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Chair: Mr. Pat Finnigan

Standing Committee on Agriculture and Agri-Food

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• (1545)

[*English*]

The Chair (Mr. Pat Finnigan (Miramichi—Grand Lake, Lib.)): I call the meeting to order.

Welcome to meeting number 34 of the House of Commons Standing Committee on Agriculture and Agri-Food.

Pursuant to the order of reference of Wednesday, March 10, and the motion adopted by the committee on April 15, the committee is resuming its study of Bill C-205, an act to amend the Health of Animals Act

Today's meeting is taking place in a hybrid format pursuant to the House order of January 25. Members are attending in person in the room, and remotely, using the Zoom application. The proceedings will be made available via the House of Commons website. Just so that you are aware, the webcast will always show the person speaking rather than the entire committee.

I'd like to take this opportunity to remind all participants at this meeting that screenshots or taking photos of your screen are not permitted.

[*Translation*]

To ensure that the meeting runs smoothly, I would like to share some rules with you.

Before you speak, please wait for me to recognize you. If you are participating in the meeting via video conference, click on the microphone to unmute it. The microphones of participants in the room will, as usual, be monitored by the proceedings and verification officer.

I remind you that all comments from members and witnesses should be directed to the chair.

When you do not have the floor, please mute your microphone.

[*English*]

We will now welcome our witnesses for the first hour.

As an individual, we have Dr. Deb Stark. We also have, from the Canadian Federation of Agriculture, Keith Currie, first vice-president.

Welcome to our meeting. We'll start with opening statements.

Dr. Stark, you have five minutes for an opening statement. The floor is yours.

Dr. Deb Stark (As an Individual): Great. Thank you very much.

I am pleased to accept the invitation to appear before this committee as you consider Bill C-205, an act to amend the Health of Animals Act.

I want to start by emphasizing that I'm here because I was invited and I wish to be helpful. It's very important to me that it's clear that my comments do not represent the view of any of the organizations that I'm involved with now or have been involved with in the past.

When I received this invitation and I asked why you wanted to talk to me, I was told it was because of my long-standing experience in various organizations. With that in mind, I thought I might take a minute and share some of my background.

I am a veterinarian by training. I spent most of my career in the Government of Ontario, including serving as Ontario's first chief veterinary officer and, at another time, the deputy minister of the Ministry of Agriculture, Food and Rural Affairs. Also, at various times, I was the manager of the ministry's animal welfare programs and the assistant deputy minister in charge of the food safety programs. I'm now serving on several not-for-profit boards, including the Canadian Agri-Food Policy Institute, or CAPI; the University of Guelph; and Ontario Genomics. I'm also the chair of the Agriculture and Agri-Food Canada departmental audit committee.

I would stop here, but I assume your first question might be, "What do you think about the bill?" I offer the following comments.

First, I want to thank you for your due diligence. Conversations on issues around animal diseases, farmer mental health and protecting the welfare of both people and animals are all important. Canadian agriculture plays an important role in global food security, in mitigating the impacts of climate change and in contributing to our economic success. Study after study has concluded that having an effective and efficient regulatory framework is important to this sector, so it's very good that you're closely scrutinizing these proposed changes.

I know some of your members have asked if the problem is truly about a gap in the legislative or regulatory framework, or if it's more about the application of the existing rules. I confess that I have that question as well. I don't know the answer, but I think it's important to think about that.

I also know that some members have asked about the ability to enforce the provisions in this bill, and I think that's another important question. Farmers expect to follow rules. They expect others to do the same and to suffer consequences when they do not. I don't think it's going to help any farmer's mental health if expectations rise because this bill passes and then nothing really changes.

I think it's important to acknowledge that the activity this bill is trying to prevent stems from a core tension. In its 2020 survey of Canadians, the Canadian Centre for Food Integrity reported that one-third of those surveyed were concerned about the humane treatment of animals. Perhaps most of those people just want to be reassured, but I know some of them are concerned with specific practices on the farm. I know others are completely against any kind of livestock and poultry production.

Change can be, and has been, driven by the farmers themselves, as research leads to better animal care; by consumers, through the choices they make in the marketplace; and of course by the activism of others. Animal agriculture isn't unique in this regard, and I don't think any of these drivers is going away soon.

These points being made, I want to conclude with my first comment. I don't think I have to tell this committee that our food production system is a Canadian success story. As long as the world chooses to eat meat, Canada can be a good place to raise animals. Canadian farmers deserve a regulatory environment that protects their animals, them and their assets.

Thank you very much.

● (1550)

The Chair: Thank you very much, Dr. Stark, for your statement.

Now we'll go to the Canadian Federation of Agriculture, with Mr. Keith Currie.

Go ahead, Mr. Currie, for five minutes.

Mr. Keith Currie (First Vice-President, Canadian Federation of Agriculture): Thank you, Mr. Chair.

Welcome to the committee members.

The Canadian Federation of Agriculture, or CFA, and its members understand the critical importance of maintaining a safe and reliable food supply and protecting the safety of those who feed us. As such, CFA is in support of Bill C-205, an act to amend the Health of Animals Act.

Farmers and ranchers work hard to provide a safe and sustainable food supply for all Canadians. It is becoming increasingly difficult for farmers and agricultural owners to effectively produce food, fibre and fuel due to ever-increasing trespassing events. Farms and farming operations have come under increasing threat from trespassers and activists who illegally enter property, barns and buildings, which cause significant disruptions to the entire agri-food sector.

Once-peaceful protests have now escalated into trespassing, invasions, breaking and entering into barns and other livestock facilities, theft, and harassment. The issue has now evolved to activities that create potential damage and liability far beyond the traditional, such as biosecurity breaches on livestock operations. Biosecurity

breaches of crop production operations often go unnoticed. There is food tampering, damage from people intruding in confined spaces and impacting the welfare of animals; activists moving animals off site; and sit-ins and protests around processing plants. We see the obstruction of trucks and drivers hauling our livestock to and from farm and livestock processing facilities, as well as the release of animals from production facilities for fur bearing animals and hogs, for example. There is trespassing and intrusive behaviour on fish farms.

These incidents distress farmers, their families and employees and threaten the health of livestock and crops. When activists breach biosecurity protocols, this ultimately puts the entire food system at risk. While current trespassing laws, regulations, fines and penalties may have been adequate to deal with nuisance trespassing in years past, the current new era of activism sees well-orchestrated and planned events that result in uninvited and unwelcome trespassers on farm properties, yards, buildings and processing plants. The number of people with a specific focused agenda are increasing at an alarming rate. It's intended to cause economic stress for the producer.

While trespassing laws are typically under the jurisdiction of provinces, often provincial statutes are not enough of a deterrent for people who commit trespass offences. Bill C-205 will complement provincial legislation as an indicator of the severity of these offences and that protecting the agri-food industry is critical. Charges, when laid, are often dropped by the court system as they are considered minor infractions.

While the CFA does support the passage of this bill—and we urge all parliamentarians to get behind it—we do have some suggestions for some changes.

The proposed section 9.1 of the bill currently reads:

No person shall, without lawful authority or excuse, enter a building or other enclosed place in which animals are kept knowing that or being reckless as to whether entering such a place could result in the exposure of the animals to a disease or toxic substance that is capable of affecting or contaminating them.

This seems to indicate that unless you are fully aware that you are willfully reckless, the violation is excusable. A recent incident on an Ottawa-area mink farm where somebody had broke in and entered had the judge acquit them of a mischief charge because, although they entered the building illegally, no harm came to the animals. In the judge's mind, there was no violation.

We would like to see that change, so that it says that no person “without lawful authority, enter a building or an enclosed place in which animals are kept, to prevent the exposure of the animals to a disease or toxic substance that is capable of affecting or contaminating them”. As well, add in anyone “who aids or abets” someone in this should “be considered party to that contravention”.

As you heard Dr. Stark mention, mental health is becoming a big issue around activism. Farmers already face a wide variety of daily stressors that affect their mental wellness, whether it be weather, environment, market fluctuations, farm labour and social isolation, just to name a few. Trespass and activism are now an additional growing source of stress. Continuing to allow on-farm trespassing and barn break-ins to occur is not only threatening the viability of Canadian agriculture, but also posing a serious threat to farmers' mental health and well-being.

Bill C-205 recognizes the mental health crisis in agriculture and aims to support farmers and farming businesses by introducing new protections against trespassing and biosecurity breaches.

I should also add that livestock transporters and processing facilities are also under a similar tremendous mental stress from activism and activists.

• (1555)

I'll leave it at that, and I'll close, leaving more time for our witnesses to ask questions of me. I look forward to the conversation.

Thank you.

The Chair: Thank you very much, Mr. Currie.

Now, just before I go one, I want to welcome Mr. Barlow, sponsor of the bill, as a committee member today, and also my Atlantic colleague, MP Andy Fillmore.

Welcome to both of you, including the rest of the committee.

We'll start with our first round of questions at six minutes each, beginning with the sponsor himself, Mr. John Barlow.

Mr. John Barlow (Foothills, CPC): Thank you very much, Mr. Chair.

It's good to see so many of my agriculture committee colleagues once again. Welcome to Mr. Fillmore as well.

Mr. Currie, I'd like to start with you if that's okay. I appreciate your testimony here. What we heard at the last meeting was CFIA officials' saying that enforcing Bill C-205 would be difficult with current resources. I think what the CFIA failed to mention during their testimony is that the burden is not entirely on them. They have the Public Prosecution Service of Canada, which is something that they are doing already. There are enforcement officials at CFIA, which include inspectors and veterinary inspectors as part of the CFIA legislation. It also includes the enforcement and investigation service investigators who are already doing this type of work.

To go with your testimony, Mr. Currie, I would believe that if this pandemic has shown us anything, it's that when something is prioritized by the government and officials are given the right direction, what is sometimes considered a difficult problem certainly

becomes possible. Would you not agree with how important this issue is and that the federal government should show leadership on this issue, and not just defer this to the provinces when it's convenient to do so? This is something that the federal government needs to show leadership on.

