

ONTARIO FEDERATION OF ANGLERS & HUNTERS

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Ontario Conservation Centre

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August 26, 2020

Public Input Coordinator
MNR/Fish and Wildlife Policy Branch – Wildlife Section
300 Water Street
5th floor, North Tower
Peterborough, Ontario
K9J 3C7

Dear Sir or Madam:

Subject: ERO # 019-2065: Proposal to reduce the risk of chronic wasting disease entering Ontario

The Ontario Federation of Anglers and Hunters (OFAH) is Ontario's largest, non-profit, fish and wildlife conservation-based organization, representing 100,000 members, subscribers and supporters, and 725 member clubs. We applaud the government for taking decisive action to prevent chronic wasting disease (CWD) from entering Ontario. When it comes to CWD, the OFAH maintains that prevention is of paramount importance. We hope that these changes are promptly adopted with the resources needed to ensure they are fully enacted and enforced.

The proposal closely mirrors the recommendations in our 2018 letters to the Ministers of Natural Resources and Forestry, and Agriculture, Food, and Rural Affairs, as well as other long-standing OFAH CWD priorities. We offer the following additional measures to further safeguard the health of Ontario's white-tailed deer, elk, moose, and caribou and the many benefits they provide to the people of Ontario.

Increased regulation of the captive cervid industry in Ontario

The OFAH continues to advocate for the phase-out of the captive cervid industry over a five-year period, with compensation to farmers. The proposed changes to the movement of live cervids are a good interim step; however, the OFAH maintains that as long as the captive cervid industry exists in Ontario, so does the risk of it introducing CWD. While the movement of infected but asymptomatic animals between farms is the most recognized pathway of CWD spread, it may not be the only one. Prions, the infectious agents that cause CWD, have been detected in the semen and reproductive tissue of CWD-positive male white-tailed deer (Kramm et al., 2019). While this study did not determine whether these materials could infect other deer, the findings are concerning given that artificial insemination is used by the captive cervid industry.

Furthermore, we are dealing with a history of lax regulation of the captive cervid industry in Ontario. With the exception of the proposed changes, there has been no CWD-related regulation of the movement of non-native cervids. According to Agriculture and Agri-Food Canada, Eurasian red deer make up 59% of the farmed cervids in Ontario and are the same species in which CWD was detected on a Quebec farm in 2018. There were (and are) no rules that would have prevented that farm from shipping animals into Ontario right up until the day CWD was detected. Once those deer arrived in Ontario, they would have gone onto a farm with no mandatory biosecurity and no requirement to report their location to the Ministry of Natural Resources and Forestry (MNR/F), despite the fact that the density of cervid farms is the most important variable in the MNR/F's model for predicting the risk of CWD emergence.

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The proposed changes operate on the assumption that Ontario's captive cervid industry is CWD-free, but given this regulatory history and the low levels of testing of Ontario's captive deer herd, that assumption is simply not supported. Many of our recommendations below are meant to detect CWD if it occurs within the captive population and reduce the risk of it spreading.

1. **Recommendation:** Phase-out the captive cervid industry in Ontario over a five-year period, with adequate compensation to farmers.

Prohibiting import of all species of live cervids into Ontario while allowing for certain exceptions

Expanding the MNRF's authority to regulate the movement of all cervids, rather than just species native to Ontario, is an excellent step and one that has been badly needed. This has been a major advocacy objective of the OFAH and we are extremely pleased to see our efforts come to fruition.

Full certification in a CWD herd certification program must be made a requirement for an Ontario farm to receive live captive cervids, just as it is a requirement for a farm shipping cervids into or through Ontario. This is necessary due to the low enrollment of Ontario deer farms in the Canadian Food Inspection Agency's (CFIA) Voluntary Herd Certification Program (VHCP) administered by the Canadian Sheep Federation (CSF). According to CSF, only six Ontario farms are enrolled in the VHCP and only five of those are fully certified. We applaud these producers for taking CWD seriously and wish their view was shared by their fellow deer farmers. Based on Agriculture and Agri-Food Canada estimates, there are seventy-two active captive cervid operations in Ontario which means that only 8% of Ontario's producers are even enrolled in the program. Requiring both the shippers and receivers of captive cervids to adhere to the same standards creates consistency across jurisdictions and further reduces the risk of CWD spread.

