



AGENDA ITEM 10.5

TOPIC: Proposed Regulatory Exemption for the Performance of Mass Culls of Livestock and Poultry

History of Topic

General Information

Through conversations with both veterinary and agricultural communities, the College became aware of the need to consider the ability for certain non-animal veterinary care providers to perform mass culls of either livestock or poultry through the administration of substances (such as nitrogen) by inhalation. In particular, the administering of these substances by inhalation is used for population control and disease management and is essential to agricultural practices in the province.

Given this, a regulatory concept related to the performance of mass culls in livestock and poultry by non-members was developed.

Legislative Framework

Section 9 of the *Veterinary Professionals Act, 2024 (VPA)* establishes the legislative authority for the development of an authorized activity model for the practice of veterinary medicine in Ontario.

Section 9 (5) of the *VPA* permits persons (who are not members) to perform certain authorized activities subject to any prescribed guidelines, processes, terms, conditions, limitations, or prohibitions outlined in Regulation.

This ability is further confirmed in Section 93 (1) 7 of the *VPA* which allows for the development of regulation language permitting persons who are not members to carry out specified authorized activities and limiting and governing the carrying out of such activities.

Development of Regulatory Concept by Transition Council

Transition Council reviewed and forwarded for public consultation a regulatory concept related to a regulatory exemption for the performance of mass culls of livestock and poultry in November 2024. This concept included:

1. Regulatory Exemption to Allow for Mass Culls of Livestock and Poultry

Transition Council proposed the development of regulation language to permit the performance of the following authorized activities by a person engaging in the mass culling of livestock or poultry:

- Administering a substance by inhalation and/or monitoring of such inhalation; and
- Communicating to an individual the death of an animal(s) or group of animals.

2. Additional Recommendations for Qualification under the Regulatory Exemption

Transition Council proposed the development of regulation language related to mass culls be further restricted to also require a person to adhere to the following guidelines, processes, terms, conditions, limitations, and/or prohibitions:

Recommendation	Reasoning
Has completed specific training in administering substances by inhalation for the purpose of mass culls in livestock and/or poultry that was developed with veterinarian oversight and included practical experience.	<p>The College's research related to mass culls by substance inhalation indicates that it can be safely performed by a person who has received formal and specific training that was developed with veterinarian oversight and included practical experience.</p> <p>This approach is consistent with recommendations proposed for other regulatory exemptions and is designed to serve the public interest.</p>
Carries out the activities in accordance with the Codes of Practice for the care and handling of farm animals.	The Codes of Practice have been developed to be scientifically informed, practical, and reflect expectations for responsible farm animal care. They are also developed with multi-stakeholder input including that of veterinarians. The Codes of Practice speak directly to mass culls by substance inhalation and serve as a dependable overarching framework for delivery of this service.
<p>Has the knowledge, skill, and judgement to:</p> <ol style="list-style-type: none"> 1. Perform the authorized activity safely, effectively, and ethically; and 2. Determine the animal's condition warrants performance of the authorized activity based on the known risks and benefits. 	Recognition of the need for persons to reflect on their own knowledge, skills, and judgement when determining whether to proceed with offering an authorized activity is fundamental to ensuring public safety and reflects the core principles of professional regulation.

A person would not be required to provide proof of their eligibility related to these qualifications to the College of Veterinary Professionals of Ontario (CVPO). Instead, a person would be expected to review the regulatory exemption and determine whether they meet the requirements.

