley for six minutes, please.

**Mr. Warren Steinley:** Thank you both very much for being here and talking about your real-life experiences, Andy and Ron.

Andy, I'd like you to finish your thought. One unintended consequence of the ELDs is not having that clarity around some of the unforeseen circumstances. We know truck drivers plan out their routes very thoroughly. It's not all a hodgepodge. They have everything quite planned out.

Could you finish your thought on the safety aspect of people parked on the side of the road up in your area by Thunder Bay and the unintended consequences of having those trucks parked on the side of the road? You talked about the potential for accidents and the safety hazards. Could you just go into a bit more detail when it comes to the safety hazards of parking on the side of the road when you're backed up at the barn?



● (0940)

**Mr. Andrew Livingston:** The safety hazards are tremendous. There is no place to park, and this road is not straight. It's up and down with hills and curves. If you have a truck parked at the bottom of a hill at the end of a two-lane passing and a guy comes over the top of the hill, all he sees are tail lights. The next thing you know, he runs right into it.

It's not safe for the animals for it to be standing on the edge of a road because the shoulders are so soft. Those animals wiggle and move when the trucks are parked. We've seen trucks lay over on the soft shoulder because of animal movement and because the guy's out of hours and had to stop.

The other thing is when you do find a place to park and you have a load of 110 freshly weaned calves in the back of that trailer that are all looking for a drink of milk, they are bellowing. Anybody else who's in the same area chases you out because you're disrupting the sleep of the freight drivers who are there.

**Mr. Warren Steinley:** Thank you very much. Those are good examples of the unintended consequences.

You said earlier that there are circumstances when a driver can be an hour from the barn and has to pull over, wait for eight hours on the side of the road and then drive an hour to have the livestock unloaded at the barn. That's a lot of extra stress. If you're able to finish that last hour off, you can get to the barn, have the livestock unloaded, let them have a rest, be fed and watered and get back on the road.

When it comes to animal safety, would that be a much better situation for those animals?

Walk us through how it would help to give those drivers, when there are unforeseen circumstances, a bit more leeway so they're not worried about getting a ticket and having their licence dinged if they do get stopped by the highway patrol.

Having the opportunity to just finish off that last hour or hour and a half and get those animals into comfort is what we're working toward here, with guiding principles that would ensure better outcomes for both the drivers and the animals.

**Mr. Andrew Livingston:** That's very true. When that driver drives an hour, he's already slept eight hours. If he drives an hour and then has to sit here for eight hours and then reload and go, he's burned nine hours of his clock because his clock was running.

Now, on a 16-hour window, he only has nine hours left to drive. He's actually going to be driving tired because he's been sitting around here doing nothing for eight hours when he could have been driving, if he hadn't had to sleep eight hours prior to that.

**Mr. Warren Steinley:** Perhaps the best thing we could say is that we just need a little more common sense when it comes to the approach in what we're doing with transporting livestock.

One of our panellists said earlier that transporting livestock is a lot different from transporting diapers or clothes. There are always going to be things that happen that you just can't plan for. One thing we've had a couple of people comment on is that there just need to be more logistics planning and more care taken in making a plan when you're transporting animals. I worked in an auction market

for a while. Sometimes it just takes a little longer to load a trailer of some animals than it does others.

With your experience—you more than most—you run 230,000 to 250,000 head. Can you walk us through the times in a day when things just don't go as planned? Those are the unforeseen circumstances we're trying to take into account when it comes to making sure our drivers are making the right decisions.

**Mr. Andrew Livingston:** Nothing ever goes the way it's supposed to. The guy who said that it should all go this way is full of shit, because you can't do anything right when you're working with cows. Especially with cows, they've got a mind of their own and they're bigger than I am. They're going to do whatever they want to do, whenever they want to do it.

We take all the pride in the world in animal safety, plus human safety, but I've seen us load a load of cattle in 15 minutes and I've seen it take two hours to load a load of cattle. At that time, the driver has already moved his truck, and his clock is already ticking away. It's just a no-win situation for anybody.

When you go ahead.... You're moved around the yard and you didn't start doing anything until you pulled away from the chute. Then you draw your line and say, "Okay, I'm done doing this—it's time to start driving." That's when the driving time starts.

