

Name
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MLA Name
Address

Date

Dear MLA Name:

I am writing to express my serious concerns about [Bill-47.pdf \(legnb.ca\)](#), the Livestock Health Act. This new legislative proposal has already passed 2nd Reading and is currently being debated by the Standing Committee on Economic Policy.

Bill 47 would give the Chief Veterinary Officer a lot of authority, including access to property of corporations and individuals for inspection purposes, which could ultimately result in the loss of animals, equipment, etc. Bill 47 could be used to further the goal of shutting down independent farmers and can seriously impact homesteaders and even those with just a few chickens on their property. This is especially concerning given the current environment where more and more people are turning to raising their own food to combat food insecurity. According to a recent report on food insecurity in Canada New Brunswick had the highest rate of any province for the percentage of households experiencing moderate food insecurity.

Bill 47 is of serious concern, especially considering the thousands of poultry that were culled in Ontario by the Canadian Food Inspection Agency to contain the spread of the Avian flu and the measures the Ontario government has taken to enforce compliance by private individuals with poultry on their property for their own consumption. Bill 47 is also concerning when one considers the goals and efforts to control any sources of food by the World Economic Forum and the World Health Organization (WHO).

It can't be stressed enough that Bill 47 would give the provincial government excessive authority and powers over private property and food sources, both for individuals and corporations, and offer no options, recourse, or compensation.

For your convenience, below I have summarized key aspects of the bill which are particularly concerning. The actual sections can be found in the Appendix.

- Section 4 allows for the creation of a Provincial Livestock Producer Registry. Creating and maintaining a registry will be a significant bureaucratic process that will be costly to all taxpayers and will also create red tape and cause delays for anyone wishing to have livestock.
- Section 17(2) identifies the RCMP, police and members of the Canadian Forces as inspectors, simply by virtue of their office. This provision is concerning because these personnel are not qualified, and the Act does not include any provisions for these personnel to receive adequate education and training to be qualified for such a role or position.
- Sections 18(1) and 18(2) enables inspectors to enter onto private property, unannounced, to inspect livestock that is not being kept/bred for commercial purposes, as well as the forcing of entry to perform an

inspection by warrant. Section 18(3) does not require an inspector to verify that the person giving consent to enter a private dwelling is an adult. This section requires much more clarity.

- Section 22(1) requires the livestock producer to treat livestock if the inspector deems that there is or may be a reportable hazard present. This leaves livestock producers open to potential health concerns which may be defined as anything that our government in relationship with the United Nations (UN) and the WHO dictates. This is especially concerning considering news that governments are preparing to allow these non-national organizations to set the rules for Canada.

Further, without a specific definition, treatment could include preventative and experimental drugs given to healthy animals, the results of which could be detrimental, as we have seen with the large number of people developing serious side effects to experimental, preventative drugs in the last few years.

- Section 28 provides for the seizure and detainment of livestock and property pending completion of court proceedings, including an appeal. However, under section 28(4) the livestock may be destroyed or sold.
- Section 33 stipulates that the government may force livestock producers to pay for costs incurred for seizure, housing, maintaining, treatment, selling, destruction or disposal of livestock or equipment. Payment of costs incurred could also be for treatment to eliminate risk and preserve the health of the livestock. However, not only are these expenses and costs not clearly defined, but it suggests that a livestock producer could be financially ruined.
- Section 36(1) enables to government to keep the property of someone convicted of a violation of this Act or the regulations. This is theft. Section 41 goes on to ensure individuals have no right to compensation for any losses incurred.
- Section 50 stipulates that this Act overrides the Right to Information and Protection of Privacy Act.
- Section 52 provides an extensive list of regulations that **may** be developed to prescribe the delivery of this Act. Not only should these regulations be a requirement, but they should also be available now, to inform the decision-making and approval process.

I implore you to please put a stop to Bill 47 and protect the rights of New Brunswickers to have control over their property, including a significant source of food.

Sincerely,

Name

Town

Appendix

Excerpts from Bill 47 (The Livestock Act)

Provincial livestock producer registry

4(1) The Minister may establish and maintain a registry of livestock producers in the Province.

