

20th November 2015

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

Dear Treasury Committee

Re: Free range egg labelling consultation

We appreciate the opportunity to provide the following comments to Treasury on free range egg labelling.

Introduction

All free range egg farmers are affected by the current situation with the confusion and misinterpretation of the labelling of the eggs. Currently there are two methods of production selling under the Label of "Free Range" Eggs available to the Australian Consumer. One established on Consumer demand for a Free to Range system, based on sustainable Farming practices and Hen welfare. The other evolving from a diminishing Cage Egg market (providing huge empty sheds) and an ever increasing demand for Free Range Eggs (a readymade growing market with attractive returns).

Increased numbers of eggs are being marketed as free range where the densities are much higher than the Animal Welfare Model Code of Practice recommendation of 1500 hen/ha. We have attached a legal opinion of the interpretation of the stocking density definition of the Code at the end of this submission – (Attachment 1). In some cases hens are being stocked at well over 10,000 hens/ha with one example (Attachment 2) [REDACTED] Eggs produced at much higher stocking densities do not have the same high level of labour or capital expenditure in land, therefore the prices can be lower to receive a greater profit margin. the confusion and misconceptions among consumers, consumer advocacy groups, egg producers, producers and farmer advocacy groups, animal welfare groups, retailers, wholesalers, Government agencies, State and Federal Governments and of course the hens themselves, of what free range is and what the actual stocking density is, could or should be. It is estimated that Genuine Free Range egg production requires 3 – 4 times the labour input as its industrialised counterpart, resulting in higher production costs as well as providing more employment in the community, which is an unrecognised benefit.

Our Story

Our Free Range egg farm commenced operation in the year 2000 after several years of trials, research and planning.

Our farm is 12.5 hectares in total with 4 hectares allocated solely for the range area. We stock from 3,000 to 3,500 hens on the 4 hectares in a rotational system between ranging areas. We use mobile sheds which are easily moved to a new part of the range. Our mobile sheds are never closed during the hens laying life on our farm, they range 24/7. The sheds contain plenty of individual nest boxes for

laying and a multi level roosting area. Food and water for the hens is provided outside the sheds. Our feeders are designed to keep the hens sheltered and the feed dry as well as being protected from other birds and vermin. We have 100's of shelter and shade trees throughout the range which is protected from predators by our Maremma dogs and an electrified boundary fence. The greatest expense we have is our cracked grain feed blend which we source from a local feed miller which supports employment in our region. We currently employ a local who works around 20 hours per week. Our farm mostly supplies top end Restaurants, Cafes and Hotels to achieve the best price possible for our eggs. The remainder of our eggs go to specialty shops such as Health Food outlets, Butchers and other specialty shops.

The Hens perspective through Consumers Eyes

This explains why we farm Free Range eggs the way we do.

(Written by Richard Langford)

I have evidence that the concept of determining the definition of free range by using stocking densities dates back to the late 1980's.

Even that far back, 150 hens per hectare was referred to in documentation shared by established egg producers (albeit in a prank set of definitions), as the suggested method of determining what is Free Range. In many cases these same producers who ridiculed, dismissed and objected to Free Range egg production, are now fighting hard to adopt, use and take control of the term.

I want to look at defining egg production methods and or terms from a different perspective, that of the hen and also the consumer.

The hen "used" for current day egg production originally was a Jungle Fowl. Jungle fowl were the foragers and recyclers of the jungle floor eating seeds, fruit and insects as well as cleaning up the odd carcass of dead birds and animals. This is natural behaviour for fowl.

It is worth considering how the current day version of this bird has the opportunity and ability to express its natural behaviours in modern day egg production facilities. It is then possible to reflect on how the eggs produced are to be labelled accordingly.

