

Public Consultation for Australian Animal Welfare Standards and Guidelines- Poultry

RIS Questions

Specific public consultation questions related to the Regulation Impact Statement (RIS) have been drafted by the independent RIS consultants and approved by the Office of Best Practice (OBPR). These questions are located throughout the main body of the RIS and have been extracted below for your convenience.

Views and advice are sought in providing information or data that would further assist in the assessment of the impacts (costs and benefits) expected under each of the RIS options/variations. The questions are requests for additional information, requests for reader opinions or value judgements, and requests related to the selection of a preferred option or group of options.

Q1, Q4, Q6 and Q17 are requests for additional information about the problems addressed by this Consultation RIS, to inform the subsequent Decision RIS.

Q2, Q3, Q5, Q7 and Q8 are requests for reader opinions or value judgements about the problems addressed by this Consultation RIS.

Q9, Q10, Q11, Q12, Q13, Q14, Q15 are requests related to the selection of a preferred option or group of options.

Please note: The questions are optional and don't have to be answered to make a submission, you can do this separately or in conjunction with answering all or some of the below questions. It is suggested you have a copy of the RIS in front of you whilst answering the below questions to help with context.

Public consultation questions on the Poultry Welfare Standards Regulation Impact Statement, drafted by the independent RIS consultants and approved by the Office of Best Practice.

Oct 2017

RIS PUBLIC CONSULTATION QUESTIONS

Date: February 26, 2018

Name: Dr Joy Verrinder, Strategic Director, Animal Welfare League Qld

Contact information:

RIS location - 2.3.1 Risks to animal welfare

1. Do you agree with the summary list of advantages and disadvantages of layer hen farming systems in Part 2.3.1?

No Yes

Comments: The list of advantages and disadvantages are only comparative in relation to large scale production methods. If birds were able to live in a natural state in small flocks e.g in backyards or community gardens in each suburb tended by people who cared for the well-being of the birds, these comparative advantages and disadvantages would not be the same. For example, hens in natural small social groups do form a pecking order, but they do not cannibalize each other or have to be debeaked. There is plenty of room for small flocks in cities and towns in existing backyards/parks/recreational areas in Australia, so the land cost is negligible for free range in such areas. People who raise hens in small groups learn to appreciate their presence and value the interaction which means a happier workforce with less risk to their physical (from dust, ammonia etc) and mental (from a mechanical job) health. Having more expensive eggs is not necessarily a disadvantage. We no longer need the volume of cheap food that is available and often wasted or treated with little regard for the well-being of the animals who provide it. We are an obese nation. If eggs and meat were priced at the true cost to enable birds to live well and for the majority of their lives, instead of killed by 8 weeks or 18 months, people would eat less of it, and appreciate it more. Other listed disadvantages of free range are only due to failure to provide the necessary support in a large scale cost-reduction approach for cheaper eggs e.g. appropriate tree and ground cover and man-made covers and enclosures can prevent predation in free range situations. So we do not agree with some of the assumptions in the summary lists of advantages and disadvantages. The lack of ethical principles, and predominance of economic arguments, in this advantages and disadvantages decision-making process is insufficient and makes it difficult to move to a more ethical conclusion.

Do you think that any advantages and disadvantages are missing from this list? If so, please include them below.

No Yes

Comments: The lack of freedom to express innate behaviours is a major risk which appears down-played in this list and is a far more significant issue than it appears. Innate behaviours include walking, running, swimming for some, flying, and especially the capacity to make choices i.e. finding and experiencing delight with a range of foods, interaction within social groups, movement to or resting in

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different areas, enjoyment of sunlight and rain, etc. There are too many aspects of a life outside of a cage or crowded shed to list the deprivation that occurs. This lack of choices and natural world stimulation deprives hens of both physical stimulation and feelings of contentment, excitement, joy, and relaxation.

2. Do you think the risks to the welfare of poultry discussed in Part 2.3.1 are sufficient to justify the introduction of better standards and/or guidelines?

No Yes Comments: There is a strong need for better standards. However the proposed Standards and Guidelines are insufficient to overcome these risks and ensure the welfare of poultry. Based on the ethical principles of respect, fairness and integrity, a phasing out of cage production, a reduction in numbers in barn and free range systems, and a move to a more decentralized caring approach in the whole production system is needed.