● (0945)

**Mr. Warren Steinley:** Thank you very much, Andy. Thank you for all the work you do. We appreciate your being here today.

**The Vice-Chair (Mr. John Barlow):** Thanks, Mr. Steinley.

We'll now move to Ms. Taylor Roy for six minutes, please.

**Ms. Leah Taylor Roy (Aurora—Oak Ridges—Richmond Hill, Lib.):** Thank you very much, Mr. Chair.

Thank you to the witnesses for being here and filling in some of the on-road and off-road experiences, and thanks also to the other committee members who have highlighted these difficulties.

My understanding is that these difficulties, these challenges, have always existed. Perhaps climate change and higher temperatures are making them more of an issue now than they were before, but they've always been there.

I'm just wondering on the ELD issue. When the regulations were put in place, they were always there. The only thing that's changed now is that there's electronic monitoring of that. Is that correct, in your view?

**Mr. Andrew Livingston:** It is correct, but—

**Ms. Leah Taylor Roy:** Okay. The regulations were always there, and these issues were not raised as a problem before. Why is that?

**Mr. Andrew Livingston:** It's because you could stop your paper.

**Ms. Leah Taylor Roy:** Basically, it was the record-keeping. People could put different things in if they wanted to and not really write down all the same hours that they were.... There was more flexibility in paper record-keeping than there is with the ELDs.

**Mr. Andrew Livingston:** That's right.

**Ms. Leah Taylor Roy:** Okay.

A number of things have been raised in terms of the challenges in meeting these regulations. My understanding is that these were put in for the safety of the drivers, the ones you're talking about with the ELDs that we're discussing right now. It's for the safety of the drivers.

There are exemptions available. You can put in extraordinary circumstances that have arisen and have the regulators okay that because of those circumstances. Why do you feel that what is in there currently is not sufficient to account for or to address the kinds of issues that you're bringing up now?

**Mr. Andrew Livingston:** As far as I'm concerned, these regulations were not put in for the safety of the driver. These regulations were put in because the insurance companies wanted better documentation.

**Ms. Leah Taylor Roy:** Okay, so—

**Mr. Andrew Livingston:** The safety of the driver was never brought into this. You can't tell me that a machine is going to tell you when to get up in the morning and when to go to bed at night.

**Ms. Leah Taylor Roy:** No, I don't think that's the point. I think the point is the number of hours that somebody drives. Insurance companies are concerned because the statistics would show that there are more accidents when people are driving for 19 hours a day versus 12 or 13 hours a day. Even though insurance companies are doing this for monetary reasons, it is the safety that is underlying it.

I understand your point, but what I'm trying to get to is that this is about the safety of the drivers. You operate one of the rest stops, and I understand from previous testimony that there is only one such rest stop on the east-west corridor. Is that correct?

**Mr. Andrew Livingston:** Yes. There's us, and then there are two little ones.

**Ms. Leah Taylor Roy:** There are two little ones. Okay.

Do you think there are enough rest stops for the truckers to be able to get the rest that they need and also for the animal welfare so that the animals have the stops they require?

**Mr. Andrew Livingston:** The rest stops outside of us are not what you're looking for. The rest stops that they need to get to are the ones before you get to us, because we're on that 36-hour rule.

**Ms. Leah Taylor Roy:** Got it.

Why do you think there aren't more rest stops, then, if this seems to be a major issue in the planning of the trips or with unforeseen circumstances that make them unable to get to the rest stops that they should be at?

**Mr. Andrew Livingston:** It's just because of road conditions or accidents or....

**Ms. Leah Taylor Roy:** No, but why aren't there more rest stops like yours? How is it funded?

**Mr. Andrew Livingston:** It's privately funded. Nobody funded me. I built this business from the ground up.

**Ms. Leah Taylor Roy:** The truckers or the companies are paying you for the service.

**Mr. Andrew Livingston:** Yes, the people who own the cattle pay.

**Ms. Leah Taylor Roy:** Do you think that having more rest stops along the route would in fact help address this problem?