• (1600)

Mr. Keith Currie: Thank you, Mr. Barlow, for the question, and the answer is “absolutely”.

As I mentioned in my opening remarks, I think this bill really complements current provincial legislation. It strengthens both provincial and federal legislation on protecting farms, farmers, farm families and farm employees. As I mentioned, this new era of activism has really ramped up. It's well planned. It's well orchestrated, and activists know what they're doing. To your point, what's happening is that our enforcement is not happening on the farm or at facilities. It just simply isn't. Part of it is because police do not have enough tools in the tool box. They also don't believe that the court system will look at this properly and actually convict people. If they're not going to convict people, then they don't want to lay charges and have to put the whole system through the process of going through the courts only to have it dropped, much like the recent case I referred to on the mink farm in the Ottawa area.

I think that if there are a lot of teeth in the legislation, that will, first of all, prove to be a deterrent, and also, if there activism and break-ins are happening, the police also will be confident in laying charges that something will happen as it goes through the court system. Hence, it will also require some education of the entire penal system to make sure that people understand what it is we're dealing with back out on the farm.

Mr. John Barlow: Following on that same train of thought, Mr. Currie, the CFIA is currently saying that we should leave this to the provinces. However, there are, in fact, only two provinces that have legislation in place now that deals with this. Saskatchewan is kind of going through the process. That leaves the vast majority of provinces and territories with nothing protecting biosecurity on farms, and you certainly rightfully spoke about the impact that this is having on the mental health of our farmers, ranchers and processors.

Is it not also important to have that national platform or national means to regulate and enforce this when many times, even at the provincial level, we're seeing merely a fine of a couple of hundred dollars for mischief, which is really no deterrent? We need a national deterrent. Would you agree with that statement, that there has to be a level playing field across Canada?

Mr. Keith Currie: Yes, I would absolutely agree.

Having a national act in place as a deterrent also leads to consistency in enforcement right from coast to coast. I think that is equally important so that people understand that we can't risk the safety of our livestock and our people looking after them.

Mr. John Barlow: Another comment by the CFIA was that there has to be an acceptable risk involved, that part of their job is that they can't enforce some of these things and that the risk of a biosecurity outbreak is something they have to accept.

I would strenuously disagree with that. Maybe just from your perspective, what would be the impact, let's say, of an outbreak of African swine fever on a hog farm in Canada or an outbreak of hoof-and-mouth disease? Certainly, I saw first-hand and lived the impact that BSE had on my part of Alberta. What would be the impact if we had a single outbreak of African swine fever or another animal-borne disease in Canada? What would be the impact of that?

Mr. Keith Currie: Diseases like ASF, or African swine fever, are very highly transmissible. I'll throw avian influenza in there, as well. AIA is devastating to poultry flocks, and quite often, the quarantine area is not just the farm that it occurs on, but a larger area where birds have to be destroyed.

You can talk about infectious diseases coming into cattle operations, and even go so far as to say that bringing in invasive species into crops could impact a farm's livestock operation as well. It's devastating to not only the producer where it happens but also the entire area in which it happens is quite often affected. It affects multiple producers, costing hundreds of thousands or millions of dollars.

Potentially, depending on the livestock, it could create shortages in that product as well. It really does have a devastating effect, which is why we need to strengthen our trespassing laws.

• (1605)

Mr. John Barlow: I find it interesting, Mr. Currie, that the activists and protesters are there to protect the health of animals, which I think we can all agree with, but if there is an outbreak, what happens to those animals?

Mr. Keith Currie: Typically, depending on what the outbreak is, of course, they may have to be destroyed. It's not only that, because when activists enter those facilities, particularly on poultry farms and also with livestock, these animals are not used to them, so they get extremely excited. They are scared.

I have a very large duck farm near me that activists broke into, and hundreds of birds had to be put down because they—pardon me for lack of a better term—freaked out and injured themselves.

The Chair: Thank you, Mr. Currie, and Mr. Barlow.

We'll move on to Mr. Drouin.

[*Translation*]

Mr. Drouin, you have the floor for six minutes.

[*English*]

Mr. Francis Drouin (Glengarry—Prescott—Russell, Lib.): Thank you, Mr. Chair. I do want to thank both witnesses for being before the committee.

Certainly, I think all committee members agree with the objectives of the bill, but we may not necessarily agree with how to get to that particular point.

I did have a question for Dr. Stark—and I'm not going to ask which hat you're going to wear—with regard to biosecurity, and how that has evolved over the last 20 to 30 years. I know that when I was seven years old, which was 30 years ago, I didn't have to wear special equipment walking onto a farm. Now I have to wear special equipment to go onto farms in my own riding.

What risks or dangers do strangers walking onto a farm present for biosecurity?

Dr. Deb Stark: Thank you very much for the question. Again, I'm not wearing a hat of any particular organization. I'm here with my hatless head today.

You're right that biosecurity expectations have changed. People used to welcome people into their barns. It was seen as a sign of friendliness. As you say now, the signs are up, the doors are closed, and before you can get into barns, you are expected to change clothes, go through disinfection procedures, and things like that.

That being said, the risk really comes if whoever is coming in has been exposed to a disease somewhere else. It's really hard, and this is one of the challenges. If you haven't been near any sick animals, and if you haven't been near any particular disease agent, then you are really not likely bringing it on to the farm. It's when you have been near those animals, or those agents, that the risk increases.

Unfortunately, we don't always know. That's the problem, and that's why farmers have implemented standards that have to apply to everybody, because they can't take a chance with your knowing whether or not you've been near a sick animal or been exposed to a virus. We can't take that chance.

Therefore, the standards are set. Mostly, they are kind of consistent across the country, but lots of them are implemented at the provincial level through various organizations, like the dairy farmers or the pork producers, setting up standards that work for their particular situation. Then they move out across the country that way.

I hope that answers your question.

Mr. Francis Drouin: Thank you.

I'll move on to Mr. Currie. It's great to see you before the committee.

I know you were instrumental in lobbying the Ontario government to pass the Security From Trespass and Protecting Food Safety Act, 2020, when you were wearing your OFA hat.

I am wondering if you know of anybody who has been subject to that particular act since it was passed in Ontario, and whether it's working.

Mr. Keith Currie: There has been one charge laid under it. To the best of my knowledge, it has not made it through the court system yet. Has it been successful? I guess we'll see. We are in the season of activism. Typically, the warmer weather months are when activists are more prevalent, so we'll see. It's a matter of educating enforcement officers as well to fully understand the parameters around the penalties and to enforce them.

The correct answer is that nobody has been charged because nothing is happening, but we know that won't be the case.

Mr. Francis Drouin: There's one quick comment I want to make. I know that public trust was identified under the CAP initiatives over the five years, and I'm wondering whether or not there's been any education campaign amongst the activists on the reasons why they shouldn't be walking into such environments and whether or not you know if there have been any organizations that stepped up and have asked for funding to launch those campaigns. I certainly believe in the Security from Trespass and Protecting Food Safety Act in Ontario. I commend my colleague Mr. Barlow for presenting this bill, but I certainly don't believe that the CFIA may be the right folks to do this, especially given that you would now have multiple levels of government responsible for one particular aspect on the farm. If there are too many monkeys in charge, then nobody's in charge.

I'm wondering if you're aware of any organization that has applied for such funding or is doing that education campaign so that we can prevent those types of events from happening?

• (1610)

Mr. Keith Currie: I'm not aware of any organization that has applied for it, but you have to keep in mind that when you enter into this public trust type of campaign on animal husbandry in particular, it quite often becomes a battle on social media. You're dealing with activists who have no idea what they're talking about with respect to animal husbandry. For those of you on the committee, if you just look at the National Farm Animal Care Council, who create these codes of husbandry for our animal producers, there's a long list of organizations that are involved there. It's not just farmers; it's Humane Canada, for example, and it's restaurants. The

whole value chain is part of this. So we have their input on how we need to handle our animals quite properly.

However, getting into a battle on social media is one that you never win, so it's a tough one to get into that public trust on animal safety. Most of these activists, as I've said, not only don't farm, but their real or main goal is to get you to stop eating meat. It's not about whether they think you're doing something wrong. They just want you to stop eating meat. That's the goal behind a lot of this. It's a tough road to haul if we're trying to get into a public battle with them.

Mr. Francis Drouin: I agree on that, but just to educate...so they can protest and come to MPs' offices and I'll give them free coffee if they want it. Just don't be on the farm.

Mr. Keith Currie: MP Drouin, it's good to see you again as well. If I could just add, one of the things that's occurred in the last 15 months is that people have become more aware of food security and have a better understanding of the need to make sure that we look after the people providing the food. They have taken a deeper interest in agriculture in general. I think that is a positive thing that we need to capitalize on.

The Chair: Thank you, Mr. Drouin, and Mr. Currie.

I'm a little bit generous on time because we're not going to be able to get in the second round. If you noticed, I let you go a little bit over time, but eventually I have to stop it. We will continue and I think it will work out fine.

[*Translation*]

Mr. Perron, you have the floor for six minutes and a few seconds.

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

I thank the witnesses for being with us and for giving us their time at this meeting.

Mr. Currie, there are obviously a host of questions I would like to ask. You have proposed that section 9.1 of Bill C-205 be amended. Could you repeat what you proposed?

If I understand correctly, you are proposing to remove the part that says "[...] knowing that or being reckless as to whether entering such a place could result in the exposure of the animals to a disease [...]", because someone could claim that they didn't know there was a risk, and not be subject to a fine. Did I understand correctly?

[*English*]

The Chair: Mr. Currie.

Mr. Keith Currie: Thank you.

This “I didn't know better” excuse is being used quite frequently in the court, and many of our judges in particular are stating that “because there was potentially no harm done, we can acquit you of this mischief charge that's being presented”. I keep referencing the mink farm case just outside of Ottawa because it's recent, where that very reason was used by the judge: “Yes, the person got into the building, but no damage was caused, so therefore I am going to acquit of that charge.”