4(2) The purpose of the registry is to establish a traceability system for livestock in the Province and to facilitate the provision of services prescribed by regulation.

4(3) The registry shall contain the information, including personal information relating to a livestock producer, prescribed by regulation.

Inspectors

17(1) Subject to subsection (2), the Minister may appoint or designate inspectors for the purpose of this Act.

17(2) The following persons are inspectors by virtue of their office:

- (a) members of the Royal Canadian Mounted Police;
- (b) police officers appointed under the Police Act;
- (c) members of the Canadian Forces engaging in lawful military police duties; and
- (d) game officers designated under the Migratory Birds Convention Act, 1994 (Canada).

Inspections

18(1) For the purpose of ensuring compliance with this Act and the regulations, an inspector may, at any reasonable time,

- (a) enter any place, area or vehicle where livestock operation or related activities are undertaken or where there is reason to believe livestock, animal products, animal by-products or equipment are present, and for the purposes of that inspection the inspector may open and inspect any container found there and make any examinations or inquiries, take any samples or conduct or cause to be conducted any tests or other scientific investigations that the inspector considers necessary or advisable, using the methods prescribed by regulation

Entry

18(2) An inspector may apply to a judge for an entry warrant under the Entry Warrants Act before or after attempting to effect entry under paragraph (1)(a).

18(3) For the purposes of an inspection under paragraph (1)(a), an inspector shall not enter a private dwelling unless the inspector

- (a) is entering with the consent of a person who appears to be an adult and an occupant of the dwelling, or
- (b) has obtained an entry warrant under the Entry Warrants Act.

Treatment order

22(1) If, during an inspection under this Act, an inspector has reasonable grounds to believe that a reportable hazard is or may be present among livestock, the inspector may make an order requiring the livestock producer to treat the livestock.

Seizure

28(1) An inspector may seize any livestock, animal product, animal by-product, equipment, container, book, record or document that the inspector believes on reasonable grounds may indicate the presence of a reportable hazard or may afford evidence of the commission of an offence under this Act or the regulations

- (a) during an inspection under section 18,
- (b) during a search under the Provincial Offences Procedure Act, or
- (c) in any other circumstance, in accordance with the Provincial Offences Procedure Act.

28(4) If livestock is seized under subsection (1), the inspector or other person having custody of the livestock, subject to the approval of the Chief Veterinary Officer, may

- (a) take any measure necessary or advisable to ensure the maintenance of the health and welfare of the livestock,
- (b) carry out the destruction of the livestock or cause to have it destroyed, or
- (c) sell the livestock and pay the proceeds of the sale into the Consolidated Fund.

Minister may recover costs

33 In addition to any other costs and expenses that the Minister may recover under this Act, the Minister may recover

- (a) the costs incurred in the seizure, housing, maintaining, treatment, selling, destruction or disposal of livestock or equipment,
- (b) the costs of eliminating or reducing the risk that livestock poses to agricultural health or welfare, and
- (c) the costs of preserving the health or welfare of livestock.

Forfeiture of property

36(1) If a person is convicted of a violation of this Act or the regulations, livestock, animal products or animal by-products belonging to the person that have been seized under this Act or the Provincial Offences Procedure Act are forfeited to the Minister on the conviction of the person.

36(2) If a person is convicted of a violation of this Act or the regulations, the judge may order equipment or any other thing seized under this Act or the Provincial Offences Procedure Act that has not been returned to the person under section 28 to be forfeited to the Minister.

No indemnity

41 Subject to subsection 5(1), no person shall be entitled to, or have any claim or right to, any indemnity or compensation in relation to a seizure, forfeiture, disposal or destruction under this Act or the Provincial Offences Procedure Act.

Conflict

50 If this Act is inconsistent with or in conflict with a provision of the Right to Information and Protection of Privacy Act, this Act prevails.

Regulations

52(1) The Lieutenant-Governor in Council may make regulations

- (a) prescribing animals for the purpose of the definition “livestock” in section 1;
- (b) prescribing hazards for the purpose of the definition “designated hazard” in section 1;
- (c) prescribing designated hazards for the purpose of the definition “reportable hazard” in section 1, including prescribing threshold and other criteria upon which a hazard is considered a reportable hazard