• (0950)

**Mr. Andrew Livingston:** No.

**Ms. Leah Taylor Roy:** Okay. Then it's not a matter of not having a place to safely stop and take care of the animals.

**Mr. Andrew Livingston:** No, no, you're.... There are two types of rest stops. You're getting them all....

**Ms. Leah Taylor Roy:** No, I mean a rest stop like yours, a rest stop for food and water.

I'm not talking about the ones where there might be problems with public image or perception.

**Mr. Andrew Livingston:** Okay.

We are in the middle of the country, and you can get from Clyde, Alberta, to here in under the 36 hours, with the e-logs, as long as nothing goes wrong.

**Ms. Leah Taylor Roy:** That's right, but we know that things go wrong. They always have, and that hasn't changed. Both of you have talked about many instances in the past of things going wrong. I understand that the truckers and companies are planning for that, but sometimes there are unforeseen circumstances. In the legislation, there is a way to appeal when there are unforeseen circumstances, but it seems that it's still a problem.

The question is this: How do we solve the problem? A number of things have been brought up, like more regional processing plants, better ventilation in the transport vehicles and more rest stops.

Since you're operating a rest stop, I'm asking you about the rest stops and how we could have more of them to try to address the underlying issue here, which is really the facilities for the truckers to be able to safely get rest and make sure that the animals' welfare is taken care of as well.

**Mr. Andrew Livingston:** If you get rest stops in Manitoba, then you'd have to have another one down in the Ottawa or North Bay type of area, because now all of a sudden we're kicking in the 36-hour rule. It's being brought into play here at the same time. Because of where we're situated, we're right in the middle. From either direction, you can get here in 36 hours if everything goes right.

**The Vice-Chair (Mr. John Barlow):** Thanks, Mr. Livingston.

Thanks, Ms. Taylor Roy.

[Translation]

Mr. Perron, you have six minutes.

**Mr. Yves Perron:** Thank you, Chair.

I thank the witnesses for being here with us.

Mr. Livingston, you explained to Mrs. Taylor Roy that the problems related to the regulations have always existed, but that the electronic logging system has removed the flexibility that came with logging driving hours on paper. You say, for example, that the current demand is to allow for that flexibility again. That seems reasonable to me. I think that the people in the transportation industry were trying to comply with the regulations, even though this was being done on paper and they could, as you said, stop doing that.

Over the course of your career, when driving hours were logged on paper, did you see people try to exceed the maximum allowed for transport by very much?

[English]

**Mr. Andrew Livingston:** Oh, yes, I've seen guys who broke every rule in the book. At the same time, when you break the rules that hard.... The animals need to rest. If you drive for, say, 14 or 15 hours and you stop for four hours and rest, those animals are resting at the same time. If you've been on the road for 14 hours, then standing in the back of that aluminum tin can with the roads as rough as they are, those animals are just vibrating.

When the animals get off the truck here, we can tell the quality of the driver in how the animals arrive. If they arrive here all sweat-ed up, if they arrive here weaving down the chute, it's because they haven't had any rest at all when they were driving. To drive 16, 17 or 18 hours isn't the answer. The answer is to be able to get where you want to get to and not have to stop an hour or two hours away from where you want to be.

That's where all the stuff is coming from.

[Translation]

**Mr. Yves Perron:** I understand the point you are trying to make. Thank you very much.

Obviously, we do not want there to be too much abuse. It is good to have regulations, but it is also good to give the transporters the necessary flexibility to get to their destination when they are almost there. That is what I understand from your intervention.

Essentially, what you said to Mrs. Taylor Roy is that your company, located in the middle of the country, is accessible to almost everyone, if all goes well. However, if something does not go well, it would be good to be able to add one or two rest areas. You even mentioned some locations.

Did I understand you correctly?

• (0955)

[English]

**Mr. Andrew Livingston:** There's another place here, about 50 kilometres east of us. There's another place over at Hearst that does the same thing. They're smaller in size than we are. I think the Hearst barn can handle two or three loads of cattle or about six loads of pigs.

[Translation]

**Mr. Yves Perron:** Okay.

From what I understand, there is no other location equivalent to yours. Maybe it would not be a bad idea for there to be others, a certain distance away, to try to give the transporters room to manoeuvre.

Is that right?