In the Cage environment the opportunity for hens to participate in natural behaviour is minimal and this reflects in the diminishing popularity with consumers. Score: 1 out of 10

In Barn (Cage Free) systems the situation is slightly enhanced by less restricted movement, more comfortable roosting (not wire bottomed cages) and nesting boxes with some kind of privacy and security. Some dust bathing may be available however this usually is in the deep litter in which they all defecate. Score: 3 out of 10

In the High Density Free Range systems it becomes more difficult to decipher. Hens have the same as above in the barn systems but the outdoors is different. Hens in these systems have controlled access (the producer decides when hens go outside) to any Range that maybe outdoors. They are in large flock sizes and are stocked at high densities on the range. The ability to forage in a sheltered environment is often limited with little shade, ground cover or food source. This situation also has the disadvantage of high faeces loading on the range affecting hen health and contaminating soil and water sources. Score: 5 out of 10

In the Low Density Free Range systems there is even more variety between facilities. Some have food and water on the range rather than inside the shed, others have a consistent and sustainable forage source, others have plenty of shelter in the form trees and shrubs. Any combination of these environment plus others are most common in low density Free Range. Hens housed in these conditions get the best opportunity to express natural behaviour and in most cases are able to decide when they go out onto the range. Score: 8 out of 10

Over the last 16 years I have had countless conversations with consumers, chefs, restaurateurs and retailers alike. The feedback received has led me to be confident that the following points are central to consumers in their decision making process.

Consumers buying on price alone with no interest in the life of hens will buy Cage Eggs.

There are others that just want the hens not to be in cages but are not concerned about any other behavioural requirements and they are happy with barn eggs.

Consumers that buy Free Range eggs talk about foraging, freedom, space, stretching wings, dust bathing, sunlight, fresh air, bugs and worms etc. This could well be a reflection of the hen being able to express its natural behaviour as close as possible to the Jungle Fowl. It is often confused with animal welfare which really is more a health and safety issue. Consumers will buy eggs labelled Free Range because they believe the hens are kept in such an environment.

This is where consumers are being ill informed. Hens kept in High density Free Range facilities are not getting the same opportunity to express their natural instincts and behaviours as those in a low density environment. Free Range egg labelling doesn't reflect that difference to the detriment of the Consumers, Genuine producers and the hens alike.

There are 4 distinctly different egg productions systems in Australia. There are only 3 available labels. High density production with an outdoor area needs a descriptor that reflects the hens ability to express their natural instincts and behaviours in that system. Several suggestions have been made such as Access to Range, Barn Pen and Barn Yard.

Access to range implies a ranging area that a hen can access. The hen is limited as it relies on the producer to give it outdoor access, not the hen making its own choice. Ranging is limited because of the stocking density of hens resulting in poor conditions to range. This term would appear to not be an accurate reflection of the conditions.

Barn Pen and Barn Yard perhaps describe the conditions that hens are kept, in a way that consumers would be able to make an informed choice without the need for further investigation.

For Consumers to have the clear and simple choice when buying eggs, providing 4 descriptors for the 4 different environments that hens can express natural instincts and behaviours in, seems to be very simple and just.

The other issue of price will be reflected by producer supply and consumer demand. Consumers will be able to buy the eggs they want at a market price that reflects the hen's life experience. Consumers should be in control of their purchases and not be dictated to by producers and supermarkets alike.

Truth and respect for all concerned.

Egg production definitions

We support the following definitions for an information standard for the prescribed labelling of all categories of eggs in Australia:

Cage Eggs means eggs laid by hens that are kept in cages—

- (a) without access to litter, perch or nest; and
- (b) in accordance with the stocking level and other requirements for cage systems under the Model Code of Practice for the Welfare of Animals: Domestic Poultry;

Barn Eggs means eggs laid by hens that are kept in barns—

- (a) with the freedom and capacity to socialise, to move freely within the shed, to stretch, perch, nest, dust bathe, flap wings and fly; and
- (b) with adequate perching facilities and nests available to birds within the shed to accommodate the needs of all hens; and
- (c) with the housing floor consisting of litter and/or slatted flooring, or wire flooring, or any combination these with a minimum of half the housing kept under litter; and
- (d) in accordance with the stocking level and other requirements for deep litter systems on a single level under the Model Code of Practice for the Welfare of Animals: Domestic Poultry;