2. **Recommendation:** Require all Ontario deer farms wishing to ship or receive live captive cervids to be fully certified in the VHCP. This recommendation applies to all shipments of live captive cervids into, through, within, and from Ontario.

Section 30.1(5) of Ontario Regulation 666/98: Possession, Buying and Selling of Wildlife outlines the fencing requirements that must be met by farms receiving captive cervids under the authority of a MNRF permit. It focusses on reducing the chance of escapes and, therefore, lists as appropriate fencing options "*a system of double fencing that is designed to prevent [cervids] from escaping or has one of the following means of preventing such animals from escaping*" including "*a single fence that is sufficiently high and solid to prevent the animals from escaping.*" While preventing escapes is of critical importance, the regulations ignore the role of double fencing in preventing through-fence contact between captive and wild cervids. Due to the potential for this contact to spread CWD, we recommend that the regulations be rewritten to only include double fencing as the sole acceptable fencing option.

3. **Recommendation:** Amend Section 30.1(5) of Ontario Regulation 666/98 to require double fencing and make it explicit that this fencing requirement is to prevent both escapes and through-fence contact.

If VHCP herd certification is not made a condition for shipping and receiving live captive cervids, the MNRF must clearly state in policy how compliance with permit requirements will be evaluated and the consequences of any violations. We are especially concerned about escapes, which in the past have not been dealt with, resulting in former captive cervids of unknown disease status being allowed to persist on the landscape.

4. **Recommendation:** The MNRF develop policies that clearly state the responsibilities of both the MNRF and cervid farmers regarding escapes and the penalties associated with non-compliance. In addition to the existing penalties for allowing captive cervids to escape, escapes that are found to be the result of negligence on the part of the deer farmer should result in them being ineligible to receive or ship live captive cervids.
5. **Recommendation:** When escapes do occur, the MNRF must act quickly to remove those animals from the landscape and test them for CWD.

Prohibiting the movement of live captive cervids between locations within Ontario while allowing for exceptions

We fully support the regulation of the intra-provincial movement of live captive cervids. Our above **Recommendation #2** applies to farms shipping deer within the province.

We oppose the exemption from the permit requirement for farms exporting live captive cervids. These farms should be required to meet the same conditions as Ontario farms receiving imported live captive cervids. We cannot run the risk of exporting Ontario's mistakes to other jurisdictions. We rely heavily on our neighbours, whose own effective management of CWD in both wild and captive deer increases Ontario's own security.

6. **Recommendation:** Do not exempt farms exporting deer from the permit requirement.

We could only support the exemption from permitting requirements for deer being sent to slaughter if the Ministry of Agriculture, Food and Rural Affairs (OMAFRA) institutes mandatory testing of all on-farm deaths and all cervids sent to slaughter and develops CWD-specific guidelines for the management of carcass waste and abattoir effluent. The proposed exemption is based on the assumption that Ontario's captive cervid industry is CWD-free, which is simply not justified. Multiple health agencies and experts in human prion disease have clearly stated that prions must be kept out of the human food chain due to the uncertainty about human health risks.

7. **Recommendation:** Do not exempt farms sending deer directly to slaughter from the permit requirement.
8. **Recommendation:** Institute mandatory testing of all on-farm deaths and all cervids sent to slaughter at no cost to the farmer in order to ensure that prions are kept out of the human food chain.
9. **Recommendation:** Develop CWD standards for the management of carcass waste and abattoir effluent.

We oppose the exemption of short-term movements from the permit requirement for the same reason the MNRF is proposing to require live captive cervids in transit through Ontario to remain sealed in their transport vehicles. Infected but asymptomatic animals constantly shed prions into the environment, contaminating the soil and the equipment used to move them. This exemption is especially worrisome given the fact that the facilities used to store/display these animals will likely be used to store/display other cervids in the future (e.g. annual fairs). Given that there is no effective method for removing prions from the environment and prions can persist for extremely long periods, this exemption is a recipe for spreading CWD between farms.

10. **Recommendation:** Do not exempt the short-term movement of live captive cervids from the permit requirement.