3. Which of the above mentioned areas of risk to poultry welfare do you think are of the greatest concern?

Comments:

All of these risks are of concern, but lack of freedom to express innate behaviours is the most pressing concern. The ethical inconsistency in how we treat birds for meat and eggs compared with cats and dogs (illegal to confine them to a cage where they cannot walk etc) needs to be addressed. There has been well-established scientific evidence that birds experience stress and many emotions (both positive and negative) as well as physical trauma in the process from birth to death in all egg production systems, but particularly cage systems, and will go to great lengths to meet their innate needs and desires. The evidence that cage egg production was cruel was on the table at the last National Hen Housing Review approx. 17 years ago. It is inconceivable that the phasing out of caged hens along with far more significant reductions than currently proposed in the stocking densities of barn birds does not occur in this current review, in 10 years not 20, as the industry have had nearly 20 years to prepare for this inevitable progression in ethical behaviour.

Are there any other areas of concern to poultry welfare? Please provide reasons for your answers, together with supporting scientific evidence.

Comments:

RIS location - 2.4.1 Lack of clarity in standards

4. In your experience, to what extent do the existing Model Codes of Practice (MCOPs) and related regulations create uncertainty for Industry?

Comments:

The examples provided in the RIS clearly show a confusion in the combination of “must” and “should” in the same paragraph which would be difficult to remember. This mixture may have been to protect industry from prosecution for those aspects of each guideline with which most producers did not. These Poultry Welfare Standards Regulation Impact Statement public consultation questions were drafted by the independent RIS consultants and approved by the Office of Best Practice Regulation.

comply, if the state governments decided to create the “must”s as legislated Standards carrying a penalty.

Does such uncertainty vary between different states and territories?

Comments:

5. In your experience, how does this type of uncertainty for industry adversely affect productivity? If possible, please provide some case examples. .

Comments:

RIS location - 2.4.2 Excess regulatory burden

6. Are you aware of any other poultry farming businesses in addition to those given in Part 2.4.2 that operate in more than one state or territory? If so, please list.

No Yes Comments:

7. In your experience, what is the effect of cross-jurisdictional inconsistencies on industry (i.e. even where jurisdictional standards are clear and verifiable)? If possible, please provide some case examples of where additional costs have been imposed on industry as a result of such inconsistencies.

Comments:

8. Do you think there needs to be national consistency in animal welfare standards for poultry? Please provide reasons for your answer.

No Yes Comments: Nationally consistent standards are necessary to avoid confusion about what is expected by both producers and consumers. They also reduce costs of training for monitoring and assessment for compliance. However the proposed Standards are insufficient. They will only be sufficient when caged systems are prohibited and stocking densities are reduced to enable birds to easily express their

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innate behaviours, whilst receiving appropriate care and safety to protect them from suffering and harm, and without genetic or painful physical modifications.

RIS location - 4.2.4 Option B: (non-regulatory option – voluntary national guidelines)

9. Do you think that the net benefits to poultry welfare likely to achieved under **Option B**, are justified?

No Yes Comments: Voluntary guidelines already exist. They have not changed the system to enable birds to express innate behaviours, prevent debeaking, etc

Please rephrase the reference to “people’s subjective ethical preferences” to “people’s subjective values” and consider conducting an ethical assessment for all these options. While people may value different things i.e. have subjective values based on their culture and environment, ethics is universal and a scientific discipline grounded in 2 fundamental and observable facts (which neuroscience is increasingly finding relates to the hormones and chemicals in our brains) i.e.

- a. sentient being’s desire for survival and well-being, and
- b. our interdependence which requires an ethical decision-making process to determine the most feasible ethical outcome to meet the needs of all concerned.

(See the added comments at the end of this response form for more detail to address the confusion around animal welfare, values and ethics.)

Would the combination of costs and benefits under **Option B** be preferable to other options?

No Yes Comments:

RIS location - 4.2.5 Option C: (the proposed national standards as drafted)

10. Do you think that the proposed national standards under **Option C** reflect community values and expectations regarding the acceptable treatment of poultry?

No Yes Comments:
The Australian community is increasingly aware of and concerned for the well-being of sentient creatures, and are moving away from caged and intensively farmed products to small scale free-range or vegan products, particularly younger generations, but also older thinking generations who are not bound by tradition. Attempting to deceive the public by allowing densities of up to 10 000 per square metre to be labelled free-range is also not ethical or acceptable, and only makes the public more cautious about consuming poultry products.

