



What We See When We Look Beyond Canada's Borders: Cross-Jurisdictional Insights into Farmed Animal Governance

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Abstract

Canada is often assumed to have legal protections for farmed animals and to be broadly aligned with peer countries in its treatment of them. However, cross-jurisdictional comparison tells us a different story. Drawing on *Towards a National Framework for Farmed Animal Protection*, a report recently published by Animal Justice, Humane World for Animals, Mercy for Animals, and the Montreal SPCA, this essay reveals not only differences in welfare standards across jurisdictions, but also fundamentally different approaches to governing farmed animals altogether. Canada's system is structurally distinctive, particularly in its reliance on industry-led standards, fragmented oversight, and uneven transparency in enforcement. By situating Canada alongside jurisdictions such as the United Kingdom, New Zealand, Denmark, the European Union, Germany, and Switzerland, the essay shows that alternative governance models already exist. These differences shape what is seen as normal, achievable, and politically realistic in farmed animal law and policy reform.

Canada is often seen as a country that cares about animal welfare, and public opinion broadly supports that view. Public polling consistently shows a strong concern for the treatment of farmed animals, including a widespread agreement that animals should have their physical and psychological needs met and that their suffering should be minimized as much as possible, prioritizing animal welfare over lower food prices (Animal Justice et al.).

Canadians also express clear opposition to intensive confinement practices commonly used in industrial animal agriculture (The Fur-Bearers). Support for stronger legal protections for farmed animals is similarly widespread (Animal Justice et al.). However, Canada's current farmed animal welfare framework does not reflect these public values.

Canada does not have comprehensive federal or provincial legislation governing the welfare of animals on farms. Instead, the standards governing how millions of farmed animals are raised and killed for food each year are developed through an industry-led process, with limited government oversight and accountability via the National Farm Animal Care Council (NFACC). NFACC is a private, industry-dominated organization responsible for developing Codes of Practice intended to provide guidelines related to standards for animal welfare on farms. These Codes function as de facto national standards despite being largely voluntary, minimally enforced, and shaped through a process in which industry stakeholders hold significant influence, resulting in limited transparency and accountability. This structural layout allows practices to persist in Canada that are widely criticized in animal welfare science and that are banned or are being phased out in countries around the world, including extreme confinement systems and painful procedures performed without adequate pain relief.

As a result, Canada stands as an international outlier. Whereas many peer jurisdictions have moved away from these controversial practices and toward more formalized legal protections, independent oversight, and stronger enforcement, Canada continues to rely heavily on industry governance structures that sit uneasily alongside both Canadian public expectations and emerging international norms. This raises an important

question: how can a country that expresses such strong public support for farmed animal welfare produce governance outcomes that compare so poorly on the international stage?

That was a question that helped guide the development of *Towards a National Framework for Farmed Animal Protection*, a joint report published by Animal Justice, Humane World for Animals, Mercy for Animals, and the Montreal SPCA. The report presents a comprehensive roadmap for transforming farmed animal protection in Canada, drawing on comparative examples to identify reforms that would better align Canadian farmed animal protection with contemporary animal welfare science, international best practices, and Canadian values (Animal Justice et al.).

Canada as an International Outlier

A comparative perspective reveals what is otherwise easy to overlook in Canada's farmed animal welfare framework. The reliance on Codes of Practice, the prominent role of the animal agriculture industry in decision-making, and the limited legislative protections have become accepted, naturalized features of the Canadian regulatory landscape. It is only when Canada's approach is examined alongside those of comparable jurisdictions that it becomes clear how unusual its governance model is.