What we are proposing is a slight change to proposed section 9.1 just to say this: “No person shall, without lawful authority, enter a building or other enclosed place in which animals are kept, to prevent the exposure of the animals to a disease or toxic substance that is capable of affecting or contaminating them”.

It's a simple change to take away that “nothing happened so therefore I'm not guilty” aspect of the bill.

• (1615)

[Translation]

Mr. Yves Perron: Thank you very much for your answer.

You would also like people who may have been complicit to be mentioned. Could you elaborate on that?

[English]

Mr. Keith Currie: Yes. Quite often, you will have people who actually are caught in a facility or caught doing some trespassing on a property and get charged, but lots of times these people have had help in accomplishing their end goal of getting in, doing a sit-in and trespassing on property. Anyone who is known to have aided or abetted these individuals in that act should also be held responsible for being part of the act itself.

[Translation]

Mr. Yves Perron: Thank you very much for the clarifications.

Ms. Stark, you are appearing today in your personal capacity. Do you think it would be a good idea to pass Bill C-205?

[English]

Dr. Deb Stark: I think the intent of the bill is good. I think the problem the bill is trying to address is real. I agree with Mr. Currie and the CFA. I think these things are getting worse and people who oppose animal agriculture are getting bolder. In that way, in terms of sending a signal, I think it's a noble effort.

As I said in my comments, I do really question whether or not or how this can be enforced. Again, I think we've heard the CFIA say that it kind of falls apart in the courts. That has been the experience in the past, and simply putting another rule on the book only to have it fall apart in the end I'm not sure is going to achieve anything.

[Translation]

Mr. Yves Perron: I understand what you are saying and I also feel that way sometimes. Thank you.

From what we heard from the witnesses who appeared, the problem is that the current regulations, whether they are provincial or federal, force producers to establish proof as to the consequences of

the intrusion, which can be difficult to do. For example, if a disease appears sometime after the intrusion, it's very difficult to make the connection between the two.

Don't you think that if just being on farm property became a violation, that might simplify the job? If that mere presence could be punished, couldn't the problem be avoided?

[English]

Dr. Deb Stark: I'm sorry. Are you asking me?

[Translation]

Mr. Yves Perron: Yes, Ms. Stark.

[English]

Dr. Deb Stark: I am not a lawyer, so I have no ability to really give you a definitive answer on that. Mr. Currie may choose to respond.

I think that in some ways that's the intent they are trying to address with the amendment, which is to say that “if you're there, assume that this may cause problems”. Then you can take action. But I really have no ability to give you any kind of insight of any value.

[Translation]

Mr. Yves Perron: Okay.

Mr. Currie, what is your opinion about that?

[English]

Mr. Keith Currie: Well, I think any strengthening of the protection of animals and their handlers, their owners and the employees who work around farms, is good.

With respect to the act itself, it may need further wording to enclose things like pasture fields. It may need to include processing facilities and these types of areas where animals do exist and potentially could run into some trespassing as well. I'll leave that to the smarter minds to make sure that they encompass all that needs to be done there, and we're happy to have those conversations.

What we have now is not working, so if it's strengthened only a little bit, it's better than nothing.

[Translation]

Mr. Yves Perron: In your opinion, if Bill C-205 were passed as it stands, would its enforcement cause problems, or would it be easy to apply?

[English]

Mr. Keith Currie: I think any piece of legislation could be enforced. It's whether or not there's a willingness to do it in a lot of cases.

We have rules. We need to have them enforced.

• (1620)

[Translation]

Mr. Yves Perron: Thank you very much.

Mr. Chair, do I have any time left?

The Chair: You have time to ask a brief question and get a brief response.

Mr. Yves Perron: That's fine.

Mr. Currie, some people say there is a risk that animal abuse will no longer be reportable. What would you say to them?

[English]

Mr. Keith Currie: Many activists use the “ag-gag” law as a defence. The reality is that if there are bad farmers out there, I want you to find them.

It's like saying every parent is a bad parent, every pet owner is a bad pet owner. That's just not the case with farmers and their livestock. They truly do the best they can.

Almost all of the commodity organizations do their own inspections on farm as well. There are very strict rules.

The Chair: Thank you, Mr. Currie.

Now, Mr. MacGregor, go ahead, for six minutes.

Mr. Alistair MacGregor (Cowichan—Malahat—Langford, NDP): Thank you, Chair, and thank you to both of our witnesses for helping us with our understanding of Bill C-205.

Mr. Currie, maybe I will start with you.

In your opening statement you used the word “trespass” a lot, and you mentioned that activists have become a lot bolder in their activities. A lot of these acts have now transgressed to break and enter, property damage and so on.

In your mind, do you think Bill C-205 is primarily designed to stop trespassing, or biosecurity? Which comes top of mind for you as the priority of the bill?

Mr. Keith Currie: Thank you for the question.

I'm not sure that I would prioritize one over the other, for the following reasons: Biosecurity is incredibly important for the protection of our animals, but the act of trespassing in itself is something that's creating a tremendous amount of stress to our farm families and employers, as I mentioned.

What I'm fearful of is that someone might decide to take the law into their own hands—and that would scare me even more—because they don't feel there's adequate protection, through the law, regulations, legislation, to help protect them. Both trespassing and biosecurity are big, big issues here.

Mr. Alistair MacGregor: Thank you for that clarification.

Across Canada, as you know, we have had some instances on farms—notably, mink farms—where it's been employees who have accidentally brought in a disease to the animals. They were there with lawful authority and excuse, and through their actions—they may not have been following proper protocols—they accidentally transferred a disease to the population.

Bill C-205 uses that language of being there with “lawful authority or excuse”.

Do you think there's room to amend this bill so that employees are held to the same standards, or if that's not in your view the correct path to take, what should we be doing to ensure that standards are uniform, whether you're a protester or a farm employee?

Mr. Keith Currie: Well, certainly I believe it's up to each individual farm operation to make sure they educate their employees on the proper biosecurity protocols that are in place. All livestock commodity organizations that I know of have resources that farmers can access to educate their employees on proper procedures and protocols.

I'm not sure that having an act that will penalize an employee because they made a mistake in that regard is really fair, unless that employee was hired under false pretences in order to get access to the building. That's a different situation. Otherwise, I wouldn't want to say that this act should try to handle a mistake by an employee bringing a disease in.

Mr. Alistair MacGregor: Thank you for that.

Bill C-205, in that first clause, makes reference to “a building or other enclosed place in which animals are kept”.

In your mind, if we had a hypothetical scenario where protestors did gain access to a farm property but did not come anywhere close to animals, is that where provincial laws would be applicable and not this federal act? I guess that's where the jurisdictional waters have the potential of being muddied in that hypothetical situation.

Do you have any comments on that?

Mr. Keith Currie: Certainly, you're correct, there is a little muddying of the lines, there, but I think provincial and federal rules can complement each other. It would depend on the situation, but there is real potential danger of bringing in infection of some kind, even just by being on the property, without even necessarily getting right onto the barn.

Dr. Stark is better to speak to this than I am, but there are organisms that can live in the soil, which the animals may have access to once they're outside. Certainly we're trying to encompass all of the areas in which animals may be housed, whether it's outdoors or indoors.

• (1625)

Mr. Alistair MacGregor: Okay. Thank you.

Maybe, Dr. Stark, I'll turn to you if you want to maybe add some comments on that last question.

Before you do, in our previous meeting on this bill we did have the chief veterinarian for the CFIA give testimony, Dr. Komal. He testified that scientific literature provides little evidence that farm trespassers have transmitted pathogens. He said that human beings would have to have close, prolonged contact with animals in order to transmit a disease.

If you have any comments on the previous question I asked Mr. Currie, as well as any commentary on what Dr. Komal told this committee, I would appreciate that.

Dr. Deb Stark: I would start by saying that I agree with Dr. Komol. I am not up to date on the science, but I certainly respect him and his position, and I don't think he would make that comment to this committee without making sure of his facts. His point about the exposure is kind of the point I was trying to make, that in order to transmit a disease, you have to be near a sick animal to pick up that virus, and then move it.

Mr. Currie is right. Some of them move through the air and some of them can transfer really easily. I do not want to discount that there are some viruses that move like that, but certainly not all of them do. Generally you have to be pretty close and then move it through.

On the difference between an employee versus someone who comes onto the farm, the only thing I would say is that, generally, we expect employers to deal with their employees so that if there is a breach in following farm protocol, I would expect that it would be the farm manager or owner dealing with that, as opposed to using any kind of a tool such as this.

Mr. Alistair MacGregor: Thank you.

Maybe as just my final question, in terms of agricultural laws, some fall under the stick category and some fall under the carrot category.

Going back to an earlier exchange between Mr. Drouin and Mr. Currie on building that trust between the agricultural community and the public at large, do you have any suggestions about how we can use more of a carrot approach to build that trust with the public, because you did mention in your testimony that about one-third of Canadians are concerned? Do you have any ideas you can share with the committee?

Dr. Deb Stark: First, I would like to highlight the incredible investments that the food and agriculture sector in this country has already made in building that trust. The organization I referenced, the Canadian Centre for Food Integrity, is a not-for-profit organization that began in the hands of farmers who said, "We have to make sure that we stay in touch with our customers, so that they understand what we're doing, and we understand when they have some concerns about that and we sit around a talk about it".

The Chair: Thank you, Dr. Stark. Sorry to cut you off.

Thank you, Mr. MacGregor.

Committee members, we looked at the time frame we have. If we extend between 10 and 15 minutes we can get the full....

Do I have the consent of the committee to finish the second round, which would be roughly 15 minutes, and then it will probably push our next one to maybe 10 extra minutes? Are we all good with that?

Some hon. members: Agreed.

The Chair: Let's start the second round.

Mr. Epp, you have five minutes.

Mr. Dave Epp (Chatham-Kent—Leamington, CPC): Thank you, Mr. Chair.

Thank you to our witnesses, Dr. Stark, and it should be "Dr. Currie", for your excellent testimony.

I'd like to start with you, Dr. Stark. It's good to see you again.