11. Do you believe that the net benefits to poultry welfare likely to be achieved under **Option C**, are justified?

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- No Yes Comments: Caged production (even if furnished) and intensive barn and free range systems with the proposed stocking densities still deprive hens of their capacity to have choices, walk, run, explore to find their own space, experience the pleasure of sunlight, and rain etc. These environments are unattractive for people to work in, let alone live in, and it is not ethically acceptable that we would force other sentient beings to live like this.

Would the combination of costs and benefits under **Option C** be preferable to other options?

- No Yes Comments: Option C should be introduced for the 10 year period if needed to phase out caged hens completely and while reduction in stocking densities occurs and changes in debeaking practices. These would at least help to marginally improve the lives of animals in the interim.

RIS location - 4.2.6 Option D: (vary the proposed standards [Option C] to include phasing out conventional cages for layer hens)

12. Do you believe that the net benefits to poultry welfare likely to be achieved with a 10 and 20 year phase out of conventional cages under **Option D**, are justified?

- No Yes Comments: This is one of the necessary options. Due to the same evidence of the unacceptability of caged poultry production and the even more extensive consultation process occurring 17 years ago at the National Hen Housing Review, implementing Option D within 10 years for all production birds is appropriate.

Would the combination of costs and benefits under variations of **Option D** be preferable to other options, either as a stand-alone option or in combination with other options?

- No Yes Comments: Option D needs to be in combination with other options. There are still too many ethical flaws in the other non-cage systems which also need to be addressed.

RIS location - 4.2.7 Option E (vary the proposed standards [Option C] to reduce maximum stocking densities in barns or sheds for layer hens and meat chickens)

13. Do you believe that the net benefits to poultry welfare likely to be achieved under **Option E**, are justified?

- No Yes Comments: While Option E is expensive it is also ethically necessary. Costs to reduce stocking densities can be recouped through an extensive education program to enable consumers to understand the ethical benefits of paying more, and to show comparative costings in relation to other frequent non-essential purchases such as coffee.

The growth rate of animals is also a major concern and animal selection should move towards slower growth rates which are more natural and therefore less

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harmful to birds. Alternative practices in slaughterhouses also need to be required to reduce stress and suffering.

Would the combination of costs and benefits under **Option E** be preferable to other options, either as a stand-alone option or in combination with other options?

- No Yes Comments: Options D is preferable and essential as well as Option E and G. They all require education of the community to understand why they need to pay more for eggs and poultry meat. Accurate images like on cigarette packaging, and not marketing images, as on cigarette packages in days gone by, need to be shown wherever eggs and birds are sold for consumption, so that consumers can decide based on the facts about the way animals are being kept which product will enable birds to live more naturally.

If Options D, E and G occur in tandem this will save costs on both regulation and education. The costs for consumer education can then be assisted by government and animal welfare organisations, and the gain in selling price for eggs and meat birds, will help to alleviate the costs for producers.

RIS location - 4.2.8 Option F (vary the proposed standards [Option C] to require the availability of nests, perches and litter for all chicken layers in cage and non-cage systems)

14. Do you believe that the net benefits to poultry welfare likely to be achieved under **Option F**, are justified?

- No Yes Comments: Option F is unacceptable for the following reasons:

- a. Option F will not alleviate the inherent cruelty of the confinement in cages and the intensive living conditions in barns for layer and meat birds, and the need for painful beak trimming due to the unnatural conditions. It continues to prevent the expression of innate behaviours. Birds are still in a caged environment lacking space, indoors with ammonia and dust, unable to experience being able to walk, run, experience fresh air, sunlight and rain in the outdoors.
- b. It will add another round of development and implementation of an even more complex regulatory burden on industry to ensure compliance, when phasing out cages altogether requires no such cost and time burden for regulation.
- c. It will prolong and perpetuate an unethical system, entrenching new infrastructure and capital investment which ultimately will be used again as an excuse for inaction toward cage free production.

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- d. It will be a waste of time and resources, as the ethical issues of confinement in cages will still need to be resolved, resulting in continued uncertainty for the industry.
- e. Option F is as costly as Option D (20 year phase out of caged birds) and two thirds as costly as Option D (10 year phase out) and Option E, and only results in minor changes to birds being able to express innate behaviour as discussed.

Would the combination of costs and benefits under **Option F** be preferable to other options, either as a stand-alone or in combination with other options?