Compared with fifty other countries and their animal welfare legislation, Canada received a damning 'D' grade in the World Animal Protection Index, reflecting its absence of enforceable standards, limited oversight, and continued authorization of practices banned elsewhere (World Animal Protection, Canada). The report identifies numerous examples of legislative reforms adopted in other jurisdictions that illustrate the breadth of international progress in this area. Across the United States, for example, numerous states have banned or restricted gestation crates for pregnant pigs and battery cages for laying hens, with several also prohibiting the sale of products derived from animals confined under these systems to prevent out-of-state production leakage. The United Kingdom, the European Union, Austria, New Zealand, and Switzerland have likewise enacted legislative reforms to entirely

eliminate or substantially restrict extreme confinement systems. For instance, the European Union instituted a comprehensive ban on conventional battery cages as early as 2012, and reduced pig gestation confinement to a maximum of four weeks post-insemination in 2013, while some other jurisdictions continue to strengthen their standards by committing to fully cage-free production and introducing additional restrictions on pig confinement.

In contrast, although Canada's NFACC Codes of Practice have introduced some incremental welfare improvements, they continue to permit production methods, such as continuous tie-stall tethering in the dairy sector and the mechanical maceration of live male chicks, that many comparable jurisdictions have already determined are inconsistent with acceptable animal welfare standards. These differences reflect more than a difference in substantive welfare standards. They point to fundamentally different approaches to regulation.

The Governance Difference

Across the jurisdictions considered in the report, governments retained the primary responsibility for establishing animal welfare standards, overseeing compliance, and enforcing the law. Canada, in contrast, relies on an industry-led system in which the agricultural sector plays the central role in developing the standards that govern its own activities, with comparatively limited government oversight and accountability. This is a distinctive institutional structure for governing farmed animal welfare, and a cross-jurisdictional comparison highlights its limitations.

In other countries, there has been a clear movement toward embedding animal welfare standards more firmly within public institutions and government jurisdiction. In many peer countries, evolving scientific evidence and changing public expectations have been translated into binding legal requirements through public institutions. In Canada, however, reforms are negotiated within the NFACC Codes of Practice where the very sectors being regulated exercise substantial influence over both the pace and content of any

change. Animal welfare improvements are therefore routinely balanced against concerns about economic feasibility, often delaying or limiting reforms that have already become standard elsewhere.

This governance deficit is further demonstrated in how the responsibility for animal welfare sits within the structure of the Canadian government, creating an institutional conflict of interest that mirrors the imbalances found within NFACC. At the federal level, animal welfare portfolios are housed within bodies primarily tasked with promoting agricultural growth, market access, and economic competitiveness. The Canadian Food Inspection Agency, for instance, is responsible for enforcing federal transport and slaughter regulations while simultaneously facilitating international trade and supporting export-dependent industries (Canadian Food Inspection Agency). Similarly, Agriculture and Agri-Food Canada maintains a core mandate of advancing agricultural competitiveness while actively participating in policy processes that shape animal welfare standards (Agriculture and Agri-Food Canada). When economic promotion and animal protection are housed within the same institutional structures, regulatory outcomes predictably reflect commercial priorities. This dual mandate creates a form of structural regulatory capture where agencies treat animal welfare as a variable to be balanced against trade efficiency and export stability, rather than as a statutory priority. This conflict of interest highlights that the bias toward industry interests is not merely confined to private bodies like NFACC, but is deeply embedded within the state's own regulatory framework.

Looking across jurisdictions also demonstrates that alternative governance models are neither theoretical nor exceptional. These comparative examples are not being presented as ideal systems, though, as they continue to face some challenges relating to conflicts of interest, implementation, and enforcement. Nevertheless, they demonstrate that governments can retain primary responsibility for setting animal welfare standards through institutions that are more independent of industry than industry-led governance models. These examples, therefore, can be understood as a blueprint for institutional direction, not as a perfected system.