Barn-Yard Eggs means eggs laid by hens that are kept in barns—

- (a) with controlled access to outdoor runs stocked at no greater than 10,000 hens per hectare of outdoor area excluding the shed and rotation areas; and
- (b) with the freedom and capacity to socialise, to move freely within the shed, to stretch, perch, nest, dust bathe, flap wings and fly; and
- (c) with adequate perching facilities and nests available to birds within the shed to accommodate the needs of all hens; and
- (d) with the housing floor may consist of litter and/or slatted flooring, or wire flooring, or any combination these with a minimum of half the housing kept under litter; and
- (e) a maximum individual flock size not exceeding 10,000 hens; and
- (f) in accordance with the stocking level and other requirements for deep litter systems on a single level under the Model Code of Practice for the Welfare of Animals: Domestic Poultry;

Free-Range Eggs means eggs laid by hens that are kept—

- (a) with continuous daytime access to sustainable outdoor runs stocked at no greater than 1,500 hens per hectare of outdoor area excluding the shed and rotation areas; and
- (b) with access at all times to indoor litter, perches and nests (indoor litter is optional when using mobile sheds); and
- (c) with adequate protection at all times from predators and the elements; and
- (d) a maximum individual flock size not exceeding 2,500 hens; and
- (e) in accordance with the stocking level and other requirements for range systems under the Model Code of Practice for the Welfare of Animals: Domestic Poultry;

If the free range definition was adopted as proposed above, almost all egg producers across Australia would meet the criteria with minimum changes. The major impost would be on those moving into the Barn-Yard category who will obviously incur the cost for their label change on packaging which I assume will only be the cost of printing plate changes which I understand for large packaging runs are included in the standard costs.

Under a four label system, consumers would be able to confidently purchase eggs that meet their current expectations of free range and the other three categories. The introduction of the 4th category of egg production would also ensure the ongoing viability of current and future 1500 hens per hectare farmers rather than the Status Quo state of confusion that exists at the moment of two completely different egg production systems competing under one label.

We currently market our eggs directly to Specialty Shops, Cafes and Restaurants and Hotels rather than via wholesalers. The personal contacts we have with our customers gives us the opportunity to discuss the labelling issue and get feedback on expectation of Free Range egg production. The overwhelming response is that their expectation of free range is that the hens have full daily access to the outdoors which is of an environment that is conducive to the hen being able to exhibit its natural behaviours. Consumer confidence in all egg labelling would be restored if the four labels described above were to be implemented.

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

1. Can you comment on how many eggs are being sold as 'free range' that may be produced in conditions that would not conform to the information standard?

In South Australian Supermarkets, 80 to 90% of shelf space is allocated to Free Range eggs with a declared stocking rate of 10,000 hens per hectare or an undeclared stocking rate. The remainder claim the 1500 hens per hectare stocking rate. This is our own observation from visiting many supermarkets to research the market in which we trade.

2. What harm have you and your farm suffered due to misleading production system claims for eggs made by competitors?

In our retail outlets we are unable to achieve the wholesale price that we can with our other customers due to the competition from eggs labelled as Free Range that do not come from comparable farming systems. It consumes an enormous amount of time explaining to consumers and customers the difference between egg production systems and why they are not labelled differently to reduce the confusion. Consumers get very angry when they realise that they are not getting what they believe they have paid for. This time would be save with an adequate labelling system.

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?

The 'most hens on most days' definition is too loose and vague and leaves wide open the opportunity for less scrupulous producers to take advantage. Most days only means 51% of days. Take away days of unsatisfactory weather conditions, medication days etc and it could easily be that hens only be allowed to go outside on less than 20% of the days in a year. This is not acceptable for a Free Range label.

Considering Environmental Effects and Free Range Stocking Density

Although not part of the brief for this discussion, the environmental effects of requiring 'most hens on most days' outside at a stocking rate of 10,000 hens per hectare would be potentially catastrophic. In our discussions with a PIRSA scientist, it was calculated that this obligation would create a total of 93 Tonnes of manure per hectare per annum, to be deposited on the range.

This demonstrates that even relatively low stocking densities may still result in reasonably high nutrient application rates. These run areas may need regular rotation to allow for cropping and subsequent nutrient removal to avoid excessive nutrient accumulation and potential loss.