As has been mentioned, we heard from the officials that this legislation is not particularly necessary, as all of this is covered under provincial trespassing laws and that this could potentially muddle provincial-federal relations or federal-provincial jurisdiction.

You mentioned in your testimony some core tensions. I know that with some of our "hats" in the past, you've had to deal with some of these core tensions.

How do provincial officials presently work with the CFIA when they're investigating offences? Would that relationship change and be strengthened with the passage of this act?

• (1630)

Dr. Deb Stark: Thank you very much.

I guess I'm supposed to address the chair, but it is nice to see you again, Dave.

I can mostly speak from Ontario, but certainly provinces talk. The federal-provincial ag departments talk frequently enough, so I think I can represent most of the provincial colleagues when I say that the working relationship on the ground is very good.

Agriculture is a shared jurisdiction, and areas like food safety and animal health don't respect provincial and federal boundaries. The diseases don't care whose jurisdiction it is, and so officials need to work hand in hand to make sure the system works well.

On what would change if this bill were in place, I think I'd go back to it depending on what kind of resources the CFIA is given. If the CFIA is fully resourced and given the mandate to take control and enforce it all themselves, it may make very little difference.

History would suggest that there would probably be some kind of an outreach to the provincial officials, trying to figure out who was on the ground and closer to the farms. Certainly provincial officials are usually more close on the farm, and more on the ground, quite frankly, so we probably would try to work with them.

Mr. Dave Epp: Thank you.

Picking up on MP Alistair MacGregor's question, I would note here that Dr. Komol testified that it takes time for disease to be transmitted, yet we also know that protesters are moving from farm to farm. We had that happen when protesters from B.C. entered a farm in Alberta, and we had a virus transmitted to a Quebec hog farm. You talked about exactly that concern.

We also have an issue with perception. I know how the addition of perception of conflict of interest changed the legislation. I think we have an issue of perception here as well, with people entering the farm.

Could you comment on that, please?

Dr. Deb Stark: I'm sorry. Do you mean about the perception of people and the risk?

Mr. Dave Epp: Exactly. I mean the perception of risk, when protesters are moving from farm to farm, for the mental health of the farmer and for the safety of our food system.

Dr. Deb Stark: I think the risk to an individual farmer who has someone come into their barn with their animals, and where they have their family, can be significant.

You already identified the risk of bringing in the disease. That depends a lot on where those individuals have been in the past 24 or 48 hours, what they've been exposed to and how close they can get to the animals in the barn, whether they touch them or they're just at the door taking pictures. That one is much more murky to me.

However, I would not want to leave, for a minute, the impression that I don't think there are risks.

Mr. Dave Epp: Thank you.

I'd like to direct a question to Mr. Currie.

We received committee testimony from a veterinarian, Jean-Jacques Kona-Boun, and I'm going to read a quote to you. He wrote to us:

Animal abuse is a staple of the agri-food industry and is not always the result of an intent to do harm.

Most of the time, the abuse and subsequent suffering is the result of either following the standard practices in the industry—in Canada, these practices are listed in the National Farm Animal Care Council's codes of practice for the care and handling of farm animals—or disregarding these standard practices....

Can you comment on that statement, please?

Mr. Keith Currie: Well, I'm a little disappointed in hearing those words. That said, veterinarians are certainly people who have a close relationship with our livestock producers. They, along with nutritionists, are a vital part of any operation.

I really have a hard time buying into a blank statement saying that farmers abuse their animals, even though it may be unintentional. As I look at all of our different codes of practice that our commodity organizations enforce.... These organizations themselves, especially supply management, have the authority to shut you down if you're not abiding by the proper codes of conduct, so—

The Chair: Thank you, Mr. Currie. We have to move on.

Mr. Louis is next for five minutes.

Mr. Tim Louis (Kitchener—Conestoga, Lib.): Thank you very much, Mr. Chair.

I want to thank both of our witnesses for being here for this great discussion. It's very welcome, and I appreciate that.

I would like to begin my questioning with Dr. Stark.

As we mentioned before, laws are usually meant to change things, and I'm not exactly clear what gap we're trying to fix. As mentioned a number of times, a number of provinces, including mine in Ontario—and Dr. Stark, you mentioned that—already have existing provincial laws.

I know that laws like this in the U.S., and bills like these, have been struck down in six states, and they're being challenged in Ontario right now. We have local trespassing and private property laws, which already address the break-ins or illegal entries on a farm.

We've heard in some testimony, and after questioning witnesses, that we see cases of intrusion on farms where producers do not address the complaints to the proper local authorities.

In your opinion, Dr. Stark, what are the barriers to using the means that are already available to farmers to ensure safety? What makes them not call the local authorities?

• (1635)

Dr. Deb Stark: That's a very interesting question. To be honest, I was not aware of situations where farmers did not call local authorities. I'm more familiar with situations where farmers do call local authorities and in the end nothing happens. I do think that, at least in Ontario, from the experiences I've seen and what I've heard, people are discouraged. Farmers are discouraged. It would seem that people can walk onto their farms and into their barns. They feel they can be doing all the right things and it's allowed to happen, and charges are not laid or they're not successful. I'm afraid I can't add much more than that.

Mr. Tim Louis: Maybe I'll ask Mr. Currie, then.

If the issue isn't about their not calling the authorities, would it be in the laying of charges? Farmers might call the local authorities but then choose not to press charges. If that is the case, what kind of solutions could help enforce the local laws, or even provincial laws, that already exist?

Mr. Keith Currie: In some cases people are in and out quickly and we don't have a chance to apprehend them. Dr. Stark is right that in many cases the authorities simply don't make it a priority to come to the farm, and farmers get frustrated. They get to the point that they throw their hands up and say, "Why bother if nobody is going to come and help protect me?" Unless there's a direct threat to human safety that's noted in a phone call to police, they typically put it way down on the list of priorities. I understand that our local police forces are stressed as far as manpower goes, but we aren't getting any action from authorities. They aren't coming out to investigate these on-farm break-ins and the trespassing.

Mr. Tim Louis: I'll go back to Dr. Stark.

We've heard in testimony how essential it is to have strong biosecurity measures to protect animal health and well-being against outbreaks and infectious organisms and to protect the mental health of farmers and the marketability of products. The CFIA provides a list of possible sources of infectious organisms, which includes live, dead or sick animals; animal products; family or staff; clothing; equipment; vehicle transportation; and even birds and wildlife.

Can you talk about protecting biosecurity and the major issues, because I do not find that any kind of animal advocacy or protests fit the mould of causing disease outbreak. Can you rank some of the top ones for biosecurity so that we know how to continue to protect our animals and the farmers?

Dr. Deb Stark: It's a challenge to do that because birds are not the same as cattle; cattle are not the same as pigs; pigs are not the same as horses. It depends a lot on the species and depends a lot on the organisms. However, generally the principle is to try to keep the animal—a bird, say—from being exposed to the organism by using multiple barriers. That means making sure that everything they're being fed and the bedding and everything are clean, things like that. We know that humans can bring viruses and bacteria into barns, so it means making sure that the risk from humans is minimized. It means keeping buildings built far enough, as there are airborne kinds of viruses. Those happen.

I'm sorry. I know I'm not really answering your question, but those multiple barriers and trying to make sure that the animal is not exposed is the fundamental principle of biosecurity.

Mr. Tim Louis: I appreciate that. At the end of the day, what we're looking for is to protect animals and the farmers. Thank you.

The Chair: Thank you, Mr. Louis, and thank you, Dr. Stark.

[Translation]

Mr. Perron, you now have the floor for two and a half minutes.

• (1640)

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

Mr. Currie, I will address you again.

We talked earlier about the people who say this bill would stifle whistleblowers, and I asked you what you would say to them.

Currently, what are the existing regulatory mechanisms that your members can use? For example, if someone suspects that animals are being abused on a farm, do they necessarily have to wait until an offence is committed to report that? Is there another way to do this?

[English]

Mr. Keith Currie: There are a number of different ways, certainly. We've talked about the animal codes of practice that are in place, and in a lot of cases, the commodity organizations themselves do inspections and find this, find any wrongdoings. Also, as I mentioned, both nutritionists and veterinarians are frequent on the farm, dealing with livestock, so they have an obligation to deal with these kinds of situations as well.

Typically, the majority of people are good keepers of animals by human nature. Are there bad people out there? Yes. If you're driving down the road and you see an animal in distress for reasons that

are out of the animal's control, most provinces have some type of legislation in place, whether it's a prevention of cruelty to animals act or a specific piece of legislation that deals with animal husbandry, and there are lines to call. If you're just the general public, there are numbers you can call, authorities you can call to investigate, and they have a duty to investigate those operations if there is suspicion of poor animal husbandry. There are a number of ways. Breaking into a barn is not the right way to do it.

[Translation]

Mr. Yves Perron: Thank you.

You talked about unfortunate and regrettable events that could happen if there were no regulation. Some producers might decide to take the law into their own hands.

Beyond that, I would also like you to talk about the mental health of producers.

[English]

Mr. Keith Currie: By nature, farming or ranching is a stressful job because of all of the elements that are out of our control. However, when you pile on top of it the opportunity for activists to come on your property without permission to potentially not only endanger your buildings by breaking in but also affect all of your livestock either through bringing in a disease or simply letting them go.... Animals like mink don't typically do well out in the outdoor environment, so if you open up a barn at a mink farm and let them all go, they are not going to survive, yet the people who do that don't get charged with animal cruelty.

The Chair: Thank you. Unfortunately, that is all the time.

Mr. MacGregor, go ahead for two and a half minutes.

Mr. Alistair MacGregor: Thank you, Mr. Chair.

Mr. Currie, in one of your earlier exchanges, you made mention of the fact that, in many cases, farmers have just kind of given up on reporting to the authorities because there is such a sorry track record of investigation and follow-through to an eventual conviction. Did I hear you right on that?

Mr. Keith Currie: You are right, by and large, and I should clarify that I'm dealing with my experience here, mostly in Ontario.