[English]

**Mr. Andrew Livingston:** Yes.

[Translation]

**Mr. Yves Perron:** Thank you very much, Mr. Livingston.

Mr. Greidanus, you transport something else. You transport bees. We know that unplanned stops can cause problems. If you have to stop in the middle of the day, you might lose some of your cargo, if I may put it that way. It might also weaken the hives or the nucleus colony.

Is that right?

[English]

**Mr. Ron Greidanus:** Bees like to fly. They don't like to stay inside the hive, especially when the sun is shining. If you're driving down the road and have hives on the back of the truck, even if they're netted, you get escapes. They want to get out. In the back of the truck, they get hot and want to ventilate. When you park the truck, you can't sit there, whistle and have all the bees come back. They fly around. The only option you have is taking off. You leave a cloud of bees behind.

If you're driving down the road on a hot sunny day and stop, it's not uncommon to see, where you stop, a small swarm of bees hanging off one of the little reflectors on the side of the road, or from a tree or whatever. That's because their home has disappeared. The first thing they do is get out and make an orientation flight. Any other traffic there.... Anyone who stops in that particular area is quite likely to get stung.

I've listened to the conversation. It's not a simple problem with the ELDs. I'm pretty sure you guys have all heard the song *Convoy* by Paul Brandt. It has a line that says:

We tore up all of our swindle sheets  
And left 'em sittin' on the scales

That's not how truckers operate. Logbooks and ELDs have a place, and there's a reason we need to have something like that in place. You have to balance paying the bills with taking care of yourself. Everyone driving a truck is doing it because they want to earn an income. However, you have to take care of yourself. When unforeseen circumstances happen on the road.... The driver being tired is not the only risk; it's not the only danger out there. When hauling bees, and when an unforeseen circumstance happens on the road, my first thought is, "What about the other cars around me? I'm parked here. I'm stopped, but what's going to happen with these bees? Are they going to fly off?"

I remember that years ago, I wanted to expand my business. There's a beekeeper in Keremeos who had a bunch of hives he wanted to sell. I thought, "Okay, I'll buy them." I went to Keremeos to pick up the bees. It was mid-May. The snow melt was going on. The rains were there and whatnot. The plan was this: I would show up at the bee location where the hives were. We would load them up starting at six o'clock in the evening, early evening. I would try to leave before eight o'clock and get down to Sicamous, which is about a three-hour drive away—

**The Vice-Chair (Mr. John Barlow):** Mr. Greidanus, I'm way over Mr. Perron's time.

**Mr. Ron Greidanus:** I do apologize.

**The Vice-Chair (Mr. John Barlow):** I know you want to finish your anecdote. I'll welcome Mr. Bachrach, who is subbing in for Alastair. Maybe he will allow you some time to finish your story, but I will leave that up to Mr. Bachrach during his six minutes.

**Mr. Taylor Bachrach (Skeena—Bulkley Valley, NDP):** Thank you, Mr. Chair. I'm subbing in for Ms. Mathysen, who is subbing in for Mr. MacGregor. We're covering a lot of bases today.

I would be happy, Mr. Chair, to give the witness a few more moments to finish that thought.

**Mr. Ron Greidanus:** Thank you very much. You're very kind. I'll be brief.

The plan was, load the hives, start around six or seven o'clock in the evening, be on the road by eight o'clock, get to Sicamous, try to get six hours of sleep in, refuel, and then make the jump from Sicamous back to Stettler, which is under that 12-hour mark.

The way it actually went is that we started loading the bees at the time we said, but because of the rains and the snowmelt, the river in Keremeos was flooding, and in the farmer's field where the bees were, the river water came up high enough that it was blocking our egress out of the field. The beekeeper had to get all of his hives out of that field or else he wouldn't be able to get into them, so we had to load three trucks that night: a drop-deck; my truck, which is a tandem axle with a 32-foot deck on the back; and then another truck as well.

We got them all loaded, but when we tried to leave, the drop-deck tractor-trailer unit got stuck in the mud that was created by the river flowing through the field, and we were stuck there until three o'clock in the morning waiting for a trackhoe to come and pull us all out. That's how we finally got out.