This amount would inevitably cause environmental damage to soil, water catchment zones and ground water as well as potential health issues for hens and humans alike. We feel this must be considered as part of this discussion, as consumers that purchase Free Range eggs would not support this amount of environmental damage. The implementation of the higher density Barn-yard definition mentioned above would require less access to the outdoors, reducing this type of environmental impact.

Evidence supporting this discussion is in Attachment 3 - Environmental Guidelines for the Australian Egg Industry 2008

Considering Disease Outbreaks and Free Range Stocking Density

Although not part of the brief for this discussion, the effects of serious disease outbreak of the 'most hens on most days' at a stocking rate of 10,000 hens per hectare would be potentially catastrophic. In regards to stocking density and disease such as Highly Pathogenic Avian Influenza (HPAI), we've seen example overseas of where very large intensive production facilities have been taken out due to HPAI outbreaks. This year almost 42 million of the United States poultry stocks have had to be euthanised after being infected with a virulent strain (H5N2) of avian influenza.

Here is a link to a news article about the consequences of the outbreak:

<http://waste360.com/operations/landfills-step-clear-backlog-avian-influenza-remains>

The loss of the birds is tragic enough but difficulty of the disposal of the carcasses in this case was on the verge of catastrophic. As it is claimed that having hens outdoors is a greater risk of such a disease, then the consequences as illustrated in the U.S. events, in very large flocks can

quickly relate to enormous stock losses. The philosophy of divide and conquer may be applicable to this situation. Smaller flocks separated and spread out over greater areas and distances would reduce the impact of such an outbreak of disease. Safety in numbers would appear not to be the safest option in these circumstances.

It may therefore be considered reckless to encourage or require egg producers with larger flock sizes to provide hens with an outdoor area just for the sake of the profits available with the use of the Free Range label. It may be more responsible and less of a risk long term to keep these hens safely within Barns. As cage egg production diminishes in popularity, the Barn type of production may eventually be the major supplier of eggs to the market and a sensible approach to protect supply would be advantageous. This would leave the smaller flock size producer to supply the Free Range market with an overall lower risk of massive stock losses due to disease outbreaks.

Further reading supporting this comment – Attachment 4

National Farm Biosecurity Technical Manual for Egg Production 2015

4. Would the disclosure of stocking density help consumers distinguish between different husbandry practices?

We feel that most consumers do not have a concept of a stocking density, so do not feel that it would be of any great advantage to the consumer. Larger numbers such as 10,000 could be confused as being a better option to a smaller number of 1,500 and vice versa. The terms used as the production method on the carton label are most powerful. Claims of stocking density could be made as an extra marketing information tool rather than be used as part of the descriptor.

5. Would a premium animal welfare category benefit consumers and impact on your business?

We feel that if the free range definition we propose was adopted then consumers would benefit from having their expectations met of hens being able to exhibit natural behaviours in a well manage environment and that our business would also benefit by only having to compete for market share with farmers that adopt a similar production method.

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'?

The suggested use of term Premium Free Range is not suitable. Premium is a generic term that could be applied to any production method and would only add to the confusion of the labelling of eggs. The term premium is commonly used as a marketing term and is not suitable for use as a descriptor for labelling purposes.

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? The suggested use of the term Access to Range is also not suitable. The word 'range' appears in both Access to Range and Free Range which implies they both have a comparable range and comparable access, this is not the case. A yard with little to offer hens opportunity for the expression of Natural Behaviour is not the same as a Range with natural shade, shelter, fodder sources, dust bathing areas, foraging sources and plenty of space. Access and Free implies in both cases that the hens make the decision to go outdoors. If the farmer has the doors/pop holes closed then the hens do not have access to the outdoors – if access is not available then it can't be "Access" to Range. The term Access to Range does not adequately address the confusion between labels/production methods.

We have seen many of these industrialised egg production facilities and they all look like a Barn with an adjacent yard. There are only token efforts to provide hens with the opportunity to exhibit their natural behaviours in a suitable environment. This link shows video footage from ABC Landline report "Sky Wars" showing such a facility:

<http://www.abc.net.au/landline/content/2013/s3838274.htm>

Please contact us if you would like to see more evidence to back up this claim.