Mr. Alistair MacGregor: Okay. I am just wondering whether maybe the answer we need is more police resources. My community is facing the same thing. Sometimes the RCMP have their hands full with an opioid crisis, and they don't always get to property-related crime because we're down 11 members in our RCMP detachment.

Do you think that might also be a solution? You can pass all the laws you want, but if you don't have the police to enforce them, you're not really going to get much traction.

Mr. Keith Currie: Yes, I would say that's a fair statement, and I also would agree with Dr. Stark's earlier comment about the CFIA's also needing better resources to enable it to do its job on the enforcement end as well. However, police services certainly are lacking in funding to adequately give us support in rural Canada.

Mr. Alistair MacGregor: Thank you.

Dr. Stark, our committee did receive a letter from Humane Canada, an organization that I'm sure you are very well aware of and have worked with over your many years of service. Of course, it is the federation of all the SPCA organizations across Canada. It has written a letter stating quite clearly that it is against Bill C-205.

Do you have any comment on when an organization that is tasked with enforcing animal welfare on farms comes out against the bill we are studying? Do you have any comment to add to that, or does that elicit any reaction from you?

• (1645)

Dr. Deb Stark: I have worked with Humane Canada, which is actually the group that sits at the table, or has in the past, in the development of the national farm animal codes, as Mr. Currie talked about. As you say, it is an umbrella, a voluntary organization of animal protection groups, animal care groups and humane societies. I'm not aware that it, itself, has any mandate to enforce any kind of legislation or has any resources to do so.

Am I surprised that it has said no? I don't know. I'm not close enough to understand how it makes decisions within its organization. I know it represents a lot of animal welfare organizations, and I'm sure it's not easy for it to come to consensus on many of the positions that it takes.

The Chair: Thank you, Dr. Stark, and Mr. MacGregor.

Unfortunately, that's all the time we have. It was a very interesting conversation.

I want to thank Dr. Deb Stark for appearing as an individual. Thanks for your experience and knowledge.

Of course, Mr. Currie with the Federation of Agriculture, thank you so much for your help on this study as well.

With that, we'll break for a couple of minutes and then we'll be right back with the second panel. We'll suspend just for time to change the panel.

Thank you.

• (1645)

(Pause)

• (1650)

[Translation]

The Chair: We will now welcome the second panel of witnesses.

We have Dr. Jean-Pierre Vaillancourt, full professor at the University of Montreal, appearing as an individual.

Welcome to our committee, Dr. Vaillancourt.

We also welcome Rick Bergmann, chair of the board of directors of the Canadian Pork Council, as well as René Roy, first vice-chair of the board of directors.

We welcome you both to our committee.

We also welcome David Duval, president of the Éleveurs de porcs du Québec.

We will give you each five minutes to make your presentation.

Dr. Vaillancourt, you have the floor.

Dr. Jean-Pierre Vaillancourt (Full Professor, Université de Montréal, As an Individual): Thank you.

I'm going to be fairly brief, since I provided a document. I will speak in French, but I will respond in English to questions that are asked in English.

In my brief, I mentioned three points. I will add a fourth. When there is intrusion into facilities, there are risks to animal welfare. We don't always know what the consequences of intrusion will be, depending on the species, but some animals can get injured and stressed to the point where their immune systems are affected and then they have more infections or infection-related problems.

For example, a person who doesn't know how to move around a poultry facility may very well kill some of them, because the poultry might crowd into corners and panic. We see this and we see it in swine production as well, where sows can get upset and crush their young.

Infectious diseases are one of the risks, among others. Contrary to what I heard a few minutes ago, you don't have to be near an infected animal to infect others. I can talk about this later.

Every visit carries a risk, including reportable diseases such as African swine fever and avian influenza, which is highly pathogenic. This is well documented. Obviously, diseases are not brought in every time there is an intrusion.

The risk is also well documented for endemic diseases, such as porcine reproductive and respiratory syndrome, or PRRS. In addition, infectious bronchitis and laryngotracheitis, for example, are other diseases that can have an impact.

There is also a risk to the people themselves. People who enter the premises of a farm and don't know what they're doing can become contaminated with bacteria, such as salmonella, or campylobacteriosis or Q fever. There are different situations where they can even injure themselves.

The fourth point I would like to make is based on my experience as a professor at North Carolina State University, in the U.S. On September 11, 2001, when the Department of Homeland Security was created, I was approached by a member of congress who told me that while the towers were falling in New York City, two farms in the Midwest were victims of bioterrorism. It was not al-Qaeda that did it, it was people who purposely contaminated two farms because they were angry at a farmer. So there is that possibility as well.

We often think of people who act to further animal rights, want to protect them or free them, but there are also people who are willing to go quite far in the opposite direction.

Let me give you the example of the former sister-in-law of a rancher in North Carolina, who decided one night when it was 40° C in July to turn off the water because she was angry at the producer. Thousands of birds then died within hours.

So there can be consequences due to the transmission of infectious pathogens, but there can also be other problems that are not necessarily infectious and can also be caused by people who don't belong on the farm premises.

I would also like to make a comment. We read the text of a Quebec veterinarian who, by the way, lacks veterinary ethics. In fact, he has been singled out for this, because he is not shy about stating that veterinarians who work in animal production lack ethics. He is a militant antispeciesist vegan activist.

You may be a bona fide veterinarian, but you have to be careful. He is an extremist whom I denounce.

I will stop now to give others time to speak.

Thank you for your attention.

• (1655)

The Chair: Thank you, Dr. Vaillancourt.

I will now turn the floor over to the Canadian Pork Council representatives, Mr. Bergmann and Mr. Roy.

Gentlemen, you have the floor for five minutes.

[English]

Mr. Rick Bergmann (Chair of the Board of Directors, Canadian Pork Council): Thank you for that.

Thank you for this opportunity to appear before the House of Commons. Bill C-205 is very important for Canadian pork producers. My name is Rick Bergmann. I'm a producer from Manitoba, and today I'm joined by René Roy, a producer from Quebec.

The Canadian Pork Council's on-farm program, called Canadian pork excellence, is based on HACCP principles. Food safety and biosecurity are all intertwined, and the adoption of stringent biosecurity protocols is a vital component of every producer's plan to keep their animals healthy and safe.

Pork producers are investing significant amounts of money to improve infrastructure, including significant improvements in barns, traceability and measures to limit who can access a hog barn,

all to improve biosecurity controls. At the end of the day, the focus is to keep animals safe.

Still, unauthorized entries onto our hog farms are one of the greatest threats to biosecurity. Over the past several years, as I'm sure is not new to you, we have seen an alarming increase in unauthorized entry on farms, with individuals illegally entering our barns and other farm properties. That is very disturbing. These incidents put us, animals, and the entire food supply at risk. The reason we have so many stringent controls over the access to our barns is to reduce the devastating risks that several diseases could have for the industry.

Using my own farm as an example, a disease like PED or PRRS would cost my farm, which is not a large farm, between \$260,000 and \$320,000, very significant money, a significant cost and detriment.

The most concerning is African swine fever, which is an industry-killing disease. The cost of responding to and recovering from an ASF outbreak would be measured in billions of dollars for all our producers combined. Biosecurity is our best defence against the disease, and unauthorized entries put us all at risk.

I invite René Roy, my colleague, to say a few words at this time.

Mr. René Roy (First Vice-Chair of the Board of Directors, Canadian Pork Council): Thank you, Rick.

Our investments in time, energy and money are not enough to prevent unauthorized entries. Bill C-205 provides a means to deter trespassers who might expose animals to unnecessary stress, potential disease or toxic substances.

We underscore our commitment to being transparent with consumers in Canada and around the world. Transparency is essential for consumers to have confidence in how pork is produced, including ensuring that producers are living up to the high standards they set for animal health and welfare.

Bill C-205 is not an attempt to limit transparency on our farms but an attempt to protect animal health and welfare. We regularly speak to Canadians from coast to coast. We make it one of our top priorities to answer all people's questions about how pork is produced, including questions on animal welfare.

Passing Bill C-205 will provide confidence to producers that their animals will not be put at risk by illegal trespassers who do not care or respect pigs, their health and welfare, and the health and welfare of their family pork producers.

Thank you, Mr. Chair.

• (1700)

The Chair: Thank you, Mr. Roy.

[*Translation*]

We will now continue with Mr. Duval, president, Les Éleveurs de porcs du Québec.

Mr. Duval, you have the floor for five minutes.

Mr. David Duval (President, Les Éleveurs de porcs du Québec): Thank you, Mr. Chair.

Ladies and gentlemen members of the House, good afternoon.

I am extremely pleased to appear before you today to represent Quebec pork producers and to speak to you about the issues related to the bill, which should be passed.

Our organization represents more than 1,700 producers, who market seven million processed hogs in Quebec per year. Quebec is the largest pork producing province, and our sector is the second largest agri-food sector in Quebec. Hog production in Quebec contributes \$1.13 billion annually to GDP and generates \$1.8 billion in farm gate sales. Hog farms employ some 14,000 people, and more than 30,000 families make their living from the Quebec pork industry. Quebec farmers are proud to meet 80% of the local demand for fresh meat, with Quebec's self-sufficiency rate for pork at around 400%. By comparison, the self-sufficiency rate for blueberries is about 300%, for cranberries it is 490%, and for maple syrup 1300%.

We are therefore very proud to export most of our production to other countries, mainly to countries where natural resources cannot allow for sustainable farming like ours in Quebec. Between 2009 and 2020, the value of Quebec's pork exports rose from \$975 million to \$2.1 billion. This is an impressive average annual growth rate of 7.25%.

This is in keeping with the Zero Hunger Challenge and the Responsible Consumption and Production goals of the United Nations 2030 Agenda, to which Canada has signed on. All of this is to tell you that the pork industry and other agricultural industries in Canada are extremely important and must be protected by legislation.

Of course, hog producers face many risks, as we heard earlier, risks involving diseases that must be avoided at all costs. I don't know if any of you have ever visited a hog farm, but in most cases, not just anyone can enter. Before entering, you have to sign a register. You must change your boots and clothes, shower, keep to a sanitary area and respect the biosecurity rules, as well as animal welfare inside the farm. These rules are important. It took several years to put them in place with the different stakeholders who supported us in this regard.