At three o'clock in the morning, now I'm way behind. I'm still in Keremeos. I don't have the option of unloading my truck again, because then I have to wait until the next night to reload again to keep going. It wasn't likely that the river was going down, so I got up, got out of the field, drove down the road a little ways to the first gas station I could come to, refuelled, slept in my truck for an hour and a half, and then hit the road.

On the way home, we hit construction in the Kicking Horse Pass, but because I had bees on the back, I stopped about half a mile back behind the rest of the cars and turned my flashers on. I ran to the front of the line. I can't be stopped on the side of the road for very long because I'm going to have a cloud of bees flying around, and

for anyone who has their windows open, there's a high probability they're going to get stung. There's 10% of the population who will go into an anaphylactic reaction if they get stung by bees.

The construction company realized that, so they radioed in and they gave me special permission to drive through the construction zone, passing all the other traffic that was stopped there.

For a well-planned trip, what should have been well within the requirements for hours of operation, I ended up putting in a 16-hour day to finally get home back to Stettler. It's not fun.

Again, the point is that we're hauling bees. I only do three or four runs like that a year. I can have a log in my truck, but for three or four runs.... The rest of it is all under provincial guidelines. The danger is not necessarily just the tired driver; there are other dangers and other things that need to be taken into consideration when you're looking at hours of service.

With the bees, we have to take into consideration that when we're driving, even if our loads are netted, we have escapes. What's going to happen when you stop for even two or three minutes during daylight hours? What other dangers are we going to present to the travelling public?

• (1000)

**Mr. Taylor Bachrach:** Thank you very much, Mr. Greidanus.

I think you've really highlighted one of the key questions here, which is around balancing these different aspects of safety.

I know that I'm dropping into this committee partway through the conversation, but it's certainly an issue that is pertinent to farmers and ranchers in the Bulkley Valley where I live up in northwest B.C. We're fortunate to have a thriving agricultural sector, partly because people are able to get their animals to locations in Alberta within a certain shipping time.

In the past, they've been able to get them there within the parameters. The new parameters are going to make that very challenging. It's only within a couple of hours, but it makes a big difference. They don't want to get to within an hour or two of their destination for shipping their cattle and then have to stop to let the cattle out. It creates all kinds of problems, both on the cost side and on the animal welfare side. Resolving this challenge is really key to the viability of the agricultural sector in the Bulkley Valley.

The point around the bees is an interesting one, because here's another safety issue that could potentially affect the safety of other members of the public in the vicinity who get stung by the bees. Most of the time, we're talking about animal welfare versus the safety issues of having fatigued drivers on the road. I think in those circumstances, most people would say we have to prioritize the safety of the travelling public, the people who are sharing our highways with professional drivers. I think the bee situation is a bit of a unique example. It's an example of a public safety issue that doesn't happen when you're shipping cattle, for instance.

When we're talking about animal welfare and costs for farmers versus the safety of the travelling public on our highways, how do we strike the right balance? I'd welcome thoughts from either of our witnesses.

• (1005)

**The Vice-Chair (Mr. John Barlow):** I'm sorry, Mr. Greidanus. Go ahead. We have 15 seconds, so we'll maybe have a quick response from each.

**Mr. Ron Greidanus:** How to balance public safety, animal safety and driver fatigue is a really hard question to answer. This is where the law is an ass. It's a hard, arbitrary line, and once you cross it... Being prevented from doing the right thing in whatever situation you're in, because each situation is slightly different and sometimes it needs a unique and specific resolution for that particular thing....

What you don't want to have happen is having the hard, blunt instrument of the law dictate what's going to happen, because the repercussions of not obeying the law over doing what's right is going to lead to bad decisions. Doing what's right is what should be done in situations when you have unforeseen circumstances arising, and that might be different this time from what it is next time, or it might be different if I'm doing it here or down there or whatnot.

A driver wants to be able to have the flexibility to know that when he's faced with unforeseen circumstances, he can make decisions to do the right thing without being punished because he did the right thing by breaking a hard, arbitrary law. That's where we're coming from.

**The Vice-Chair (Mr. John Barlow):** Thanks, Mr. Greidanus.

Colleagues, looking at the clock here, we have a little bit of committee business to deal with before we adjourn at a quarter after, so that gives us just over five minutes here.