No Yes Comments: See above.

RIS location - 4.2.9 Option G (vary the proposed standards [option C] to ban castration, pinioning and devoicing, hot blade beak trimming at hatcheries, and routine second beak trim)

15. Do you believe that the net benefits to poultry welfare likely to be achieved under **Option G**, are justified?

No Yes Comments:

Would the combination of costs and benefits under **Option G** be preferable to other options, either as a stand-alone option or in combination with other options?

No Yes Comments: In combination with Options D and E as above.

RIS location - 4.3 preferred option

16. Which of the Options A, B, C, or combination of one or more Options D,E, F, or G, in your opinion would provide the greatest net benefit for the Australia community?

Comments: Options D, E and G.

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17. Do you have any further information or data would assist in the assessment of the impacts (costs and benefits) expected under each of the options/variations?

Comments: See other short submission paper from AWLQ attached with this response. As an animal ethicist, I would be happy to meet with the members of the review process to assist with an ethical decision-making process.

18. Do you think that any of the Options A to G are likely to have disproportionate impact on small businesses compared to medium and large business?

- No Yes Small business should already have greater compliance with smaller production systems. Small free range farmers should benefit from Options D, E and G if they are already providing for the needs of birds to be in smaller groups with more space and support for better welfare.

Do you think that any of these options are likely to have a greater impact on small business than other options? Please provide reasons for your answers together with available supporting evidence.

Comments: No. I would assume larger enterprises with heavy investment in large scale cage systems and sheds will be most affected.

OTHER COMMENTS OR SUGGESTIONS

Please include any comments or suggestions that you'd like to share.

1. It is misleading to state "the development was supported by a widely representative Stakeholder Advisory Group (SAG) (RIS p. iv). There are only 2 representatives of animals on this group, one animal welfare scientist in a veterinary and agricultural science department, plus a professional body (the AVA) which protects its professional interests and 15 organisations that represent industry (a 5 to 1 ratio of industry to welfare). The public consultation also disadvantages those individuals who lack the skills /time to read the 300 pages of materials and prepare a detailed comprehensive submission, and all form letters which might facilitate their involvement are counted as one submission.
2. There seems to be some confusion about the difference between welfare, ethics and values in the RIS. This needs to be addressed to identify an ethical process to achieve the most

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ethical decision-making. In the RIS p.9: “ ‘Animal welfare’ is a difficult term to define and has several dimensions including both the mental and physical aspects of the animals’ well-being. Some claim that this term includes people’s subjective ethical preferences as to how animals should be treated.” On p.24, the Australian Chicken Meat Federation statement : “the interplay of values and science can lead people to draw different conclusions.” On p.25, the Australian Egg industry “recognises that it is the nature of scientific research that it can be interpreted subjectively.”

The following hopefully will help clarify the differences between animal welfare, values and ethics:

Animal welfare concerns an animal’s physical and psychological state with respect to the quality and quantity of its experiences in its environment. (Phillips, CJC. *The Welfare of Animals: The Silent Majority*. University of Qld: Springer, 2009). This is similar to the definitions used in the RIS except that it goes further than “the attempt of an animal to cope with its environment.”

Personal values are based on the influence of our unique experiences with families, friends, community and country. However the presence of multiple and differing values does not prove that there is no “true” ethic. A logical and common feature of ethics is being able to take the universal point of view.

Ethics requires us to go beyond “you” and “I” or “others” and “us” to the standpoint of the impartial spectator.

Animal ethics is what humans should do to enhance the survival and well-being of all sentient beings. (See Verrinder J. “Identifying and Developing Capacity for Veterinarians to Address Animal Ethics Issues, Thesis, Doctor of Philosophy, University of Qld, 2016).

From a review of the literature, it is clear that a scientific approach to ethics is possible. Ethics is grounded in 2 facts:

- a. Sentient being’s desire for survival and well-being
- b. Our interdependence (every action we take, or don’t take, has an impact on other living beings.)

Both of these facts are observable and measurable, and in keeping with trends in neurobiology. As well, the various constructive ethical frameworks and principles from moral philosophy provide complementary cognitive tools for identifying and assessing the most fitting response to respect life and well-being and maximise fairness amidst competing interests.

It is therefore recommended that a more scientific approach to ethics be accepted and implemented both in the decision making process and the decisions for this poultry production review.

Thank you for the opportunity to have input into this process.

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