So the biosecurity rules are very much present and very much followed. It's mainly about the health of the animals. On the farm, the pigs' environment is calm and stress-free. Welfare standards even recommend toys and music for the animals.

When a group of agitated people rush inside our farms, the animal is definitely experiencing stress. This does not just apply to pigs. It's the same for rabbits and other animals, which can even die instantly when people who ignore these rules enter these farms. So the consequences of breaking and entering are many. The stress on the producers is also enormous, as we saw recently on a farm. I personally know the family that operates that farm, a young family that just got into pork production in 2019.

However, the law doesn't see it that way, not in Quebec nor in other provinces. If you look at the laws in Quebec and in some Canadian provinces, you don't find anything that deals specifically with livestock. We have to try to defend ourselves with general laws in the Criminal Code or the Civil Code, and that is extremely difficult and costly for us.

This bill sends a clear message, from coast to coast: you don't go onto a farm without permission, period. It's not a matter of whether the farmer has put up a sign, put up a gate, or locked his doors. You don't have the right to enter a farm, it doesn't happen without permission.

This bill is essential and is in line with the demands made by hog farmers in Quebec and Canada, and by my colleagues in all other agricultural sectors over the years.

We also need to think about the threat posed by African swine fever. This is a disease that has decimated half of China's livestock industry in recent years. In Quebec, it would be devastating, as it would be throughout Canada.

• (1705)

It was mostly international travellers who contaminated farms in the rest of the world, whether in Germany, Belgium or elsewhere.

We need to be extremely careful. A single case detected in Canada would jeopardize the survival of Canada's 7,000 pork producers. Quebec and Canada would lose an important economic sector, and achieving various objectives would become very difficult.

This disease is just one example of why unauthorized entries into a farm should be regulated in the manner proposed by Bill C-205.

This legislative proposal is essential to the survival of a strong and economically important agricultural sector.

Thank you for your attention.

The Chair: Thank you, Mr. Duval.

We'll move on to the first round of questions.

Mr. Lehoux, you have the floor for six minutes.

Mr. Richard Lehoux (Beauce, CPC): Thank you, Mr. Chair.

I thank the witnesses for being with us this afternoon. We appreciate it. They have provided many answers to questions that we had.

Let's get back to the issue of African swine fever.

Mr. Duval, do you believe that the biosecurity measures currently taken by producers in Quebec and Canada are sufficient, if there are no break-ins, to protect their farms from African swine fever?

Mr. David Duval: It is clear that for producers in Quebec and Canada, the introduction of this disease will not be on a farm protected by the biosecurity measures we currently have in place. It is really in external farms that it could happen. However, with the rules that we have in place, it won't be that easy for an outbreak to occur within our herds, unless there are break-ins. We know that this has happened in other countries, and that's the part we're missing. It could put this sector of the Canadian economy at risk from coast to coast.

The adoption of these measures would make us safer.

Mr. Richard Lehoux: What I also understand, Mr. Duval, is that Quebec does not currently have legislation specifically addressing this issue.

Would Quebec pork companies be better positioned if Bill C-205 were to come into force?

Mr. David Duval: No current legislation focuses primarily on the agriculture sector. I've heard some references to existing legislation, but those laws apply to the housing sector. In terms of agriculture, no legislation helps us with this.

I'll give you an example. There was a recent break-in at a hog farm in Saint-Hyacinthe. It took seven hours of discussions with the minister and various lawyers to determine how to remove the 10 or 15 people who had entered the farm in a dishonest manner.

In Quebec, there aren't any regulations. I know that some other provinces don't have any either. Some provinces have been much more proactive in introducing tougher legislation, but several provinces don't have any legislation at all.

That's why it would be very good for us to have legislation that applies to the whole country.

Mr. Richard Lehoux: Mr. Duval, is the young company that you just spoke about the one that you gave as an example before you finished your remarks?

Mr. David Duval: It's the same example. It isn't a young company. They're young parents, with children under the age of five, who had just bought a farm. The farm was in the development stage, because it needed some renovations. However, they complied with all the standards for animal welfare.

• (1710)

Mr. Richard Lehoux: Can you speak briefly about the potential collateral damage to a family such as the one you just referred to?

Mr. David Duval: The first thing that comes to mind is that this family gave up farming. The family members experienced a tremendous amount of stress. They received constant insults on so-

cial media. It was very hard for them. The mother suffered from depression. They gave up hog farming recently, a few weeks ago, because it was too difficult for them.

Mr. Richard Lehoux: It's appalling when things end this way.

Thank you, Mr. Duval.

I would now like to turn to the representatives of the Canadian Pork Council, Mr. Roy and Mr. Bergmann.

Does the current version of Bill C-205 meet your expectations? Does the additional protection provided by the bill satisfy all pork producers in Canada?

Mr. René Roy: It will surely provide additional protection, not only for animals, but also for people who work with animals, meaning producers, farmers and consumers. The biosecurity risks are extensive. It's a standard health issue. It can affect every part of the chain.

Mr. Richard Lehoux: Thank you, Mr. Roy.

I now want to ask Dr. Vaillancourt a question.

Dr. Vaillancourt, you said at the start that it wasn't necessary to come into contact with animals for contamination to occur. We didn't hear quite the same thing from some of the witnesses who spoke before you.

I want you to elaborate a bit on the issue of contact with animals. I've been a producer my whole life. I know that you don't need to come into direct contact with animals for contamination to occur. However, I'd like to hear you say this to the committee.

Dr. Jean-Pierre Vaillancourt: That's right. I'm a biosecurity specialist. I've been conducting research for 30 years in this field. I've consulted in 31 countries. I also work for a French agency as an expert on African swine fever. As you know, this virus recently hit Belgium.

African swine fever is a good example. Suppose a wild animal infected with African swine fever dies in April and you walk on the ground contaminated by its carcass in May. If you enter a pig farm without being careful, you have a fairly high chance of transmitting the pathogen to the farm.

The Chair: Thank you, Mr. Vaillancourt and Mr. Lehoux.

[English]

Now we have Mr. Blois for six minutes.

[*Translation*]

Mr. Kody Blois (Kings—Hants, Lib.): Thank you, Mr. Chair.

I want to thank all the witnesses for their testimony today.

My first question is for Mr. Duval.

Mr. Duval, I want to start by apologizing, because my French isn't very good.

You referred to the protests taking place on farms in Quebec. Some federal and provincial members and ministers, as well as other stakeholders, were looking for a solution to this problem.

Where was the Royal Canadian Mounted Police, or RCMP?

Wasn't it possible to ask the police to take action?

Mr. David Duval: No, it wasn't possible. First, I just want to say that the people acted properly. When they discovered protesters on their farm staging a sit-in, the farmers immediately called the police station. They stayed calm, returned home, and had their employees monitor the protesters to make sure that no one was hurting the animals.

When the police arrived, there wasn't any law that enabled them to remove the protesters from the farm. The police waited until a magistrate told them that they were supposed to remove the protesters and then the appropriate next steps would be determined. The police removed the protesters one by one. It took seven hours to remove all the protesters from the farm. The animals hadn't been fed all morning as a result of the sit-in, and they were screaming from hunger.

It was mostly the municipal police, or the Sûreté du Québec, the provincial police, who handled the situation. There weren't any regulations or laws that enabled the police to remove these people.

• (1715)

Mr. Kody Blois: Thank you.

[*English*]

Can you provide details to this committee? I'd be particularly interested, because some of the arguments we've been hearing at this committee are about some of the existing laws and the fact that farmers sometimes don't ask police to take that on.

Can you provide any evidence to the committee on this particular situation and others that might exist in Quebec?

I'll take that as a yes.

[*Translation*]

Mr. David Duval: I'll try to answer your question.

The first thing that we tell producers in the event of a break-in on their farm is to stay calm. There have been other break-ins besides the one that I referred to, by the way. Recently, there was a break-in on a dairy farm, where people tried to free the animals and remove them from the farm.

Producers are sometimes hot-headed, which can escalate the situation. That's why we ask them to stay calm, get out and call the po-

lice station. We say the same thing to people who witness acts against animals—

[*English*]

Mr. Kody Blois: Mr. Duval.

[*Translation*]

Mr. David Duval: This is important to us, since laws exist to deal with these acts.

[*English*]

Mr. Kody Blois: My apologies. I have to keep moving on. I'd be particularly interested in seeing the evidence around police not having the ability to intervene or feeling like they couldn't intervene. I think that's really relevant to this study, so thank you.

Mr. Bergmann, I'll turn to you and Mr. Roy.

Mr. Roy talked about deterrents. When we look at what Mr. Barlow has brought forward, and I think it's laudable in intent, my concern is that when I look at the proposed legislation, it really puts an onus that there had to be an intent to breach the biosecurity element on a farm.

Have you had individuals come on your farm? Did they have any awareness about the Criminal Code, or other types of legislation, that is trying to restrict this type of activity beyond biosecurity?

Can you speak to that?

Mr. Rick Bergmann: First of all, we all have expectations of protecting our families and properties. As a matter of fact, maybe in some of the offices that you're sitting in right now, or in your home, there is security to prevent people from coming in. When they come in, that's a wrong thing.

Why not agriculture? First and foremost, that's really my question, why not agriculture? Bill C-205 is a very common-sense bill.

To your question about people coming onto our farm, unwelcomed and unannounced—

Mr. Kody Blois: Mr. Bergmann, I'm not disagreeing. I know that you as a pork farmer, and many others across the country, are doing incredible work on animal safety. That is not in question, I don't think, with the members of this committee.

What I have concerns about is that when I look at this particular piece of legislation, there is an onus that there has to be an intent to breach the biosecurity elements. I don't own a farm, and I haven't been privy to a sit-in from a particular group of protestors or activists who have concerns.

My concern is that activists could be mindful of the biosecurity element and sit-in, or really argue in front of any type of court that the intent, reckless or otherwise, was not there. It's about the teeth of this particular legislation.

