

26 November 2016

John Jamieson
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Small Business, Competition and Consumer Policy Division
The Treasury
Langton Crescent
PARKES ACT 2600

By email: AustralianConsumerLaw@treasury.gov.au

Dear Mr Jamieson

FREE RANGE EGG LABELLING

Thank you for the opportunity to provide a submission on this important issue.

I currently participate in the egg industry in a number of ways. My wife Narelle and I operate a 1,400 ha mixed cropping and grazing farming operation at Tamworth, North West NSW with the main focus being commercial egg production. We operate caged egg systems and do not currently produce any free range eggs.

I am also involved in farming representative organisations and Chair the NSW Farmers Egg Producers Committee and Egg Farmers of Australia.

Egg Farmers of Australia has provided a comprehensive submission responding to the options set out in the RIS. I fully endorse the Egg Farmers of Australia submission and encourage the Consumer Affairs Ministers from the Federal and State Governments to take account of the information and analysis set out in the submission.

In particular, I encourage the Consumer Affairs Ministers to establish a basic information standard that adopts the Egg Farmers definition of free range eggs on the basis that it reflects consumer expectations and industry practice. This definition provides that laying hens in free range farming systems:

- a) are unconfined within a ventilated hen house;

- b) have meaningful access to and are free to roam and forage on an outdoor range area during daylight hours in a managed environment; and
- c) a maximum outdoor stocking density of one hen per square metre.

The purpose of this submission is to provide input based on my perspective as an egg producer. I believe that the prospect of the Consumer Affairs Ministers arriving at the right outcome for this process will be significantly improved if they are able to engage with the industry, understand the way in which eggs are produced and test the claims made by various groups that have been pushing for a new and restrictive definition of free range.

It would be preferable if all relevant decision makers were able to visit egg farms to see for themselves how the issues raised in relation to free range eggs play out in practice. This would show that the large free range egg producers, that have been demonised as misleading consumers, are in fact operating the state of the art production facilities and high standards of animal welfare that reflect consumer expectations.

A farm visit would also demonstrate that large free range producers provide for hens to have meaningful access to the outdoors such that hens can and do go outside. However, once onsite, it would be clear that its just not practical to monitor or prove that a particular proportion of birds are outside at any time. With hens regularly moving in and outdoors in response to weather conditions

Being onsite also demonstrates that some of the reasons put forward in support of a restrictive definition of free range are meaningless. To suggest that hens kept on a one bird per square meter basis don't have enough space is plainly wrong and requires either being unaware of how hens behave or a willingness to be misleading. Even if every hen in a 1 bird per square meter system was outdoors at the same time (which is unlikely), there is ample space for birds to engage in natural behaviours and it would only take one glance to confirm this.

Beyond the issue of stocking density it is difficult to engage with the reasons put forward in defence of a restrictive definition of free range. The arguments simply relate to the benefits of a particular free range production system and a claim that this can be the only meaning of free range. Having been in the industry for many years I know that there will always be a range of production systems operating as producers experiment with meeting the demands of consumers. This process should not be restricted by a standard that favours some producers over others.

There will always be some producers that try to push the boundaries up to and beyond misleading claims. These practices are bad for the industry and should be the subject of action by the Government and regulators. But the fact is that this conduct is very limit and has been greatly exaggerated by interest groups. Most importantly, the free range

standard proposed by Egg Farmers puts regulators in a strong position to distinguish between the small number of shonky producers and the rest of the industry.

I hope these perspectives are of value in the ongoing consideration of what has become an unnecessarily complex issue. Egg producers work hard to meet the expectations of consumers in relation to the production of eggs and I urge the Consumer Affairs Ministers to adopt the Egg Farmers proposed standard in order to allow this process to continue.

Yours sincerely

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