We have the Conservatives and the Liberals with their next round. We'll go four minutes each, and that should give us the little bit of time. Then if there are some lingering questions at the end, we can try to do that. I'm just going to cut everybody's time down. I'm going to stick really close to four minutes.

We'll go to Mr. Shields for four minutes, please.

**Mr. Martin Shields:** Mr. Greidanus, in the sense of interprovincial movement—you mentioned this earlier—what in this particular legislation and rules do you see that needs to be fixed for the interprovincial movement in your industry?

**Mr. Ron Greidanus:** There are a couple of things that I would like to change. If I could rewrite the regulations, I would rewrite a couple of portions of it.

Number one, if you go to application section 2, it says:

- (1) These Regulations apply to all commercial vehicles other than the following:
  - (a) a two or three-axle commercial vehicle being used for
  - (i) transporting the primary products of a farm....

I would extend that definition to be “a two or three-axle commercial vehicle and tractor-trailer units”, and also have some inclusion for big vehicles that are pulling trailers.

The reality is that the days of farmers just using two-axle or three-axle trucks and not going beyond that are far beyond us. The reality of agriculture today is that we're using far bigger equipment.

The other one I would change is the definition of “adverse conditions” that's in the regulations. It says that it:

“means snow, sleet, fog or other adverse weather or road conditions that were not known to a driver or a motor carrier dispatching a driver...”

Adverse conditions can be that you have a fire along the road, and the smoke is so thick that you have to slow down. It can be a rock slide on the mountain that has blocked the road, or there was an accident.

There is no definition for an emergency in the definitions in the regulations. I'm not going to sit here and say how an emergency should be defined, but there should be some work put into what would constitute an emergency, and that definition should be in a guidance document for enforcement officers and for drivers so they have some clarity that they're not going to get hammered because they went over time because these conditions happened.

The other change would be to subsections 76(1) and 76(2) regarding the use of electronic logs, which say:

The requirements of these Regulations in respect of driving time, on-duty time and off-duty time do not apply to a driver who, in an emergency, requires more driving time to reach a destination that provides safety for the occupants of the commercial vehicle and for other users of the road...

I would extend that to be similar to what we have in the States, where, if you're within 150 miles of where you're going and you have live animals on board or you're carrying an agricultural product, you have the leeway to be able to make it to where you're going so that you're not stressing yourself out. Go that last little bit and finish the trip. It's in the best interest of the cargo and the driver. I would make accommodations for aligning our regulations with the States that way.

• (1010)

**Mr. Martin Shields:** Thank you. I think we've heard this before.

Some of the changes you were talking about involve a number of different agencies in Canada. Is it simpler to make the match to the U.S. or to change the number of different departments to work with this in Canada? Which do you think is easier to do?

**Mr. Ron Greidanus:** Oh, man, I don't envy any of you guys. That's a loaded question, and you're asking me to comment on the process of something that I have no idea about. I can only imagine that it's convoluted, long and hair-pulling slow.

**Mr. Martin Shields:** Thank you for your comment. I appreciate it.

**The Vice-Chair (Mr. John Barlow):** Thank you very much, Mr. Shields.

Now, Mr. Carr, you can wrap us up for four minutes, please.

**Mr. Ben Carr (Winnipeg South Centre, Lib.):** Thanks very much, Mr. Chair.

I wanted to return to a question on bees. I was doing a little bit of reading during the testimony, and I see that roughly 35°C seems to be the sweet spot in terms of a maximum heat for bees, although they can survive and be comfortable at hotter temperatures. One question I had was around whether that is correct, or you may want to offer some further explanation.

The second part of the question would be—no pun intended—whether the impact of climate change, as we're having hotter and hotter days, is having an impact on the transportation of bees in Canada. Can you talk at all about what the maximum temperatures in trucks are rising to when you're transporting the bees? How is that creating problems vis-à-vis what we're talking about today?