I don't know if Mr. Roy wants to elaborate on that. Do you see any concerns there?

Mr. René Roy: We have a protocol to enter a farm. I don't see anybody, who is not aware of this protocol, being able to respect it. There is no way, because there is a list of things to do, and they are entering without our permission. That is the first breach of biosecurity. After that, it's following one after the other, and the risk is really high.

[*Translation*]

The Chair: Thank you, Mr. Blois.

Mr. Perron, you have the floor for six minutes.

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

I want to thank all the witnesses for joining us this afternoon.

Mr. Duval, I want to give you the opportunity to finish your answer to Mr. Blois' question about why the police didn't really have the authority to intervene.

Can you provide other examples? Why did the operation take seven hours? It seems that a major loophole in the law must be addressed.

• (1720)

Mr. David Duval: Basically, there's indeed a loophole.

When the police arrived on the scene, they wondered on what charge they could remove the protesters and still follow the law. They can't remove someone from a house if the law doesn't give them the authority to do so. There was absolutely nothing that they could do to get the protesters out.

Fortunately, the protesters ended up deciding to leave, since they had already been in the building for seven or eight hours. If they had wanted to stay there, they could have done so, since nothing was stopping them.

Nothing in the current legislation is adapted to the agriculture sector.

Mr. Yves Perron: Thank you.

You spoke about the mental health aspect. In particular, you said that people have given up farming, which is quite terrible.

In addition, as a result of a break-in, there were reportedly cases of livestock diseases, and water was allegedly poured into a fuel tank.

Can you talk about these aspects and the difficulty of establishing the causal link, in terms of the evidence, between the break-in and the aftermath?

Mr. David Duval: This isn't an easy task. We're advised to take civil action against the trespassers. First, the producer must be willing to take the case to court. They'll need to deal with all kinds of emotions. They'll need to find evidence to determine who among the 15 protesters brought in the disease. Will the entire group pay for the damage?

The family in question lost tens of thousands of dollars in a few weeks because deaths occurred as soon as the trespassers entered the farm. At the time of the break-in, the animals were expecting to be fed, but they weren't fed. The mothers got up, lay down again, got up again, and then crushed their young. Who will pay for this?

The next step is to show evidence in court. These farmers currently have no defence options backed by legislation. They must defend themselves, and that's very difficult.

Mr. Yves Perron: I fully understand the burden on producers.

What do you tell people who say that, if this legislation is passed, there will be no more whistleblowers and that there must be some freedom to report abuse.

Can you talk about the current measures in place for this?

Mr. David Duval: Across Canada, there are a number of whistleblowers on hog farms. Whenever a small issue arises, several people get involved. Technicians make weekly visits to the farms and agronomists and veterinarians come to check the feed and the substances injected into the animals. For each animal, a treatment record must be kept for a given period. The assessments conducted by these people are verified at the end of the year by an external auditor. This auditor may cause them to lose their veterinarian or agronomist designation if they fail to meet the criteria of the verifications conducted. If producers don't do their job properly, they may be subject to penalties such as the revocation of their right to sell their animals in a slaughterhouse inspected by the Canadian Food Inspection Agency, or CFIA.

Next there are the processors and the CFIA, which conducts a check every time an animal enters the slaughterhouse. If there's any suspicion that an animal may have been mistreated in some manner, or if the animal has red spots or a mark on its back that looks unusual, the CFIA immediately calls the producer; the department of agriculture, fisheries and food, or MAPAQ; and Les Éleveurs de porcs du Québec, which I represent, to report the case. This can happen occasionally. However, there's almost always an immediate reason or recommendation, such as a repair that must be done or a pen that needs cleaning.

We take action, and this makes the farmers' job extremely precise. Many people interact and none of them can circumvent the process and hope to not get caught. It's very clear to us that no one can avoid the verification process.

Mr. Yves Perron: Thank you.

One witness suggested that we change the wording of the bill and remove the "knowing that" part so that the person can't plead ignorance. What are your thoughts on this?

• (1725)

Mr. David Duval: We raise a great deal of awareness at airports, especially about swine fever and the possible impact of this disease on animals. It's important for us that this part be maintained.

Mr. Yves Perron: Dr. Vaillancourt, do you think that changing the current wording in the bill would resolve the issue?

Dr. Jean-Pierre Vaillancourt: The point is that a person who breaks in must be an individual who knows about the standards. The person decides not to comply with the standards by breaking in. That's how I read it. The important thing is that these people aren't authorized to enter the farm and don't have a warrant to do so. In my opinion, the fact that someone might claim innocence because they don't know the biosecurity standards and measures shouldn't be taken into consideration.

The Chair: Thank you, Dr. Vaillancourt.

Thank you, Mr. Perron.

[English]

Now we have Mr. MacGregor for six minutes.

Mr. Alistair MacGregor: Thank you, Chair, and thank you to our witnesses.

Professor Vaillancourt, maybe I will start with you. I did appreciate in your opening statement how you took the time to also illustrate that there are other dangers to the uninitiated entering a barn. There's heavy equipment. Livestock are large animals, and when they're spooked they can move unexpectedly and cause serious injury to humans, who are often quite a bit smaller.

I've been looking at the parent legislation, the existing Health of Animals Act. There are provisions in there such as section 9, keeping diseased animals; section 10, bringing diseased animals to market; section 11, selling or disposing of diseased animals; and section 12, throwing carcasses into water. It appears that the existing sections of the Health of Animals Act can apply equally to farmers and farm employees if they engage in this type of behaviour, whereas Bill C-205 as it's written seems to exclusively concentrate on someone who is there without lawful authority or excuse.

You are an expert in biosecurity. Do you think Bill C-205 needs to be broadened so that it is in line with other sections of the existing act, so that employees and farmers are held to the same standards in promoting general biosecurity?

Dr. Jean-Pierre Vaillancourt: Well, yes and no. Here's the deal. First of all, we do have biosecurity measures. Sometimes we have a compliance issue, whether it's in swine, poultry or elsewhere. It's not unusual to have somebody not do exactly what should be done, but employers have means to deal with that. They have incentives. They can provide positive ones and negatives one, such as if we catch you doing this or not doing that, we can fire you. That's where the game should be played when it comes to employees or technical staff per se.

We should not mix these two things. In one case, it is really criminal to go onto a farm, and you don't even need to cross it. If you have contaminated boots and you get onto the premises, if you're in the entrance and you do not cross where the animals are, you might still have contaminated the site. Unless you have perfect biosecurity, and I've never seen that, you're going to have a risk. That's why that is criminal. That's different from what an employee might do or not do.

Mr. Alistair MacGregor: Okay. Thank you for that clarification.

Of course, there have been instances on farms where employees, by not following proper procedures, did bring disease onto the farm. I'm thinking of British Columbia, with COVID-19 on some mink farms.

Is there anything that the federal government should be doing more generally to further the cause of biosecurity, or is this something that's best left to provincial jurisdiction?

Dr. Jean-Pierre Vaillancourt: CFIA already does something. I worked on that. We have established some guidelines.

I think this should be left not only at the provincial level, but also quite a bit at the company farm level. Each farm is different. We need to custom design these biosecurity measures and we need to favour them. We need to provide positive incentives and all that, but this has to be done close to where the action is.

The federal government can help by maybe assisting in some ways at the local level, but I'm not convinced, other than to establish some norms, which we have done. However, if I had a wish, I would say that when we established these norms at the federal level, they were one-size-fits-all. We had in mind a backyard flock and a 200,000 egg-layer operation. They're not the same. If we have primary breeding stock in Ontario in particular that's not protected because we do not have regulations regarding distances between production sites, for example, at the federal level that might be of interest.

• (1730)

Mr. Alistair MacGregor: Okay, thank you.

I just want to squeeze one more question in. This is for Mr. Bergmann. The theme of my question is really on deterrence versus enforcement, because we have heard testimony that the police are not always very quick to arrive on the scene and sometimes seem unsure as to whether they should proceed with a case.

If we were in fact to adopt Bill C-205—and I understand Mr. Barlow has made the case that CFIA can always work with provincial peace officers to enforce the law—do we also have a problem of enforcement, especially in rural Canada? If we're going to add another law, it's not going to do much good if we don't have the force to back it up and follow through with it.

Mr. Rick Bergmann: We really believe that the enforcement is a big part of it because when one domino falls, without enforcement, what would be the deterrent to this reoccurring and for others to do that? I think enforcement is very much a component of all of this, absolutely.

In a rural setting, absolutely, that would be a different situation—not a different situation, but when you're more remote.... That said, I believe that society is coming along quite well, where they can react more quickly to different circumstances. It doesn't matter whether it's remote or not. I really believe it would help us to further protect our farms.

The Chair: Thank you, Mr. Bergmann, and Mr. MacGregor.

We'll now go to our second round, in which I understand Mr. Barlow is going to take the lead for five minutes.

Mr. Barlow, go ahead.

Mr. John Barlow: Thank you very much, Mr. Chair, and thanks to our witnesses for being here again.

Mr. Duval, I just wanted to start with you. It's certainly heart-breaking when you talk about a farm family who has quit the industry. We certainly cannot afford that when we're trying to attract young, new farmers to the industry. You mentioned the lack of response by the RCMP. In the incident that happened with friends of mine here, it was in fact the protestors who phoned the RCMP because they wanted the RCMP to protect them, and they knew there would be very few consequences, if any.

To counter some of the questions by my colleagues, I would point out that the CFIA has the enforcement and inspection services, the investigators and specialists, in place right now to enforce CFIA regulations. They also have the public prosecution services to follow through. It's not that the CFIA doesn't have the authority or the resources. It just doesn't seem that they are taking this as seriously as they should. Do you not think that if we made this a priority for the CFIA and their investigators, the presence of Bill C-205 would serve as a better deterrent compared with what the RCMP or local police officers are doing now?

[*Translation*]

Mr. David Duval: In my opinion, when a break and enter occurs on a farm, the local police should be the first to respond because they can be deployed the fastest. The same is true for a home invasion, where the RCMP, municipal police or national police can respond immediately.

