

10 MAY 2019

**BVA SCOTTISH BRANCH, AGV, AVS, BCVA, BEVA, BSAVA, BVZS, SPVS, SVS AND VPHA
RESPONSE TO SCOTTISH GOVERNMENT CONSULTATION ON FIREWORKS**

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equine veterinary profession in the championing of high standards of equine health and welfare and the promotion of scientific excellence and education. BEVA represents some 3,000 members.

The

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Studies, reports and animal welfare organisations all agree that loud and high-pitched fireworks can have a negative impact on animal health and welfare by causing not just physical harm, but stress or fear responses across a range of species, including companion animals, wildlife, horses, livestock and zoo animals.^{i,ii,iii,iv, v, vi, vii, viii, ix, x, xi xixxiiiixv}

8. Animals have a different hearing range to humans and, as a consequence, many show stress, fear or even phobia responses to loud and high-pitched noises. [British Small Animal Veterinary Association \(BSAVA\)](#) highlights that these fear responses may be transient and decrease as the animal gets used to the noise.^{xvixviiixviii} However, a significant proportion of individuals will become sensitised, in other words the response will increase with repeated exposure.^{xix} The particular response of an individual animal to noises will vary between individuals. In addition, loud and high-pitched may not only provoke psychological distress, but can also lead to behavioural changes most commonly resulting in an animal attempting to run or hide in response to the use of fireworks potentially causing injury or fatalities for both humans and animals.
9. It is estimated that it is estimated that 45% of dogs show signs of fear when they hear fireworks.^{xx} In addition, the [PDSA 2018 PAW report](#) highlights that 51% of veterinary professionals said that they have seen an increase in pets with phobias such as fireworks in the last two years and 40% of dog owners (3.6 million dogs) report that their dog is afraid of fireworks.
- 10 Further, it is important to highlight the 120 decibel limit on category 3 fireworks is specified to align with the human pain threshold for audible sound. We therefore consider that the legislation does not pay sufficient regard for the impact of noise level and frequency of fireworks on animals, as sentient beings, who are more sensitive to loud and high frequency noise than their human counterparts.
- 11 As outlined at paragraph 7, loud high-pitched noises can result in behavioural changes most commonly resulting in an animal attempting to run or hide in response to the use of fireworks potentially causing injury. In addition, fireworks and bonfires can be potential fire hazards for all species, with a potential negative impact in terms of injury and death.

Examples of species-specific fear or stress reactions to fireworks across species include:

Dogs

Behaviours such as avoidance (eg. hiding away, digging, not eating and agitation) and overt behaviours (eg. barking, spinning, tail-chewing) that occur as dogs try to drive away the perceived threat

Dogs exhibiting a strong 'flight response', may injure themselves or others.

Damage to furnishings and carpets as dogs may try to chew or dig their way out of rooms when shut in to get away from the noise.

These behaviours can be extremely challenging for owners to address because fireworks remain out of their control and therefore they are unable to remove the triggers for their dog's fearful behaviour.

Cats

Cats will can associate sudden loud noises and flashes of light with danger and an

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preventable injuries in humans:

Nizamoglu, M., Frew, Q., Tan, A., Band, H., Band, B., Barnes, D., El-Muttardi, N., ... Dziejulski, P. (2018). The ten-year experience of firework injuries treated at a uk regional burns & plastic surgery unit. *Annals of burns and fire disasters*, 31(1), 13-16. Available at: <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC6116645/>

13 Enforcement

Despite current legislative provisions in place to control and act as a deterrent to noise nuisances, we are concerned that Environmental Health Officers will not be able to adequately enforce powers under the Environmental Protection Act 1990 and Anti-Social Behaviour Act 2003 given that the transient nature of fireworks makes it extremely difficult to ascertain the source of the noise nuisance

Question 4: Do you think there should be more controls over the sales of fireworks?

14 We recognise the current controls on the sale of fireworks, however, given the potential negative impact on animal health and welfare and the current ease with which people can access fireworks, BVA supports further restrictions on their sale.

15 Restrictions on periods of sale

We note that the window for sales of fireworks for vendors without a licence appears disproportionately long around Bonfire Night (5 November), with sales permitted from a retailer without a licence from 5th October to- 10th November. Such a wide window potentially encourages the extended use of fireworks around this period, prolonging the potential for negative impacts on the health and welfare of animals. We would therefore support tighter restrictions on the sale of fireworks around this time however, we recognise that if the selling period is shorter this could place excessive demand on legitimate, licensed vendors and an inability to meet this consumer demand, potentially allowing unscrupulous vendors a place in the market to meet demand.

16 To address the issues as outlined above, a number of solutions could be considered such as shortening the period of both purchase and use in increments and review at defined intervals; in line with one of the existing recommendations in paragraph 22, that the period of use by private users is greater restricted eg to five days either side of 5 November so allowing for celebrations at a weekend; and reducing the window of time for selling loud fireworks. We also recognise that a reduced period of sale will not necessarily alter human behaviour regarding the use of fireworks therefore a concerted educational campaign as per paragraph 27 is likely required underpinned with insights from population behaviourists.

17 Labelling

In addition, we would support the clear labelling of fireworks at point of sale to indicate their noise level to the consumer eg. ' .

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18 If properly enforced, a ban on the sale of fireworks to the public in Scotland could reduce the negative welfare impacts of fireworks on Scotland's animals, whilst still allowing the public to enjoy fireworks by attending public firework displays.