We support a fourth descriptor of Barn-yard and believe that this would more accurately reflect the 'grey area' between free range and barn in a way the meets consumer expectations if it is defined as 'controlled access to outdoor runs stocked at no greater than 10,000 hens per hectare of outdoor area excluding the shed and rotation areas.'

Welfare, Range Access, Flock Size and Stocking Rates

The following articles by experts in their field support the comments made in this submission:

Charles Sturt University's Dr Raf Freire said flock and shed size, outdoor access and overhead cover all contribute to the hens ability to roam freely.

"The vast number of birds that you can have, so groups of 15,000 or so, means that they have to be housed in very large sheds," he said.

"A lot of those birds in a lot of instances will never make it to the pop-holes, to the access points to get out to the range and they'll just stay inside.

"One of the biggest problems is actually the hens being able to get out of these sheds."

<http://www.abc.net.au/news/2015-06-16/poultry-expert-identifies-obstacles-in-free-range-egg-production/6548740>

Dr BriAnne Addison

Lecturer of Ecology, Deakin University

<http://theconversation.com/sorry-shoppers-ensuring-happy-hens-is-more-complicated-than-just-buying-free-range-49506>

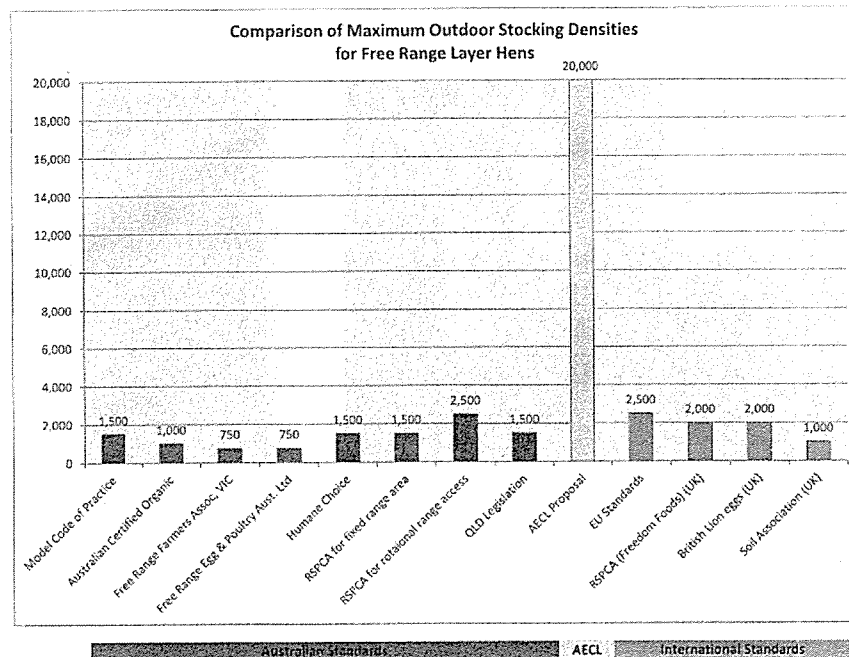
“The surest way to stress a hen is to frequently change its social group, so consumers concerned about the welfare of laying hens should choose eggs from farms with the lowest stocking densities and/or smallest production groups. This means that barn-laid eggs are probably the worst welfare option, and furnished cages and very low stocking density free-range offer the best welfare. Shoppers will need to demand the use of furnished cages and stocking density labels in Australia to facilitate consumer choice.”

Summary

Self regulation has been completely unsuccessful for the majority of producers who are not represented but actually positioned to be eliminated from the market.

Providing certainty and confidence in choice for consumers appears to be a major issue in this matter. We believe the 4 tier labelling system described above is the best solution. Any other option available at this stage only muddies the water further which only benefits those producers who wish to cash in on the Free Range term not consumers or the 1500 hens per hectare producers that established their businesses in good faith under the Code of Practice. The 1500 hens per hectare farms will disappear over time and consumers will not have a choice. By adding the fourth term all current business are preserved for the future.