**Mr. Ron Greidanus:** When it comes to bees.... To take a step back from there, if you look at a hive, bees tend to start to fly and really start to forage once it hits a temperature of about 10°C, and there's sunlight. That's when the foragers want to leave. They want to go out and fly. They're quite oblivious to the fact that they're put on the back of a truck. All they know is that there's sunshine outside, that it's warm enough, and they want to go and see if they can find something to eat. That's the cognitive depth of thought when they're there.

When you're driving down the road, you do lose a number of bees because they want to go out and forage. The hotter it gets, the more likely they are to try to leave the hive. The hive is kind of like a living organism. It wants to be at 36°C. The closer you get to 36°C, the more ventilation they need and the more distributed they'll become inside the hive. They'll break cluster, and the foragers will want to get out and leave. That causes some problems. We do not like to move bees when it's that hot. If we do, then we try to do it at night.

We do everything we can to avoid moving bees during the daylight, simply because we know bees like to fly. They're stimulated by the light. The warmer it is, the more active they become.

**Mr. Ben Carr:** Is climate change, in your experience, particularly in recent years, having a negative impact on beehives and on the transportation of bees?

**Mr. Ron Greidanus:** The weather you drive through does have an impact on moving bees. In the last three years, we've had three Las Niñas back to back, and now we're into an El Niño summer. Is that climate change? Is this just a natural progression? Is this a natural cyclical event that happens? It's not unlike things we experienced back in the early 1980s.

I've been beekeeping for over 40 years. We've never had two years that were exactly the same, as far as weather is concerned. However, the weather does affect how you're going to move your bees, when you're going to move your bees and when you're going to transport.

If I have a choice, I'll watch the weather before I look at moving. I watch for the cool, rainy days, or if it's going to be drizzling and whatnot. Hot, dry weather makes it a lot harder to move bees, and you just think that maybe we need to delay this a little bit.

• (1015)

**Mr. Ben Carr:** Okay, I appreciate it.

Mr. Chair, that's good. Thanks.

**The Vice-Chair (Mr. John Barlow):** Thanks very much, Mr. Carr.

Thanks to our witnesses.

We're going to have a bit of committee business. Before I go to that, I just want to ask Mr. Livingston one question.

I learned a lot about the importance of your business here today. You're a keystone in the supply chain in the livestock industry.

I'm curious. Before these transportation changes were made, going from the paper to the e-logs and the impact that would have, did anyone from Transport Canada or Agriculture and Agri-Food Canada come to meet and consult with you in regard to the impact these changes would have on the movement of livestock in Canada?

**Mr. Andrew Livingston:** No. Nobody consulted me. The only consults I had were after the fact: "You have to build a bigger barn." I said that if somebody starts throwing money at me, I'll build a bigger barn.

Nobody has thrown any money at me yet.

**The Vice-Chair (Mr. John Barlow):** How many loads can you manage at one time?

**Mr. Andrew Livingston:** We can put 22 straight loads in at any given time.

**The Vice-Chair (Mr. John Barlow):** Since these changes came into force in January, especially now with the fall calf run and winter hitting the roads today, have you had some circumstances when you've had overcapacity or trucks lined up that were unable to access the barn?

**Mr. Andrew Livingston:** Yes. We've had full capacity. We'll shut down at two o'clock in the morning. My night guy shuts down at two o'clock in the morning and I start at 3:30. By that time, there will be four or five trucks sitting in the laneway waiting to get unloaded. They have to wait until I load somebody and put hay in. Then I can unload them. They may sit in the laneway for two or three hours before they get unloaded. So far, everybody has worked with me. Everybody knows what the situation is. We try to make it work the best we can.

If you get a snowstorm or the road is closed, that really puts a kibosh on things. We had 38 trucks in here one day, all at one time. We were loading cattle and they were in the barn for 12 hours. We'd reload them back on the truck, take another load of cattle off and unload the first load again when his 24 hours was up sitting in the laneway. Some cattle were in the barn three times before they got out of here.

**The Vice-Chair (Mr. John Barlow):** That does not sound like a day that I would like to experience.

Thanks very much, Mr. Livingston and Mr. Greidanus.

Colleagues, we will now go in camera for a couple of minutes to address a couple of issues that have arisen. We will suspend very briefly and try to get this done as quickly as we can.

Again, thank you to our witnesses. Have a great day.

*[Proceedings continue in camera]*

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