

25th November 2015



Manager
Consumer Policy Unit
Small Business, Competition and Consumer Policy Division
The Treasury
Langton Crescent
PARKES ACT 2600

Dear Treasury

Re: Free Range Egg Labelling Consultation

We, and the undersigned free range producers, appreciate the opportunity to provide the following submission to Treasury on free range egg labelling.

PROOF – Pasture Raised On Open Fields represents the interests of genuine free range farmers through our support network, Licensing, Standards and Guidelines. Our members follow the PROOF Core Values which are:

- All animals are able to range freely in open fields or paddocks
- Animals will not be kept in cages, stalls or crates
- All animals are kept at stocking densities that will ensure access to forage and grazing and; in the case of layer hens, shall not exceed 1,500 per hectare
- Densely confined production systems and feed lotting are not practiced
- All animals are able to interact with their herd or flock and to carry out natural behaviours
- All animals should thrive in their environment and not just cope with it
- All animals will be protected from predation
- Illness or injury will be addressed promptly so that no animal will be left to suffer
- Animals will be fed to meet their welfare needs as well as production requirements
- Surgical treatments that inflict unnecessary pain will not be performed
- There will be no use of growth promoters
- Pastured free range should be environmentally, economically and socially sustainable

Free range farming is not new, it has been around for many years and started as a niche product that was generally sold at farmers markets, boutique and health food outlets. There was very little interest in free range from the corporate sector of the egg industry at this time. This changed as the market for free range eggs was developed by the small farmers and demand grew.

Until recently, there was a general acceptance that free range egg production was defined by the guidelines set out in the Model Code of Practice for the Welfare of Animals – Domestic Poultry (Model Code). The Model Code is very clear on what defines a free range layer hen and that is; 1,500 hens per hectare. The corporate interests now claim that there is confusion over this

definition but when the code is read fully and in context, there is no confusion, only that which is contrived and exaggerated for the benefit of some.

There are hundreds of small free range egg producer scattered around Australia and for many the eggs they produce support their small farms and families. The system of production they employ is so very different to the industrial model that uses massive sheds and stocking rates of 10,000 hens or more. There is a different mindset, a back to basics holistic approach to agriculture at work on a lot of these farms that manage their egg businesses in a sustainable, and up until now, profitable manner. This way of farming is more a way of life and it costs more to produce eggs in a system that is more labour intensive and does not rely on economies of scale. Some may argue that this is not the most economically viable way to produce eggs but consumer demand says otherwise.

The corporate giants are poised to snatch the free range industry away for their own financial gain, putting these small farms out of business because they cannot compete on price while duping the unsuspecting consumer.

We conditionally support Option 3b:

- Option 3b: Free range would be defined as outlined in Option 3. There would also be an additional 'access to range' category for producers who fall short of the free range definition. Producers would have to label themselves as either free range, access to range, barn or caged.

Our concerns with Option 3 in general are that “*an information standard that would prescribe that eggs can only be labelled free range if most birds move about freely on an open range on most ordinary days*” is open to abuse as ‘most’ is often defined in law as more than 50%. We would then have a situation where producers are giving 51% of their birds access to the range on 51% of ordinary days. This is absurd and does not meet any definition of free range, it actually compounds the problems we that already have.

The proffered definition of free range in Option 3 must be rewritten to prevent such abuse and insure the integrity of the industry and that consumers can make clear and informed purchasing decisions.

The free range definition should remain at 1,500 layer hens per hectare with free access for all hens to roam pastured paddocks during daylight hours in an environment that encourages exploration and offers protection through shade and shelter within the range. Any operators that fall outside of this definition should not be able to use the term free range. The term 'access to a range' or 'barn yard' are far more appropriate as they actually better define the systems being employed.

We would also like to address some of the questions in the consultation paper:

- **Question 3.** Does the definition 'most hens go outside on most ordinary days' reduce the current problem? Would consumers have a greater ability to identify whether free range eggs produced to this definition are in line with their values and expectations?

- This definition is open to abuse as ‘most’ is often defined in law as more than 50%. We would then have a situation where producers are giving 51% of their birds access to the range on 51% of ordinary days. Consumers would be even more confused by this definition and the industry would have no way of being able to measure compliance.
- **Question 4.** Would the disclosure of stocking density help consumers distinguish between different husbandry practices?
 - Yes. 1,500 hens per hectare was a number agreed upon in the Model Code for reasons of animal welfare and is reiterated in the Environmental Guidelines for the Australian Egg Industry (page 16). This number of hens therefore indicates the best welfare outcomes for the hens and the number that will have the least impact on environmental sustainability. This goes hand in hand with consumer perceptions and expectations for free range, that the birds are free to graze pasture in open paddocks. Lessor conditions and higher stocking rates will prevent that from happening and pollute the environment in a very short period of time.
- **Question 5.** Would a premium animal welfare category benefit consumers and impact on your business?
 - Yes. The premium definition however should be free range. The consumer has their perception of free range and any system that does not meet them should not be called free range.
- **Question 6.** Currently the proposal is for the premium free range definition to be called 'premium free range'. Is 'premium' the best descriptor or should this category simply be called 'free range'?
 - Free Range should be the premium descriptor
- **Question 7.** Does an 'access to range' category accurately reflect the 'grey area' between free range and barn eggs in a way that meets consumer expectations and describes production methods?
 - This descriptor better defines the systems being employed by very large operations however that access needs to be measurable and this industry has already implied that they are unable to do this. 'Access' must be defined to meet consumer expectations.
- **Question 8.** What would the cost be to your business to change your labels to 'premium free range'?
 - The cost for small producers to change their packaging would be an unfair burden that most could not carry. Our members have provided genuine free range eggs to meet consumer expectations for years and farmed under the guidelines of the Model Code. They must not be penalised.

The following free range producers have requested to be included in this submission:

Mayfield Farm Produce

www.mayfieldfarmproduce.com.au

Findyma Valley Farm

PO Box 229

Bonnie Doon 3720

B & L Cowley

Myola

Narromine NSW 2821

Little Creek Farm

380 Corberding Rd

Brookton WA 6306

IA & SL Chapman

30 Glenroy Rd

Stuart Town NSW 2820

Shady Waters

4473 Hattah-Robinvale road

Bannerton Vic 3549

Laura Dalrymple

M: 0409 929 896

Feather and Bone

T: 02 9818 2717

Unit 8, 10-14 Lilian Fowler Place

Marrickville, NSW 2204

Yours sincerely,



Lee McCosker – Director

PROOF – Pasture Raised On Open Fields Pty Ltd

M: 0412326030

lee.mccosker@proof.net.au