The next step is to submit a report to the Canadian Food Inspection Agency to determine whether animal abuse actually took place. I'm the first to refuse to defend people who would dare to harm animals.

I think that the first step is for the police to obtain warrants under legislation that enables them to respond.

This bill is important because, right now, the police and some governments are struggling to deal with this issue. Bill C-205 is important to us.

• (1735)

[*English*]

Mr. John Barlow: The CFIA investigators would have a much better knowledge of what they're dealing with than maybe the local RCMP police service.

To Mr. Vaillancourt, thank you very much for the great information you provided in your testimony.

What we've heard from many producers, specifically the pork producers who were today concerned about African swine fever for example.... In this context, I think what we've learned from the COVID pandemic is the incredibly devastating impact a virus can have on our economy.

Are we prepared for an outbreak of African swine fever, and should we be proactive with a deterrent such as Bill C-205 to ensure that we take every measure possible to safeguard the biosecurity of our farms?

Dr. Jean-Pierre Vaillancourt: We'll never be prepared enough. This is a positive step because that virus is a very resilient virus. It would be easy to bring it in voluntarily or not. It doesn't have to be on a big farm to create a national issue. We have a lot of traffic with the U.S., for example. Everything would be blocked, with the consequence in the summer, for example, of trucks loaded with pigs no longer being able to move. You can see the remarkable impact that would have—yes, in the billions of dollars. This bill will not solve a big part of it, but it would be an important step to help growers and everybody around to get prepared for it.

Mr. John Barlow: Finally, Mr. Bergmann, thank you very much for being here as well.

If there were an outbreak of African swine fever or something along that line on one of your farms—for example, we saw rotavirus in Saint-Hyacinthe, Quebec, which we hadn't seen in 40 years—this isn't something that would be resolved quickly. What would be the long-term ramifications to the industry if you had an outbreak of a virus like African swine fever?

Mr. Rick Bergmann: We're seeing that occur around the world, where it devastates the sectors in those countries. You can look at China, Germany, Poland, and on and on.

Our industry here would be decimated—it would be mass euthanasia of the animals—because, folks, pork producers export 70% of what we produce in Canada. That's a tremendous opportunity, but it's a tremendous challenge if we have an internal problem with ASF here in Canada.

It was mentioned already that this bill is a super tool in our tool box to limit that risk, so—

The Chair: Thank you, Mr. Bergmann. I'm sorry, but the time is up.

Thank you, Mr. Barlow.

Now we'll go on to Mr. Ellis for five minutes.

Mr. Neil Ellis (Bay of Quinte, Lib.): I probably need only four, but thank you, Mr. Chair.

Rick, you mentioned in your testimony that there has been an increase in the number of protestors over the last few years. Could you just explain over how many years that's been, and how these protests are taking effect? Do you see them to be getting more radical and things like that?

Mr. Rick Bergmann: That is a great question. Thank you for that.

The one that sticks out in my mind is.... In western Canada, we have the Hutterite colonies, which like to keep to themselves. A situation where there is an activist group that is so aggressive that it would actually go to people who really want to stay among themselves and don't want to really interact, to me, is an extreme concern because it tells us, again, that when people select the farms, they're being strategic. It's just a form of bullying, which is very inappropriate.

There are more and more cases—to your point—and it's very concerning to hear when there is selection of those who would be considered more timid because activists feel that they can get away with more things with these folks. It's very unfortunately.

• (1740)

Mr. Neil Ellis: Has your council across Canada lobbied any provincial ministers on a similar law that would take offence on a provincial level?

I send that to you also and to Mr. Duval.

Mr. Rick Bergmann: Again, when Bill C-205 was brought forward, we thought it would be a very significant victory across the umbrella of our Canadian production.

With regard to the provincial side, to my knowledge, there hasn't been much of that at all.

Mr. Neil Ellis: Okay.

Mr. Duval.

[*Translation*]

Mr. David Duval: No, absolutely nothing has been done in this area.

We've mostly adopted codes of practice to ensure animal welfare. We're among the people who proposed this.

With respect to trespassing or any form of activism on farms, there hasn't been any progress on these issues at this time.

[*English*]

Mr. Neil Ellis: I am just trying to wrap my head around this. Right now, if Bill C-205 were passed, how do you see timely enforcement? This is what we're getting back to: enforcement in a timely manner.

I know there are police on the ground now, that municipalities have police forces and things like that. There are 444 municipalities in Ontario alone. I just can't comprehend how we'd be able to hire enough CFIA officials in order to enforce this law.

I think it was Dr. Stark who commented on the last panel that it does have merit, but it's going to get around to enforcement.

I would ask Mr. Bergmann this: For your organization, what would be a timely fashion of implementing charges under this be if it came into law?

Mr. Rick Bergmann: Well, we look at the example of what has happened in Quebec, and Mr. Duval told us a story. You know, seven hours is just not appropriate at all as far as a response time is concerned.

As far as the length of time it takes for police officers to get to a location, that's a big question because locations are all over the place. However, if we make it so that it is a crime, then they would be activated to do so in the quickest way, and I believe that would be really important for us to focus on.

Mr. Neil Ellis: I have one last question.

I think this was maybe discussed in the last panel's testimony. Do you feel there's a problem with the laws and the way they are being enforced now, or is it that the courts aren't reading and interpreting the laws we have now?

Mr. Rick Bergmann: Well, really, what is the law? That's what we're talking about right now: Bill C-205. Maybe Mr. Roy would like to respond to that as well with a Quebec perspective, but we really need to have a law in place, which we're seeking.

Mr. Neil Ellis: You don't think that right now the provincial and municipal laws are uniform enough to take effect with what is taking place now?

Mr. Rick Bergmann: Based on the evidence of what's transpired over the last two years with people walking into farms and putting animals at risk, no, not at all.

Mr. Neil Ellis: Okay. Thank you.

That's all I have.

The Chair: Thank you, Mr. Ellis.

[*Translation*]

Mr. Perron, you have the floor for two and a half minutes.

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

Mr. Duval, I'm not sure whether we understood each other correctly with regard to the last question.

The wording of the current bill refers to a person who knows that they pose a biosecurity risk. The people committing the offence may later say that they didn't know about the risk.

Do you think that the wording should be changed so that, regardless of the circumstances, a person who enters the premises of a farm for no reason can't claim ignorance?

Mr. David Duval: Yes, obviously.

The people in the agriculture sector and the hog production sector have worked very hard to make this clear. We've put up posters everywhere, and we've done extensive outreach in municipalities to explain hog farming. Even if someone were to claim ignorance, they would also need to be illiterate or to know nothing. It's as simple as that.

Mr. Yves Perron: Mr. Roy, what are your thoughts on this?

Do you think that the legislation should be simplified in this area?

Mr. René Roy: I think so.

As we've seen, some people use various excuses to get around the law. We must have legislation that doesn't allow people to circumvent it so easily, for example, by claiming ignorance.

• (1745)

Mr. Yves Perron: Thank you.

How do you respond to people who say that they won't be able to report abuse if this bill is passed?

Mr. René Roy: Given the number of structures that we have in place to ensure the quality of the animals that we raise and to look after their health and welfare, I have no problem defending our system. We're able to find cases that may be an issue.

Mr. Yves Perron: Thank you.

Dr. Vaillancourt, given your expertise, I want to hear your comments on this topic.

Dr. Jean-Pierre Vaillancourt: These people don't agree with the very idea of pork production. Even if the farming is done in the best possible conditions and by the book, they want to condemn it.

The witnesses from the pork industry who spoke to us today rightly said that they have ways to address the situation if an issue arises. For the people who want to break into a farm, it doesn't matter. They want to go much further. Their goal is to eliminate production. It isn't the same thing.

The Chair: Thank you, Mr. Vaillancourt.

Thank you, Mr. Perron.

[*English*]

We will now go to Mr. MacGregor for two and a half minutes.

Mr. Alistair MacGregor: Thank you, Chair.

I have just one question for the Canadian Pork Council.

Regarding the provincial acts that were passed in both Alberta and Ontario, Alberta has the trespass statutes act and Ontario has the Security from Trespass and Protecting Food Safety Act. Were any of your members involved in consultations before the drafting of those laws? Do any of your members have specific feedback on how those individual statutes have worked as a deterrent thus far? Is there anything you can add that you haven't already stated to the committee?

Mr. Rick Bergmann: Yes. To my knowledge, I am unaware if our representatives from Alberta have had discussions like the pork organizations have. I would be surprised if they haven't, but I'm testifying that I'm not sure. Maybe René would have an answer from the Ontario perspective, the neighbouring province.

All I will say, Mr. MacGregor, is that the provincial pork organizations are quite engaged when things become activated and they're also quite alarmed when their farms are being broken into, so I would assume that there would be some correspondence.

Mr. René Roy: I do not have so much to add on the effort. I know that there has been some effort, but I don't know to what extent, so I cannot comment on that. However, I would stress the fact that the present bill would help protect not only the animals, but also the consumers. It's something that we have to remember: it would help all of the industry, all of the supply chain.

Yes, we can focus on trespassing, but we try to protect much more than that. It's our whole food supply chain, and it shouldn't be underestimated.

Mr. Alistair MacGregor: Thank you.

Mr. Chair, that's it for me.

The Chair: Thank you, Mr. MacGregor.

[*Translation*]

This concludes our discussion with the second panel.

[*English*]

I thank, as an individual, Dr. Jean-Pierre Vaillancourt.

[*Translation*]

Dr. Vaillancourt, thank you for appearing before the committee.

I also want to thank Rick Bergmann and René Roy from the Canadian Pork Council.

[*English*]

Thank you so much for being here.

[*Translation*]

I also want to thank David Duval from Les Éleveurs de porcs du Québec.

[*English*]

Thank you to all of our committee members. Also, thank you to our staff and interpreters. They do a fantastic job. Sometimes we forget to mention them.

That will be all for this meeting. We shall see you at the next one.

[*Translation*]

The meeting is adjourned.

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