For example, in New Zealand, Codes of Welfare are established under the statutory authority of the Animal Welfare Act 1999 through an independent National Animal Welfare Advisory Committee that reviews scientific evidence and recommends standards to the government, ensuring that industry lobbying cannot veto progressive mandates (New Zealand Ministry for Primary Industries). In the United Kingdom, the Animal Welfare Committee provides independent, scientific advice directly to the government, while animal welfare legislation establishes clear responsibility for establishing minimum welfare protections (Department for Environment, Food & Rural Affairs, n.d.). Germany has created a Federal Commissioner for Animal Welfare to coordinate national policy development and provide independent leadership (World Animal Protection, Germany). Switzerland has gone further still by recognizing the dignity of animals within its constitutional framework (The Federal Assembly of the Swiss Confederation). Although these institutions differ considerably in their design and authority, they share a common premise: governments retain primary responsibility for determining acceptable standards of animal welfare and have established dedicated institutions to support that responsibility. This reflects an emerging understanding that animal welfare is not simply another agricultural issue, but it is a distinct area of public governance that must be decoupled from economic agendas.

In Canada, responsibility for farmed animal welfare is dispersed across multiple federal and provincial governments, industry organizations, and enforcement agencies. No single institution holds clear responsibility for the overall direction of farmed animal welfare policy in the country. The result is a fragmented governance framework characterized by a lack of accountability, uneven transparency, and significant reliance on industry-led standard-setting.

The Roadmap for Reform

Recognizing these structural differences, the report calls for a coherent governance framework for farmed animals, similar to those we have seen in peer countries, that is capable of responding to evolving scientific knowledge, changing public expectations, and emerging international best practices.

Among its recommendations, the report proposes establishing a comprehensive federal Animal Welfare Act recognizing animal sentience and provides a legislative foundation for farmed animal protection. This statutory shift would utilize Parliament's criminal law power under Section 91(27) of the Constitution to establish positive, legally binding duties of care. It recommends creating an independent Animal Welfare Commission to provide ongoing expert advice to the government, alongside a legislated Farmed Animal Standards Committee responsible for developing science-based standards through transparent and accountable processes, effectively stripping private commodity groups of their self-regulatory monopoly. The report also calls for stronger inspection, monitoring, public reporting, enforcement, and greater coordination between federal and provincial governments to replace the current reactive, complaint-based enforcement model.

Although these recommendations would represent significant reform in Canada, we have seen that they are far from unprecedented internationally. Independent advisory bodies, statutory animal welfare frameworks, dedicated commissioners, and government-led standard-setting processes already exist across numerous jurisdictions. No country has resolved every challenge associated with industrial animal agriculture, but many have demonstrated that governance itself can evolve. Recent developments in Denmark illustrate that this evolution is only continuing.

In June 2026, Denmark announced a historic ministerial restructuring, creating a dedicated Minister for Animal Welfare and replacing the long-standing ministerial structure centred exclusively on agriculture (Henley). This move elevated responsibility for animal welfare within the government following sustained public debate about industrial pig

production and growing public concern about the place of animal welfare within agricultural policy. The decision reflects a broader international trend toward recognizing animal welfare as a distinct area of public governance requiring dedicated political leadership, specialized expertise, and institutional accountability. Governments around the world continue to experiment with new advisory structures, new oversight bodies, and new legislative frameworks that reposition animal welfare within the state, highlighting how looking outside of our borders demonstrates that our system is a standalone.

Looking Beyond Canada's Borders

The comparative examples which *Towards a National Framework for Farmed Animal Protection* draws together do not point toward a single ideal model of farmed animal governance, but they reveal a field in motion. Countries continue to revise legislation, create new institutions, and experiment with different approaches to balancing agricultural production, public expectations, scientific evidence, and the interests of animals themselves.

The report does more than identify successful reforms elsewhere; it brings Canada's system into focus. It becomes clear that the challenge in Canada is not the individual agricultural practices or an isolated policy failure. Instead, the cross-jurisdictional comparisons reveal that Canada has developed a uniquely insulated, industry-led framework that stands in stark opposition to global trends.

Considering the framework in other jurisdictions does not simply expose stronger animal welfare standards. It reveals a broader transition already underway in many parts of the world: a shift from regulating farmed animals as an adjunct to agricultural policy toward governing animal welfare as an independent public responsibility. If Canada is to close the gap between public expectations and the lived realities of farmed animals, that may be the most important lesson to take from beyond its borders.

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