Comparison Chart of Free Range Stocking Densities:



It is disturbing to us that those who will take advantage of this proposal already have these farms established, using the term Free Range and operating at 10,000 hens per hectare or above, before any guidelines, rules, legislation or similar have been put in place. We assume that those producers that have taken this risk understood at the time that there may be consequences at a later date. Having to change the term used on packaging should not be considered too much a penalty.

We are also disturbed about the increase in stocking densities proposed by the standards associated with this application and what effect they could have on the free range egg industry and egg consumers alike.

We are concerned that if stocking densities are increased to such high levels that the producers farming to the guidelines of the Code of Practice for the Welfare of Animals, stocking their birds at 1,500 or less per hectare, will be seriously disadvantaged with the possibility of being put out of business by unfair, unrealistic and unsustainable competition.

A lack of discipline from the AECL and others within the Egg Industry has allowed greed to overrule consumer rights by taking advantage of the "voluntary" status of the Code of Practice and the lack of protection for the term "Free Range" in Australia. The AECL have used many videos to try to convince Australian Consumers that 10,000 and 20,000 Hens per hectare is the future of Free Range. None of the footage shows farms that have been established for any substantial length of time. All established True Free Range Egg Producers will state that it is impossible to stock at this level without completely degrading the land to the point of total environmental failure. Hens are not encouraged to access the Range as the term Free Range would suggest. A lack of natural shelter, availability of feed and water and inadequate access to and from the sheds is common to all the videos produced (in some cases access is not even available at ground level).

Free Range by definition should be "Free to Range" not "Restricted to Range". This is an obvious and opportunistic misuse of the term to the detriment and outright deceit of Australian Consumers. All of this because a minority of Australians want to cash in (hijack) on the successful establishment of a viably sustainable, consumer driven and truthfully presented food source. Consumer's rights to choose the food they eat according to the method of farming needs to be preserved. This can only occur with precise, clear, simple and truthful labelling. Two completely contrasting methods of farming cannot coexist under the one term.

Market signals from consumers affect what food is produced in Australian and how it is processed and marketed. Unfortunately it often signals only opportunity and the consumer is given nothing but empty promises while the unscrupulous players take advantage of price premiums and ultimately do irreparable damage to the viability of that sector. We are witnessing this now in the free range egg industry.

Consumers are seeking more information about the food they eat and where and how that food is produced in particular in relation to animal welfare and environmental sustainability. Sustaining consumer choice also means that we are keeping alive the diversity of our farms and food production systems. To do this we must be able to deliver truth in labelling and at present the free range egg industry is unable to do that while the peak industry bodies representing the interests of corporate producers are charged with industry self regulation.

We thank you for the opportunity to participate in the consultation process for the change to free range egg labelling and we hope that you will take our thoughts into consideration when making your decision.

Attachment 1

In the matter of Australian Egg Corporation Limited and the Domestic Poultry 4th Edition Code of Practice

MEMORANDUM

1. An Australian Egg Corporation Limited 'Fact Sheet' on 'free range outdoor stocking densities' provides:
 1. The current or 4th edition of the government, industry and RSPCA endorsed Model Code of Practice for the Welfare of Animals – Domestic Poultry (MCoP) allows unlimited outdoor stocking densities for free range egg production systems (A2.1.4, page 28). There is, in practice, no maximum density or cap.' [emphasis added].
2. The Domestic Poultry 4th Edition code of practice provides in Appendix 2 in paragraph A2.1.4 (page 28) under the heading 'Maximum Acceptable Live Weight Densities for Free-Range Birds', relevantly, as follows:

'Outdoors
For layer hens a maximum of 1500 birds per hectare

When meat chickens use only some weeks of the 10 week cycle of pasture (e.g. 4 weeks) a proportionately higher stocking density than for layers may be used.

NB: Any higher bird density is acceptable only where regular rotation of birds onto fresh range areas occurs and close management is undertaken which provides some continuing fodder cover.' [emphasis added]
3. The introductory paragraph of Appendix 2 states that the appendix supplements material in Section 2 – Housing, and Section 3 – Space Allowances.