19 Advantages of public displays as opposed to private displays

We consider that public firework displays present animal owners and authorities enforcing fireworks legislation with more opportunity to mitigate the negative welfare impacts of fireworks for the following reasons:

Public firework displays can be advertised well in advance, giving animal owners and keepers sufficient time to prepare their pets for firework displays and prevent or manage possible distress.

Public firework displays are at fixed times of year, meaning, again, that animal owners are able to anticipate their occurrence and take appropriate measures to prevent or manage possible distress in their animals.

As public firework displays are at specified locations and therefore easier to monitor and ensure that organisers are complying with relevant fireworks legislation

Public firework display venues are usually public amenity spaces meaning that the risk of displays impacting on livestock and wildlife is minimised.

Public firework displays attract larger numbers of people, reducing the need for other private displays and therefore the number of fireworks contributing to loud and high-pitched sounds levels.

20 In addition, a ban on the sale of fireworks to the public could reduce preventable injuries amongst members of the public, with only trained professionals being able to use fireworks.

Question 6. Do you think there should be more control on how fireworks can be used in Scotland?

21 Yes.

22 Restricting noise levels

We consider that fireworks legislation should be revised to reduce the noise limit of fireworks for public use in order to adequately safeguard animal health and welfare. We would support setting the maximum noise levels of fireworks intended for public use and sale to 97 dBAI at 15 metres, as recommended by the RSPCA.

23 This recommendation is set out in the RSPCA report *Keep the Noise Down: Loud fireworks frighten animals (2005)*. The extract taken from the report below sets out the rationale behind the recommendation:

Most animals, especially pets, are used to and can tolerate common household noises. 97dBAI corresponds to the maximum measured household noise level.

The 97 dBAI limit will mean that many existing fireworks, including most candles, rockets and fountains, will still be on sale.

Setting

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regarding the animals' behaviour to maximum noise levels – the RSPCA make c

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A reduction in the noise limit of fireworks for public use in order to adequately safeguard animal health and welfare. We would support setting the maximum noise levels of fireworks intended for public use and sale to 97 dBAI at 15 metres, as recommended by the RSPCA.

Clear labelling of fireworks at point of sale to indicate their noise level to the consumer eg. 'low noise firework' or 'loud firework'.

The restriction of private use of fireworks to agreed traditional dates eg. Bonfire Night (5 November), New Year, Chinese New Year, Diwali. This would bring controls on use in line with controls on sale, which requires retailers to have a licence to sell fireworks outside of these traditional dates.

We would support tighter restrictions on the sale of fireworks around Bonfire Night, similar to those for other traditional dates set out in fireworks legislation.

Licensing of all public displays and organised events using fireworks by the relevant authority.

Specific penalties where fireworks are used to cause harm to working horses or dogs when in public service or where employed to provide assistance to individuals with disabilities or medical conditions.

In addition, we would suggest setting up an on-line registration system for private or residential users of fireworks who intend to hold a private event involving fireworks, other than Category 1, very low hazard fireworks.

Conclusion

- 37** Whilst we recognise that current legislation provides controls for the use and sale of fireworks, as well as controls to mitigate the impact of loud noises, BVA would support further restrictions on the use and sale of fireworks to safeguard animal health and welfare.
- 38** Loud and high-pitched fireworks can have a negative impact on animal health and welfare by causing stress or fear responses across a range of species, including companion animals, wildlife, horses and livestock. We therefore consider that current controls on the use and sale of fireworks, as well as controls to mitigate noise levels, do not go far enough to adequately safeguard the health and welfare of animals in the UK.
- 39** We would welcome opportunities to work collaboratively with the relevant authorities and government departments to raise awareness of the potential negative animal health and welfare impacts of firework displays, both in terms of increasing public and event organiser awareness and helping pet owners and animal keepers prepare their animals to prevent or manage distress during firework displays.

ⁱ Broucek, Jan. (2014). Effect of Noise on Performance, Stress, and Behaviour of Animals Introduction. 47. 111-123.

ⁱⁱ Blackwell, E., Casey, R., & Bradshaw, J. (2005). Firework Fears and Phobias in the Domestic Dog. Scientific Report for the RSPCA, University of Bristol, UK

ⁱⁱⁱ Shamoun-Baranes, Judy & Dokter, Adriaan & van Gasteren, Hans & Emiel van Loon, E & Leijnse, Hidde & Bouten, W. (2011). Birds flee en mass from New Year's Eve fireworks. Behavioral ecology : official journal of the International Society for Behavioral Ecology. 22. 1173-1177. 10.1093/beheco/arr102.

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^{iv} Gronqvist, G., Rogers, C., & Gee, E. (2016). The Management of Horses during Fireworks in New Zealand. *Animals : an open access journal from MDPI*, 6(3), 20. doi:10.3390/ani6030020

^v The British Horse Society. Advice on Horse and Fireworks. Available at:

<https://www.bhs.org.uk/~media/bhs/files/pdf-documents/safety-leaflets/horses-and-fireworks.ashx>

^{vi} Dale, A.R.; Walker, J.K.; Farnworth, M.J.; Morrissey, S.V.; Waran, N.K. A survey of owners' perceptions of fear of fireworks in a sample of dogs and cats in New Zealand. *N. Z. Vet. J.* 2010, 58, 286–291. Available at:

<https://www.tandfonline.com/doi/full/10.1080/00480169.2010.69403?scroll=top&needAccess=true>

^{vii} 4. Overall, K.L.; Dunham, A.E.; Frank, D. Frequency of nonspecific clinical signs in dogs with separation

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^{xxix} <https://www.rspca.org.uk/adviceandwelfare/pets/general/findabehaviourist>