

Free Range Farmers Association Inc.

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Victoria based registering and accrediting organisation for poultry farmers practising genuine extensive Free-Range Egg and Poultry Farming to best welfare and sustainability standards.

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

19th October 2015

RE: Free Range Egg Labelling

The Free Range Farmers Association (Vic) Inc. was established 15+ years ago. Our members adopted the standards for Free Range Eggs in operation prior to de-regulation (Egg Industry Act 1989 – Conditions for the Free Range hen environment) see attached. We believe that appropriate ministers should be given the opportunity to read this simple, yet succinct definition of genuine free range egg production.

The problem

1. Do production system claims for eggs such as 'free range' sometimes mislead consumers? Is this the case for other claims, including 'barn' or 'cage' laid?

FRFA Response:

There can be little doubt that egg producers who farm intensively mislead consumers. If 10,000-20,000 birds per hectare were free to roam it would inevitably lead to a massive and unsustainable nutrient load in the soil. The Model Code of Practice recommends 1,500 birds per hectare. Yet the Australian Egg Corporation chose to ignore the recommended stocking density and adopt its own version of what constitutes a free range egg.

Additionally, the Egg Corp permits birds being locked up until they are 25 weeks old at which time they will be unlikely to venture outdoors. The Model Code of Practice suggests that free range chicks should be free ranging when fully feathered (about 6 weeks old).

A requirement of the Egg Corp accreditation process is that all producers must comply with the Model Code yet when considering the foregoing this would appear to be impossible.

The Egg Corp also endorses beak tipping which allows high stocking densities. Yet a bird with only part of a beak is incapable of foraging for food and therefore cannot be called free range.

2. If so, how much detriment have consumers suffered due to misleading production system claims for eggs?

FRFA Response:

It is our observation that consumers have become very confused and don't know if they are buying free range or not. Consumer advocacy group Choice has found that "Australians are forking out twice the cost of cage eggs to buy "free range" but are not getting what they think they are paying for. Choice also found that 213 million eggs sold last year did not meet the free range expectations of consumers.

3. What detriment have producers and retailers suffered due to misleading production system claims for eggs made by competitors?

FRFA Response:

Genuine Free Range egg producers i.e. those that are abiding by the Model Code of Practice & the Egg Industry Act 1989 who have stocking densities between 750-1500, do not debeak their birds and allow their birds free access to range in pasture during full daylight hours are having to compete with producers who are labeling their eggs as 'free range' but the reality is that they have 10-20,000 birds per hectare, housed in large sheds with small door openings which do not encourage the bird to go outside and actually "free-range".

Applying the model code of practice to free range farming ensures that eggs are not factory farmed as this method of farming is land based – it is extensive NOT intensive and focuses on maintaining environmentally sustainable farming practices.

How can a genuine free range egg farmer possibly compete with a factory farmed egg marketed as 'free range' on price – it is impossible and is misleading to the consumer.

4. Do producers face significant uncertainty about how to ensure they do not make misleading production system claims for eggs?

FRFA Response:

We believe that egg producers who are factory farming are well aware that they are misleading their consumers as the information as to their farming practices are not advertised on packaging, websites or social media. The only producers who are making statements regarding their farming methodology are generally those who are abiding by the model code of practice & Egg Industry Act 1989 and trying to educate their consumers as the differentiators between their eggs and those "claiming free range status".

Those producers who are factory farming their "free range eggs" are not listing their farming practices clearly on their products. If they were they would read:

- *List stocking density per hectare*
- *List debeaking / no-debeaking*

At least if all producers had to list these two farming practices on their cartons the consumer then has the right of choice, to determine whether those farming practices are important to them.

The policy response

5. An information standard for eggs labelled 'free range' could mandate that the eggs come from flocks in which most hens go outside on most ordinary days. Would this reduce the problem?

FRFA Response:

All hens should have access to outdoors during daylight hours. The only reason that a flock may require to be locked into its shed is when the shed is being moved, or the hens are being treated if there is a required vaccination/treatment (i.e. when medication is added to water and the hens must drink the water prior to being let out). Even so, this period would generally not be greater than a day.

We suggest that you observe free range hen's behavior. During daylight hours, rain or shine, a hen is outdoors and only returns to its shed in order to lay eggs/feed.

Mandating that "Free range" eggs come from flocks which all hens must have access to the outdoors during daylight hours would definitely be a crucial requirement in the standard.

6. Do 'free range' egg producers want detailed guidance on production factors that reliably lead to compliance with the requirement that *most hens go outside on most ordinary days*?

FRFA Response:

Yes, having a detailed listing of how to ensure hens 'free range' would be beneficial. For example, ensuring that the door openings are sufficient to the size of the shed and encourage the hen to go outside.

Listing the reasons that hens should be locked up:

- Shed being moved/shifted
- Medicating/Vaccinating a flock

7. Any detailed guidance on 'free range' egg production factors would need to be developed in consultation with industry. If this guidance is desired, should it be:
- a) included as a 'defence' as part of an information standard?
 - b) published by the Australian Competition and Consumer Commission (ACCC) as clear guidance about the current law?
 - c) delayed until after the review of the 'Model Code of Practice for the Welfare of Animals — Domestic Poultry' has been completed?

FRFA Response:

B - Published by the Australian Competition and Consumer Commission (ACCC) as clear guidance about the current law?

8. Should an information standard require prominent disclosure on 'free range' egg cartons of the indoor or outdoor stocking density of hens, or any other practices?

FRFA Response:

Yes, full disclosure regarding the following should be detailed on the packaging:

- List stocking density per hectare
- List debeaking / no-debeaking

9. Should an information standard require prominent disclosure of production methods for all hen eggs:
- a) as either 'free range', 'barn' or 'cage' eggs?
 - b) including optional categories such as 'access to range' and 'premium free range'?

FRFA Response:

Yes, disclosure regarding production methods should be clear.

We do not require additional categories of eggs in the marketplace. The consumer needs a clear standard which is in keeping with consumer expectations.

10. What are the benefits and what are the compliance costs of introducing an information standard? Do the benefits outweigh the costs?

FRFA Response:

The benefits definitely outweigh the costs. The consumer has a right to know exactly what they are purchasing.

In some cases large producers who are factory farming 'free range eggs' are just cashing in on consumers who are looking for an egg production method that is in keeping with their beliefs in regard to animal welfare. This is not ethical and needs to stop.

The benefit is 'truth in labelling'. If farmers are running 10-20,000 hens per hectare, then these eggs should be labeled barn laid.

Sincerely,
FREE RANGE FARMERS ASSOC. INC.

VICTORIAN FREE RANGE REGULATIONS

SCHEDULE 10

Regulation 5

EGG INDUSTRY ACT 1989
EGG INDUSTRY GENERAL REGULATIONS 1989

CONDITIONS FOR FREE RANGE HEN ENVIRONMENT

Hens must have access to an area in which to range during daylight hours.

The maximum stocking density is 300 birds per acre (750 per hectare).

The land where the hens are permitted to range must be capable of continued production of vegetation for food. If the land becomes barren an adequate alternative area must be provided and used on a rotational basis.

Hens must have permanent access to shade and protection, weatherproof shelter with adequate dry litter, food, fresh water, nesting boxes and perches.

Natural foods only are permitted. These may include grains, grain products, green feeds, meat by-products, natural sources of vitamins and minerals.

No synthetic yolk colourings are permitted, but natural xanthophylls, such as maize, lucerne or other naturally-derived pigments, may be used.

Routine use of antibiotics or other medications is not permitted except on veterinary direction.

Induced moulting and the use of "polypeepers" are not permitted.

Beak trimming is not permitted.