Section 2.2.5 provides:
"Minimal acceptable housing standards including stocking densities are in Appendix 1 and 2."
[emphasis added]

Section 3.3 provides:
"Maximum stocking densities for various species of poultry are presented in the appendices. These densities apply only to birds housed under good management ..."
4. I am asked to advise whether, as a matter of construction of the Domestic Poultry 4th Edition code of practice and in particular the relevant part of paragraph A2.1.4 of Appendix 2, the Australian Egg Corporation Limited claim is correct (that the code provides for outdoor unlimited densities for free range egg production systems with, in practice, no maximum density or cap). In my view it is plain that a maximum stocking density is provided for by the code for free range egg production systems. Accordingly, I have concluded that the Australian Egg Corporation Limited claim in its 'Fact Sheet' is incorrect. My reasons are as follows.

5. First, Appendix 2 supplements material in Sections 2 and 3 about housing and space allowances. Those sections in turn each state that the maximum stocking densities are provided for in the appendices, the relevant one of which for layer hens is Appendix 2. Second, no qualification or proviso exists in paragraph A21.4 of Appendix 2 to enable the stocking density for free range layer hens to be more than “a maximum of 1500 birds per hectare”. Whilst there is a qualification or proviso in the case of meat chickens for a “higher bird density” to be “acceptable”, it does not extend to layer hens. Indeed, layer hens are expressly excluded from any higher stocking density. This is because of adoption in the second sentence in respect of meat chickens of the phrase “a proportionately higher stocking density than for layers may be used” [emphasis added]. If layer hens, for the purposes of the argument, were to be assumed to be not excluded from the qualification or proviso, what work would be left to be done by the phrase “a proportionately higher stocking density than for layers may be used”? And what would be the base from which the “proportionately higher” number is calculated if the layer hen maximum of 1500 were not adopted, but instead it was assumed that the layer hen maximum was free to be increased (on the AECL argument) in some indeterminate manner? In other words, put simply, “proportionately higher” than what? It follows that a proportionately higher stocking density than the maximum of 1500 birds per hectare for layers may be used only in the case of meat chickens. (In turn such a higher stocking density for meat chickens is only permissible if the terms of the next and final sentence are satisfied.)
6. Third, the second sentence (as to meat chickens’ stocking density) and the final sentence (as to the requirements for a higher bird density to be permissible) adopt respectively the phrases “higher stocking density” and “higher bird density”. This makes plain the link between the two paragraphs and their application only to meat chickens.
7. I would finally add by way of observation only that the terms of the second and third sentences contemplate no more than a “higher” bird density and not an unlimited density. That density is subject to the seemingly strict terms of the third sentence, which in turn arises from the particular circumstances of the meat chicken “cycle”. It is difficult to appreciate how the seemingly strict terms of the last sentence can be viewed as a sanction for an unlimited or unqualified stocking density, given also I might add the terms of Sections 2.25 and 3.3.
8. If I may be of further assistance, please let me know.

GRAEME MCEWEN
Owen Dixon Chambers West,
Melbourne.
7 May 2012

Attachment 2



[Redacted]

[Redacted]

[Redacted]

Attachment 3

Excerpts from

Environmental Guidelines for the Australian Egg Industry

A report for the Australian Egg Corporation Limited
As part of the DAFF EMS Pathways to Sustainable Agriculture Program
by Eugene McGahan, Simon Barker and Robyn Tucker FSA Consulting

June 2008

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2.2.4. Egg Production Facilities

Free Range

Free-range accommodation represents about 15% of eggs produced in Australia. The average flock size is much smaller than in the other systems; typically being 1,000 – 7,000 birds, with a few of the larger farms having as many as 20,000 to 100,000 birds.

Free-range systems comprise weatherproof buildings where hens can roost, lay, drink and eat. Adjoining the shed is an open-aired outdoor range. The sheds protect the birds from the elements and predators while the free-range area allows them access to open space and vegetation. Increasingly, free range systems have automated nesting, feeding and watering systems.

Free-range egg production is considerably more expensive than the alternatives because of the greater land area needed, increased labour requirements, higher feed consumption and generally smaller economies of scale. The maximum stocking density for free range is 30kg/m² in the shed. It is recommended in the Model Code of Practice for Welfare of Animals – Domestic Poultry (4th edition) that the range area should not have a stocking density in excess of 1500 birds/ha.

