

January 9, 2023

Michael Richardson  
Food Safety and Environmental Policy Branch  
Ontario Ministry of Agriculture, Food and Rural Affairs  
1 Stone Road West  
Ontario Government Building, 2nd floor  
Guelph, ON N1G 4Y2

Submitted online and sent via email to [michael.richardson@ontario.ca](mailto:michael.richardson@ontario.ca)

Dear Michael Richardson,

**Re: ERO # 019-6320: Proposed amendments to the *Animal Health Act, 2009* to enhance animal health preparedness and to make additional updates to the legislation**

The Ontario Federation of Agriculture (OFA) proudly represents more than 38,000 farm family members across the province, supporting our members and the agri-food industry on issues, legislation and regulations governed by all levels of government. OFA works to ensure the agri-food sector and our rural communities are included, consulted and considered in any new and changing legislation that impacts the sustainability of our farm businesses. We are the leading agricultural advocate for Ontario farmers, their businesses and their communities.

OFA appreciates this opportunity to provide comments on ERO 019-6320: Proposed amendments to the *Animal Health Act, 2009* to enhance animal health preparedness and to make additional updates to the legislation. The health and safety of livestock and poultry is of the utmost importance for Ontario's farmers. The *Animal Health Act (AHA)* provides important tools to detect and respond to significant animal health hazards or animal-related threats to human and animal health in Ontario. If they arise, an effective and timely response is critical when responding to animal health emergencies to ensure humans, animals, and the provincial food supply chain remain protected.

The proposed amendments would:

- Allow the Minister to issue a temporary response order, effective for a period of up to 72 hours, after receiving the advice of the Chief Veterinarian for Ontario, in situations where the Minister is of the opinion that any delay in implementing the measures authorized or required by the order will, or be likely to, increase substantially the risk to animal or human health and immediate measures are necessary to mitigate the possibility of that risk

increasing. In forming this opinion, the Minister would be required to consider the principle that the absence of scientific consensus should not be used as a reason for postponing measures to avoid or minimize the risk to animal or human health;

- Allow the Minister to extend the order once, before it expires, for a further period of up to 72 hours, if the Chief Veterinarian for Ontario recommends that the order be extended and if, in the Minister's opinion, the criteria for issuing the order continue to exist;
- Amend section 18 of the AHA to achieve greater consistency in setting out an inspector's authority to conduct an inspection to check for compliance with an existing order, including an animal health control area order, a temporary response order, and a surveillance zone order;
- Clarify that Part III of the *Legislation Act, 2006* does not apply to a temporary response order or an animal health control area order; and
- Amend section 24 of the AHA to allow more flexibility on the appropriate method for the Minister being required to post notice of an animal health control area on a government website and in any other appropriate manner.

OFA supports the proposed amendments to the *AHA* which includes allowing the Ontario Minister of Agriculture, Food and Rural Affairs to issue a temporary response order respecting specific hazards, including animal health emergencies, upon advice from the Chief Veterinarian for Ontario. A temporary response order, effective for up to 72 hours, would work to protect human and animal well-being in a timely and effective manner when faced with a potential animal health crisis, especially in the initial phases of an emerging animal health event.

OFA supports enabling the Minister to extend the temporary response order for an additional 72 hours upon the recommendation of the Chief Veterinarian for Ontario, should the criteria for issuing the order continue to exist.

OFA recommends that the compensation provisions outlined in section 26 of the AHA also apply to temporary response orders.

OFA believes that enhancing emergency preparedness measures helps to ensure that humans, animals, and Ontario's food supply remains protected during a disease emergency. We appreciate the opportunity to provide our comments regarding these proposed amendments to the *Animal Health Act, 2009*.

Sincerely,



Peggy Brekveld  
President

cc: OFA Board of Directors