

30 October 2015

Secretariat

Free Range Egg Labelling Consultation Paper
Small Business, Competition and Consumer Policy Division
The Treasury
Langton Crescent
PARKES ACT 2600

Submitted to Website: www.treasury.gov.au/ConsultationsandReviews/Consultations

RE: Submission on the Consultation Regulation Impact Statement - Free Range Egg Labelling.

Animal Health Australia (AHA) is a not-for-profit public company established by the Australian, state and territory governments and major national livestock industry organisations.

The company's mission is to assist our members and partners to enhance, strengthen and protect animal health and the sustainability of Australia's livestock industries. In fulfilling this role, AHA manages a suite of national programs that position Australia as a world leader in terms of its animal health status and systems, which in turn underpins trade and enhances market access. Livestock welfare is a fundamental part of the animal health system and achieving good animal welfare practice and outcomes is recognised as a key industry sustainability issue. AHA has expertise in animal health and welfare, biosecurity and food safety but not in food retail management.

The egg industry in Australia is a significant food producing industry that requires certainty for investment and efficient production. The proposals whilst not endeavouring to set welfare standards are describing egg production system requirements that convey different welfare outcomes for the birds. Consumers may believe that the provision of a production system alone will lead to better bird welfare, but the reality is often different as the specific risks to bird health and welfare will have to be addressed in each production system. It is also acknowledged that consumers value egg parameters other than bird welfare such as food safety and nutritional status and these qualities are also affected by different egg production systems.

The Australian Animal Welfare Standards and Guidelines (S&G) are the national animal welfare requirements that must be met under law for livestock welfare purposes, and the guidelines are the recommended practices to achieve desirable animal welfare outcomes. These S&G will replace the voluntary Model Codes of Practice (MCOP) that provide guidance to regulators and other stakeholders. The S&G documents cover the full range of relevant production systems and welfare issues for animal ownership in Australia and are cornerstone documents for animal welfare.

AHA has been involved in managing the development of the Australian Animal Welfare Standards and Guidelines¹ for Land transport, cattle, sheep and currently poultry with broad input from governments, primary industry and community animal welfare organisations. The development process includes a regulation impact statement and public consultation process.

AHA supports the national development and implementation of a proposed information standard that aims to provide greater certainty for consumers, producers and retailers such as Option 2A. The proposed information standard would establish clear requirements that must be met if eggs are to be labelled as free range and further guidance that would operate as an effective and appropriate defence for producers. The conditions established would need to be sufficiently prescriptive to provide a high level of confidence to producers, regulators and consumers for the general statement that ‘most hens go outside on most ordinary days’. AHA supports a version of Option 2A finalised after further industry consultation, noting that some aspects are yet to be determined. AHA has further comments on the approach proposed.

Whilst the consultation paper seeks to ‘focus on consumer information needs, and considers that animal husbandry and welfare issues, as well as food safety matters, are best addressed through separate legislation and schemes’, the two issues are nevertheless inextricably linked since bird welfare outcomes are affected by the production system, as well as other factors. Consumers’ interest in the accurate labelling of eggs is driven by an interest in the welfare of the birds that produced those eggs. Welfare aspects may need to be considered in support materials further explaining the final outcome for labelling.

To further explore the broader concept of animal welfare, current welfare thinking from leading welfare scientists recognises both positive and negative effects within the survival-related domains of nutrition, environment and health and the situation-related domain of behaviour, that translates into a fifth domain of affective experiences (mental states)². The overall quality of life which is equivalent to animal welfare status, is the sum of negative and positive experiences over a period of time. Animal managers should endeavour to minimise negative animal welfare experiences and promote the opportunity for positive animal welfare experiences that contribute to positive mental states such as would be achieved for behaviour in non-cage systems. However the current labelling proposals ignore the nutrition, environment and health domains that are also important and contribute to the affective experience domain. The overall assessment of the welfare outcome for birds in different production systems is a complex and expert matter with significant overlap possible in net welfare state between enterprises in different production systems.