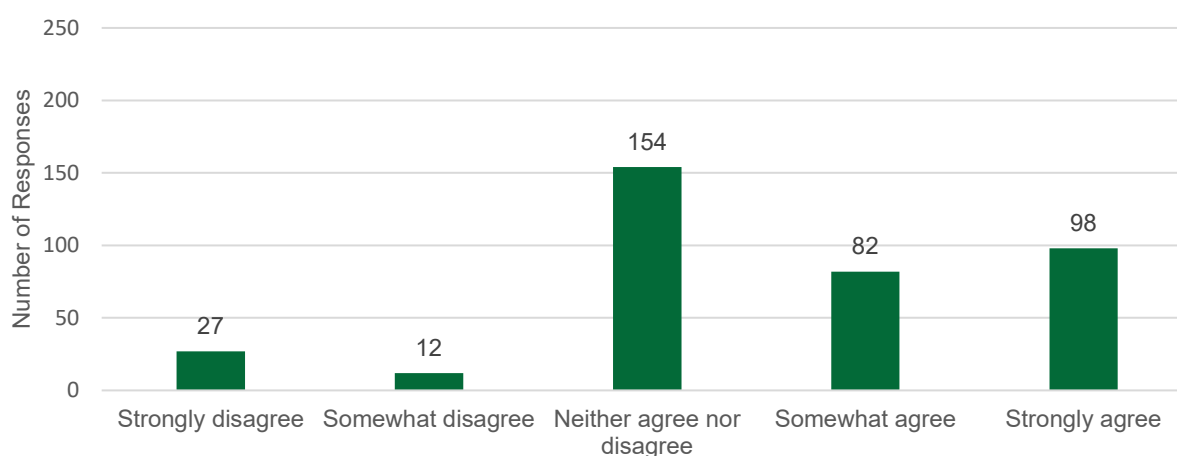
Should the CVPO become aware of a person who is offering mass cull services to the public who may not meet these requirements, the CVPO could investigate these concerns including requesting proof of eligibility and adherence, and pursue further action including the ability to investigate under either unauthorized practice and/or the risk of harm clause if warranted.

General Consultation Feedback

The regulatory exemption for the performance of mass culls of livestock and poultry was included in the list of regulatory concepts that were circulated for public consultation from February 11 to April 16, 2025.

The following quantitative responses were received related to the proposed regulatory exemption:

Survey respondents were asked to indicate their agreement with a statement about Mass Culls on a Likert scale of responses from “Strongly disagree” to “Strongly agree”. The figure below presents the results of 373 responses to the statement “*The proposed conditions and permitted authorized activities for mass culls are appropriate to protect the public.*”.



In addition to the quantitative data, the following qualitative trends were noted:

- Comments on the need for non-veterinary professionals to perform mass culls under the direction of a veterinarian;
- Requests for the inclusion of a requirement for proof of eligibility; and
- Concerns about proper disposal.

For more information on this consultation feedback, please refer to pages 47-48 of the full consultation report.

Consultation Feedback from Key Partners

Ontario Veterinary Medical Association (OVMA)

In its April 15, 2025, submission the OVMA shared:

- Comments on the need for non-veterinary professionals to perform mass culls under the direction of a veterinarian and carry out the procedures by industry standards; and
- Comments on the need for veterinarians to provide some sort of oversight including proper disposal.

Ontario Association of Veterinary Technicians

In its April 16, 2025, submission the OAVT noted that it had no further comments to provide on this topic at this time.

Other Submissions

- Support for the regulatory concept
 - o Alberta Veterinary Medical Association, Ontario Association of Bovine Practitioners (OABP), ProVet Alliance, Ontario Association of Swine Veterinarians, Ontario Association of Poultry Veterinarians
- Request to require collaboration or consultation with a veterinarian
 - o OABP

For more information related to these submissions, please refer to the beginning of page 131 of the full consultation report.

Further Information Gathered Based on Consultation Feedback

1. Use of the Term “Mass Cull”

The use of the term “mass cull” related to this regulatory exemption is reflective of common nomenclature within the agriculture industry and is not intended to suggest that there are a minimum number of animals that are required to be euthanized for a non-veterinary animal care provider to deliver the authorized activities permitted through this proposed exemption. Instead, the exemption is worded to require adherence to the Codes of Practice which may permit the use of inhalation methods for the culling of fewer animals when necessary.

2. Proper Disposal

Comments related to proper disposal after a mass cull raised the need to ensure that the providers of these services consider the importance of both delivery and post-care management. The proper disposal of animals following mass culls is essential for disease prevention and environmental protection including concerns related to soil contamination and water pollution.

Additional Context to Assist with Decision-Making

Based on this work, Transition Council is asked to consider the following amendment to the regulatory concept on a regulation exemption for mass culls:

- That a person be required to have completed specific training in administering substances by inhalation for the purpose of mass culls in livestock and/or poultry that was developed with veterinarian oversight and included practical experience that encompassed the proper disposal of animal waste.

For a review of the proposed amendments within the full regulatory concept, please see the chart attached as Appendix A.

