

November 10, 2025

Hui Hang  
Director of Operations, BC Animal and Food Region  
Canadian Food Inspection Agency  
4321 Still Creek Drive  
Burnaby, BC V5C 6S7

Dear Hui Hang:

**Re: Complaint Regarding Likely Suffering of Ostriches During Cull Carried out by the CFIA**

I write to you on behalf of Animal Justice, Canada's leading national animal law organization, to formally complain about the conduct of CFIA officials involved in directing and carrying out the cull of hundreds of ostriches at Universal Ostrich Farms ("UOF") in Edgewood, BC overnight on November 6-7, 2025. I urge your office to investigate and take action to address inappropriate actions taken and prevent similar conduct in the future.

As you are likely aware, members of the CFIA culled approximately 314 ostriches at UOF per its "stamping out" policy late last week. This cull came following a nearly year-long battle before the courts that began after avian influenza was detected in the ostriches at the end of last year, resulting in the death of 69 ostriches in December and January. On Thursday night, hours after the Supreme Court of Canada issued its judgment dismissing UOF's motion for leave to appeal, the CFIA reportedly had "professional marksmen"<sup>1</sup> carry out the cull.

Animal Justice wrote to the CFIA on November 5, 2025 urging the Agency to undertake renewed testing and a renewed assessment of whether the planned cull was necessary. Our request followed public statements by independent infectious disease specialists who suggested that testing the birds so many months after the initial outbreak to determine current health status could have proven useful and may have resulted in new evidence to indicate that a mass cull was not necessary.<sup>2</sup> Animal Justice also expressed concerns with methods that might be employed, if the cull were carried out, that could cause significant distress. Unfortunately, our concerns came to fruition as media and eyewitness reports

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<sup>1</sup> <https://www.cbc.ca/news/canada/british-columbia/bc-ostrich-cull-cfia-9.6971191>

<sup>2</sup> <https://thetyee.ca/Opinion/2025/06/05/Scientific-Ethical-Case-Sparing-Ostriches/>;  
<https://www.ctvnews.ca/health/article/us-billionaire-backs-bc-ostrich-farm-as-it-fights-to-appeal-avian-flu-cull-order/>

suggest that the ostriches, all contained in one enclosure, were shot one by one in front of each other, starting at nightfall and lasting for several hours.<sup>3</sup>

Animal Justice is concerned that the CFIA's method of culling these animals is contrary to both the federal *Criminal Code*<sup>4</sup> and BC's *Prevention of Cruelty to Animals Act*<sup>5</sup> ("*PCA Act*"). The *Criminal Code* prohibits causing animals unnecessary suffering. Even where someone is legally permitted to euthanize an animal, they must do so in a manner that does not cause more suffering than is necessary in the circumstances.<sup>6</sup>

In *R v Fawcett*,<sup>7</sup> Mr. Fawcett was convicted of causing unnecessary suffering to dogs due to the way he "euthanized" them, which included killing dogs in full view of other dogs, including those who were not going to be euthanized.

Ostriches are intelligent, social animals, with particularly strong night-vision.<sup>8</sup> Killing them in a manner that sees them conscious and aware of their companions' deaths by loud gun fire in an enclosed environment in the dark of night over the course of many hours would have undoubtedly caused abject terror and prolonged suffering.

The *PCA Act* prohibits causing an animal distress when killing them.<sup>9</sup> There is an exception for an activity that causes distress, but is carried out in accordance with "reasonable and generally accepted practices".<sup>10</sup> Codes of practice for the treatment of certain species are specifically adopted as reasonable and generally accepted practices in the regulations.<sup>11</sup> There is no code of practice for the treatment of ostriches, but the CFIA's own guidance shows that the method of killing employed in this case is contrary to reasonable and generally accepted practices.

First, CFIA's guidance on slaughter methods indicates that firearm "stunning" of ostriches is to be used as a last resort, and requires operators to know how to recognize signs of an effective stun/kill.<sup>12</sup> Assessing those signs is likely impossible in the dark and impossible when killing hundreds of ostriches at the same time in a pen which staff cannot enter until all animals have been killed or rendered immobile. Second, another CFIA guidance document specifically states "**do not** use firearms" to stun ostriches due to their small head,

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<sup>3</sup> <https://globalnews.ca/news/11516647/ostrich-cull-complete-bc-farm-flock-birds-dead/>;  
<https://www.ctvnews.ca/vancouver/article/ostriches-loaded-in-bins-after-shooting-cull-stuns-protesters/>;  
See footage following the cull from Darcey Media: <https://www.facebook.com/reel/4229089534030683>

<sup>4</sup> *RSC 1985, c C-46*.

<sup>5</sup> *RSBC 1996, c 372*.

<sup>6</sup> *Section 445.1(1)(a); R v Menard, 1978 CanLII 2355 (QC CA)*.

<sup>7</sup> *2012 BCPC 421* (sentencing decision).

<sup>8</sup> <https://www.worldanimalprotection.org/latest/blogs/ostrich-facts/>

<sup>9</sup> *Section 23.2(2)(b)*.

<sup>10</sup> *Section 24.02*.

<sup>11</sup> *Animal Care Codes of Practice Regulation, BC Reg 34/2019*.

<sup>12</sup> <https://inspection.canada.ca/en/food-guidance-commodity/meat-products-and-food-animals/slaughter-methods-and-monitoring#s2c3>

thin frontal bone and risk of perforation (*emphasis in original*).<sup>13</sup> While these guidance documents were authored to guide those engaged in the slaughter of “food animals”, these bare minimum requirements are equally applicable to this context and show that even the CFIA recognizes that shooting ostriches with guns is not a humane or effective way to kill them, even in well-lit, controlled conditions.

We ask that you investigate the conduct of those involved in directing and carrying out the killing of these animals and take all recourse appropriate. Please do not hesitate to contact me if Animal Justice can provide any further assistance.

Thank you,



Alexandra Pester (she/her)  
Staff Lawyer

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<sup>13</sup> <https://inspection.canada.ca/en/food-guidance-commodity/meat-products-and-food-animals/guidelines-stunning-techniques#a9>