The labelling proposals have a very narrow focus on facility design and operation which relates to bird behaviour but fails to take into the aspects detailed above which are also important for bird welfare. In the light of this, AHA has a number of general concerns in relation to the creation of the egg labelling standards for which we seek clarification. These concerns are:

- The labelling standard implies that a free range production system, as defined and focussed on stocking rates and access to outdoor areas, achieves a higher standard of animal welfare primarily due to the ability of birds to exercise and demonstrate inherent behaviours. There

¹ <http://www.animalwelfarestandards.net.au/>

² Mellor, D.J and Beausoleil, N.J (2015) Extending the ‘five domains’ model for animal welfare assessment to incorporate positive welfare states. *Animal Welfare* 24:241-253.

is very little scientific proof for any differential welfare benefit in any of the non-cage systems at current maximum stocking rates as defined in the Model Code of Practice³ (MCOP). All systems require some degree of confinement fencing to efficiently manage birds for the best animal outcomes. None of the stocking rates proposed in the options will make a difference to the birds' ability to exercise. For this reason a large range in stocking rates and colony size within the definition of free range should be permitted and egg producers given the option to state their bird stocking rate on the package if desired.

- It is also noted that the possibility of colony cages or aviaries are not described in any option. These facilities may offer welfare benefits over traditional cages and the current proposals do not allow any market signals to be applied. While these systems are not widespread in Australia these systems are potentially important for improving bird welfare. It is recommended that consideration be given to including these systems under a definition.
- In contrast to open area stocking rates, the stocking rate for night time confinement from outdoor systems is an important issue. Confinement can be essential for protection against predators, adverse weather and during biosecurity high risk times when avian viral diseases are known to be circulating in wild birds. This indoor density must take into account the internal layout of the shelter and the means of ventilation. The rates described in the current MCOP are an essential minimum for all production systems to meet.
- Very little is said about preventative animal health management for animals maintained in production systems with outdoor access. There is insufficient mention of good biosecurity practice in relation to animal management and animal welfare in the proposed standards. Good biosecurity practice is fundamental in terms of reducing disease exposure in managed animals, thereby benefiting animal welfare. In relation to poultry management, specifically protection from virulent respiratory viruses from wild bird contact associated with feeding and watering in the open requires attention and birds should be able to be confined in high risk periods (effectively the barn or aviary approach) which may not align with the definition of 'most ordinary days'. Consumers need to be assured that biosecurity is properly implemented in a fully caring approach for animals.
- There is little said about the contingency management of natural adverse events that is a feature of animal production management for all systems. It is acknowledged that birds are allowed preference as to whether they chose to go outdoors on days with adverse weather. In some cases it is prudent to take precautionary steps and confine the birds. Facilities must be adequate under the circumstances to minimise the risk to bird welfare.
- It is well known that mono-gastric species such as birds require to be fed in any production system even in very low or back yard stocking rates. Birds in lay do not gain sufficient (adequate and appropriate) nutrition from the natural environment. This makes rotation of ranges a 'nice to do' requirement that provides the possibility of some green supplementation to the diet that overall makes little contribution to their effective nutrition in commercial egg production systems. Therefore any value that is perceived to arise from additional foraging areas needs to be considered in this context.
- AHA believes that the industry costs in option 1 are under-estimated and that support for this option will not lead to a harmonised or certain approach. AHA understands the

³ The *Model Code of Practice for the Welfare of Animals — Domestic Poultry 4th Edition* (Model Code) is a national code endorsed in 2002 by the Australian Commonwealth, state and territory, and New Zealand ministers for primary industries

difficulties in estimating such costs for a RIS but urges caution in applying too much credibility to this estimate, which combines with the non-quantifiable aspects of uncertainty for industry makes this option unfeasible.

Further enquiries should be directed to Kevin de Witte, Executive Manager, Market Access Services, Telephone 02 6203 3913, kdewitte@animalhealthaustralia.com.au

Yours sincerely,



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CEO

