

Animal Health Act, 2009

Infosheet

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The Animal Health Act, 2009 came into force on January 21, 2010. It provides measures for the Province to prevent, detect and respond to animal diseases and other potential animal health hazards. The act will help Ontario better protect its people, its animals and its economy.

KEY DEFINITIONS

Animals

Because all animals have the potential to carry and transmit diseases that can pose risks to animal or human health, the act applies to all animals. Implementation will focus primarily on farmed animals (livestock and poultry).

Hazards

The act covers a broad range of issues that could affect the health of animals – not just diseases. The legislation refers to this larger group as “hazards”, and includes:

- Chemicals that could contaminate inputs, such as animal feed.
- Radiological hazards, such as nuclear contamination.
- Physical contaminants, such as metal shards in animal feed.

CHIEF VETERINARIAN FOR ONTARIO (CVO)

While there has been a CVO within the ministry since 2005, the position now has legislated qualifications, functions and powers. The CVO must be a licensed veterinarian with a minimum of five years in veterinary practice. This person can appoint inspectors under the act, direct that

inspections occur, and establish surveillance zones. The CVO is also responsible for reporting to the Chief Medical Officer of Health any matter that might pose a significant risk to public health.

INSPECTORS

Working within ministry protocols and procedures, and under the guidance of the CVO, inspectors will work closely with industry partners to protect animal health in Ontario. If there is reason to believe a potentially significant animal health issue exists, or if the CVO is taking action to prevent an animal health issue, the act allows for inspectors to:

- Inspect animals and/or related items, such as vehicles and premises.
- Take samples and perform tests.
- Issue compliance and quarantine orders
- Perform other duties requested by the CVO.

RESPONDING TO ANIMAL HEALTH ISSUES

Provisions in the act allow the government to take important steps to help reduce negative economic and public health impacts associated with animal health issues.

Prevention

The government will be able to take proactive steps to prevent diseases from affecting animals in Ontario, or to prevent its spread. For example, should a disease be found in an Ontario animal, or elsewhere in Canada, the ministry could establish control areas to keep it from entering Ontario, or to minimize its spread.

Detection

Should there be reason to believe an animal health issue might exist, OMAFRA staff could sample or test at-risk animals, allowing more rapid detection of a potentially larger issue.

Response

If a potentially significant animal health disease, or other issue, were found in Ontario, the act provides a range of tools to control or mitigate the effects. For example, the government might increase monitoring and testing in certain areas, or establish quarantines, surveillance zones or animal health control areas.

Quarantine – if an animal health hazard was identified at an individual premises, testing could be conducted, animals or related products could be held, or other measures could be ordered by the CVO to contain the situation.

Surveillance zone – if further monitoring for a hazard were required, a broader surveillance area could be set up, up to a maximum of 10 kilometres around quarantined premises.

Control area – this could involve movement restrictions within or to/from a certain area to prevent or control an issue that posed a significant risk to animal or human health in the province or part of it. Only the minister can establish a control area.

Destruction order – if necessary to control a situation, the CVO can order that animals, or related products, be destroyed.

COMPENSATION

Should the CVO decide that an animal health issue require animals to be euthanized, the act allows the minister to compensate producers for the loss, based on the animal's market value. The Minister can also authorize compensation for the reasonable cost of cleaning and disinfection that might have been incurred while complying with an order made under the act.

FUTURE REGULATIONS AND CONSOLIDATION OF OTHER ACTS

In the future, existing acts (Bees Act, Livestock Community Sales Act, and Livestock Medicines Act) and associated regulations may be modernized and consolidated under the Animal Health Act.

The ministry is committed to consulting with industry partners on regulations that are established under the act, including one around reportable diseases.

TRACEABILITY

The act provides a framework for the minister to establish and oversee a provincial traceability system for animals and related products. Any traceability initiatives that might be developed provincially would align with national initiatives. If traceability-related regulations were required under this act, they would be developed in consultation with industry partners.

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