Other recommendations pertaining to the movement of live captive cervids

Government decisions and actions related to CWD are under a high degree of stakeholder scrutiny due to the potentially devastating impacts should CWD be detected in Ontario. While the ecological, social, and cultural impacts would be wide-reaching and difficult to fully quantify as our scientific understanding continues to grow, the economic situation that would be put at risk is readily apparent. White-tailed deer and moose hunting annually generate \$275 million and \$200 million for Ontario's economy, respectively. There are 186 tourist outfitters who offer deer hunts and 435 who offer moose hunts in addition to the countless small businesses that rely on the income from hunters. As a result, stakeholders expect transparency from the government regarding the steps taken to address the risk that the movement of live captive cervids creates. To demonstrate the effect of the increased regulation, the MNRF must summarize all movements of captive cervids in a manner that protects the privacy of the people involved and then share that information with the public through an annual report.

11. **Recommendation:** Produce an annual report on the movement of all live captive cervids into, through, within, and from Ontario under the authority of a MNRF permit.

Increased regulation of products and materials that could contain CWD prions

Expanding the existing prohibition on the possession and use of lures, scents, and attractants made from parts of cervids

Removing the loophole that allowed these lures, scents, and attractants to remain legal for sale and non-hunting use has been a long-standing objective of the OFAH. We fully support this proposed change.

Expanding the existing prohibition on import into Ontario of high-risk parts of cervids hunted in other jurisdictions

The OFAH supports the proposal to expand the prohibition on deer parts hunters can import into Ontario. We would like to point out that all the prohibited parts would remain legal to import under the authority of a permit, provided they are contained within a live deer. Given that a live deer can actively spread CWD, this further supports our position that the captive cervid industry in Ontario should be phased out.

Due to the challenges of enforcement, especially at provincial borders, these changes will rely heavily on hunters being aware of, understanding, and voluntarily complying with the new regulations. The regulations should be worded such that their intent is explicit. We have received questions from members regarding the requirement for all imported meat to be "cut (butchered)." It is our understanding that the intent is to eliminate the import of bones, which can contain prions and will be discarded once the meat is consumed. As such, we recommend that the regulations be specifically worded to achieve this goal and the intent be communicated to hunters.

12. **Recommendation:** Amend the proposed changes to require deboned meat as opposed to cut (butchered) meat as this will increase clarity and compliance among hunters.

Increased enforcement, training, and inter-agency cooperation and integration

For the proposed changes to be effective, the government will need to invest in communication and enforcement. Additionally, successful implementation will require the coordination and integration with multiple agencies at both the provincial and federal level such as OMAFRA, the Ministry of the Environment, Conservation, and Parks (MECP), the Ministry of Transportation (MTO), CFIA, and Canada Border Services Agency (CBSA). Participation of CBSA is extremely important because they are responsible for enforcement at the international border and, as a federal agency, do not automatically enforce provincial regulations. It is our understanding that a Memorandum of Understanding (MOU) between the MNRF and CBSA is currently being drafted to clarify how CBSA will enforce CWD regulations. In our mind, the finalization of such a MOU is a priority.

13. **Recommendation:** Ensure that all relevant agencies are aware of the proposed changes and their responsibilities under those changes.
14. **Recommendation:** Finalize the MOU between MNR and CBSA to ensure full enforcement of Ontario's CWD regulations at the international border.

Conclusion

The importance of the proposed changes cannot be overstated. They put in place meaningful barriers to the spread of CWD and safeguard our native cervid species and all the benefits they provide to the people of Ontario. We support the proposed changes and hope that our comments lead to even more effective regulation. Thank you for this opportunity to contribute and we stand ready as a partner to the government on keeping CWD out of Ontario.

Yours in Conservation,



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Wildlife Biologist

KM/jb

cc: Dr. Cathy Furness, Chief Veterinarian for Ontario, Ontario Ministry of Agriculture, Food, and Rural Affairs
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Kramm C, Gomez-Gutierrez R, Soto C, Telling G, Nichols T, Morales R (2019) In Vitro detection of Chronic Wasting Disease (CWD) prions in semen and reproductive tissues of white-tailed deer bucks (*Odocoileus virginianus*). PLoS ONE 14(12): e0226560. <https://doi.org/10.1371/journal.pone.0226560>