Transition Council Discussion

The information contained in this cover sheet is being presented to Transition Council for its review and discussion related to next steps. To aid in this discussion, Transition Council is encouraged to consider if any further clarification or additional information is necessary prior to providing its direction.

Potential Direction

Based on this review and discussion, Transition Council may direct:

1. That the regulatory concept be approved for submission to OMAFA as presented or amended;
2. That the regulatory concept be returned to College staff for further work and consideration; or
3. Any other direction as determined by Transition Council.

Attachments

1. Appendix A – Regulatory Concept (as amended related to proper disposal)

Concept Chart – Mass Culls of Livestock and Poultry

Section	Primary Concepts Confirmed by Transition Council	Additional Information	Date of Confirmation
This column outlines the specific section of regulation.	This column provides a description of the objectives sought and the associated reasoning.	This column provides any additional specific information required to ensure clarity.	This column outlines when Transition Council confirmed the concept as well as any additional questions raised.
Mass Culls of Livestock and Poultry	<p>General</p> <p>Section 93 (7) iv. of the <i>Veterinary Professionals Act, 2024</i> (VPA) allows for the development of regulatory exemptions permitting persons who are not members to carry out specified authorized activities and limiting and governing the carrying out of such activities.</p> <p>Overview</p> <p>The public expects that the College of Veterinary Professionals of Ontario (CVPO) will continue to oversee the performance of activities that pose a risk of harm or potential harm to an animal(s) or group of animals and/or people. In this oversight, however, the VPA provides the ability to recognize that there are times where veterinary performance of an activity may not be the only, or best, way of delivering a service. This includes circumstances where actions may be taken to ensure population management and/or disease control.</p>	<p>This proposed regulatory exemption was developed based on in-depth and multi-year research and jurisdictional review that sought to determine common and consistent frameworks in place in Ontario.</p> <p>Adherence to the Codes of Practice has been included in recognition of their development as scientifically informed, and practical expectations for responsible farm animal care. They are also developed with multi-stakeholder input</p>	<p>Transition Council engaged in several conversations related to this regulatory exemption including the differences between veterinary and non-veterinary forms of euthanasia. Transition Council confirmed the proposed regulatory exemption for mass culls of livestock and poultry in December 2024.</p>

Section	Primary Concepts Confirmed by Transition Council	Additional Information	Date of Confirmation
	<p>Regulatory Exemption for Mass Culls of Livestock and Poultry</p> <p>Transition Council proposes a regulatory exemption for persons performing mass culls of livestock and poultry who adhere to the following guidelines, processes, terms, conditions, limitations, and/or prohibitions:</p> <ul style="list-style-type: none"> • The person must have specific training in administering substances by inhalation for the purpose of mass culls in livestock and/or poultry that was developed with veterinarian oversight and <u>included practical experience that encompassed the proper disposal of animal waste.</u> • The person must carry out the authorized activities in accordance with the Codes of Practice for the care and handling of farm animals; and • The person must have the knowledge, skill, and judgement to: <ul style="list-style-type: none"> ○ Perform the authorized activity safely, effectively, and ethically; and ○ Determine the animal's condition warrants performance of the authorized activity based on the known risks and benefits. 	<p>including that of veterinarians.</p> <p>Persons under this regulatory exemption will not be required to provide proof of their eligibility under the regulatory exemption to the College of Veterinary Professionals of Ontario (CVPO). Instead, these persons will be expected to review the regulatory exemption and determine whether they meet the requirements. Should the CVPO become aware of a person who is offering authorized activities to the public who may not meet requirements, the CVPO will have the ability to investigate these concerns including requirement proof of eligibility and adherence. and will be able to pursue its own investigation under either unauthorized</p>	

Section	Primary Concepts Confirmed by Transition Council	Additional Information	Date of Confirmation
	<p>Authorized Activities Permitted to be Performed by Persons Providing Mass Culls of Livestock and Poultry</p> <p>Transition Council proposes that any person who meets the above-mentioned criteria be permitted to perform the following authorized activities:</p> <ul style="list-style-type: none"> • Administering a substance by inhalation and/or monitoring of such inhalation; and • Communicating to an individual the death of an animal or group of animals. 	practice and/or the risk of harm clause if warranted.	