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6.3. Stocking Density

The type of accommodation used and the age and size of the birds determines the required stock density. Signs of over-crowding include variable bird performance and increased disease outbreaks. In accordance with the Egg Corp Assured Program and the Model Code of Practice for the Welfare of Animals – Domestic Poultry 4th Edition, the egg industry has agreed maximum stocking densities for birds.

Management practices include:

Not stocking birds at densities exceeding those prescribed in the Welfare of Animals – Domestic Poultry 4th Edition.

Not stocking birds at densities exceeding those prescribed in any relevant state regulations. This is a mandatory requirement.

Consider reducing stocking densities below the mandatory requirements if the specific conditions on the farm don't allow the prescribed densities to be used without unacceptable impacts on bird health and welfare or the environment.

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Information Specific to Free Range Farms

The same nutrient mass balance principles apply to free range systems in that nutrient applications (particularly nitrogen and phosphorus) should not exceed the following:

The rate at which an element can be taken up by the plant and removed from the site, plus

The amount that can be safely stored in the soil, where permitted, plus

The amount released to the atmosphere in an acceptable form (primarily the gaseous loss of nitrogen via ammonia volatilisation).

Brown (2001) estimates that, for free range birds, 40% of the manure produced is excreted in the range. Thus, based on the figures provided by Brown (2001) the nutrient excretion for every 1000 birds in the range is 712 kg N/yr, 280 kg P/yr, 140 kg K/yr and 72 kg S/yr. If a free-range system is stocked at 250 birds/ha the amount of nutrients applied would be 178 kg N/ha/yr, 70 kg P/ha/yr, 35 kg K/ha/yr and 18 kg S/ha/yr (although some of this nitrogen will be lost via volatilisation processes).

This demonstrates that even relatively low stocking densities may still result in reasonably high nutrient application rates. These run areas may need regular rotation to allow for cropping and subsequent nutrient removal to avoid excessive nutrient accumulation and potential loss.

Attachment 4

National Farm Biosecurity Technical Manual for Egg Production 2015
AHA and AECL

Free Range Production Operations - Page 23

This Manual applies to caged, barn and free-range operations. It is recognised that free-range birds will potentially have increased exposure to some avian pathogens. Diseases such as internal and external parasites, fowl cholera and Miliary Hepatitis (Spotty Liver) are more commonly recognised in laying poultry farmed under extensive conditions.

While it is difficult to apply standard hygiene practices to free-range areas the basic biosecurity principles of preventing the introduction of disease by controlling movement of livestock, equipment and personnel still apply.

The use of enhanced vaccination programs and strategic prophylactic medications are a useful tool to limit disease build up on free-range operations.

Increased exposure to wild birds is considered a biosecurity risk and most importantly to waterfowl, particularly wild ducks belonging to the Order Anseriformes (includes the Wood duck, Chestnut Teal, Freckled duck, Black duck and Whistling duck). It is important for the free-range area not to have environmental and amenity factors that attract congregations of large numbers of wild birds or surface water for ducks.

Wild water fowl surveillance in Australia identifies that most ducks have at some stage been exposed to avian influenza (AI) and more importantly at any one time a small percentage of these are shedding virus in their faeces that can contaminate surface water and pastures.

Some AI of the H5 and H7 subtypes which have in the past caused EAD outbreaks in the Australian egg industry. In all cases there was evidence of an association between wild ducks and contamination of drinking and/or cooling water or direct physical contact.

Control programs that reduce and eliminate the presence of wild waterfowl on free-range areas should be a priority consideration for all free-range operators. This will involve the absence, or elimination, of water catchments and other surface water within and in the vicinity of the free-range area, the netting of retention dams, the destruction of wild water fowl where and when legislation permits and the use of aversion programs. Good fencing is required around free-range farms to prevent entry of animals such as foxes. In many situations, however, fencing alone is insufficient to stop such intrusions; therefore, some free-range enterprises keep specially trained dogs or guard animals such as alpacas with the chickens to reduce predation by foxes and birds of prey.