





**Submission on the  
Australian Animal Welfare  
Standards and Guidelines- Poultry**

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## About NSW Farmers

### *A profitable and sustainable New South Wales farming sector*

The NSW Farmers' Association is Australia's largest state farming organisation representing the interests of its farmer members.

Farmers across New South Wales produce more than \$15 billion worth of food and fibre every year, representing around one quarter of Australia's total agricultural output. Our state's unique geography means a wide variety of crops and livestock can be cultivated and nurtured. NSW Farmers is Australia's only state-based farming organisation that represents the interests of farmers of all agricultural commodities – from avocados and tomatoes, apples, bananas and berries, through grains, pulses and lentils to oysters, cattle, dairy, goats, sheep, pigs, and chickens.

Our focus is not just on issues affecting particular crops or animals – it extends to the environment, biosecurity, water, economics, trade, and rural and regional affairs. We also have an eye on the future of agriculture; we are advocates for innovation in agriculture, striving to give our members access to the latest and greatest innovations in research, development, and extension opportunities. Our industrial relations section provides highly specialised advice on labour and workplace matters.

Our regional branch network ensures local voices guide and shape our positions on issues which affect real people in real communities. Members are the final arbiters of the policies of the Association – through our Annual Conference and elected forums such as Executive Council, members can lobby for the issues which matter to them and their community to become Association policy. Our issue- and commodity-specific Advisory Committees are elected by members to provide specialist, practical advice to decision makers on issues affecting the sector. We are proudly apolitical – we put our members' needs first.

In addition, NSW Farmers has partnerships and alliances with like-minded organisations, universities, government agencies, and commercial businesses across Australia. We are a proud founding member of the National Farmers' Federation.

## Executive summary

The NSW Farmers Association welcomes the opportunity to provide comment of the draft Australian Animal Welfare Standards & Guidelines for Poultry.

NSW Farmers strongly prefers Option C, the adoption of the proposed standards as currently drafted. The support for Option C demonstrates the importance of animal welfare to the industry and its commitment to continuous improvement of welfare outcomes across all poultry production systems and industries. It is the most appropriate option presented for public consultation, as it most aptly addresses the current problems and the policy objective of the Animal Welfare Standards and Guidelines process.

The adoption of the proposed standards and guidelines into an enforceable legislative framework will improve welfare across all poultry production systems. The welfare improvements are significant, with the new standards based on current scientific understanding, focused on welfare outcomes, and representing a change to around fifty per cent of the requirements from the current Model Codes. The costs to industry of implementing Option C are significant, but industry is willing to invest to demonstrate our commitment to animal welfare and to ensure that the community's expectations are met.

NSW Farmers does not support Options D to G. These options cannot be supported, as they do not achieve the policy objective of the standards process. There is no clear scientific evidence that the proposed changes will improve welfare outcomes and the changes are likely to have significant negative welfare implications. Additionally, there is no justification for saying that these options reflect and meet community expectations. These changes, especially the phase out of caged eggs, are being driven by a vocal minority; their views are not reflective of the majority of the community. To ensure that a minority does not hinder this process, the determination of community expectations needs to be achieved holistically and not be driven by minority groups that have adverse feelings to the operation of agricultural industries. Finally, the costs involved with these options are substantial and will not enable the Australian poultry industry to remain functioning. The implementation of any of these options will have a hugely detrimental impact and place an unacceptable cost on the industry.

## Recommendations

- NSW Farmers strongly recommends that Option C be adopted, to implement the proposed standards as currently drafted.
- NSW Farmers strongly opposes Option D on the basis that it will not improve animal welfare outcomes, does not align with the community's expectations and will impose unacceptable costs on the industry.
- NSW Farmers strongly opposes Options E, F and G on the basis that there is not sufficiently clear animal welfare benefit from the proposals, and thus the costs cannot be justified.

# Introduction

The poultry industry is vitally important to NSW, with a majority of the various national poultry industries residing in the state. The purpose of this section is to provide context to the evaluation process of the Standards & Guideline (S&G) options that have been presented to the public consultation process. The first section highlights the importance of animal welfare to poultry farmers, the vital role that they play in guaranteeing welfare and the contested nature of the concept. The next section illustrates the methodology that NSW Farmers used to evaluate the S&G options, highlighting that the focus was on ensuring that current problems were rectified and that the objective of the S&G process was achieved. The final section provides background on the rigorous development process for the S&G and concerns with recent stakeholder comments undermining the trust in the process.

## *Continuous Improvement of Animal Welfare*

Animal welfare is of the highest importance to farmers. Farmers rely on good animal welfare to ensure that they have happy, health and productive animals, and are committed to continuous improvement. NSW Farmers recognise that animal welfare has become increasingly important to the community and government, and are committed to ensuring that these stakeholders' expectations are being met and that the welfare requirements reflect current science. We are committed to ensuring that stakeholders' expectations are met and that the welfare requirements reflect constant scientific advancements.

Animal welfare is a complex concept, as there are differing approaches and three animal welfare frameworks were used to develop the draft Poultry S&Gs. The desired outcomes of these various frameworks have to be balanced, as otherwise there is a risk that perverse animal welfare outcomes are produced. For example within the poultry industry there is a trade-off between the freedom to express innate behaviours against other adverse welfare outcomes such as pecking, cannibalism, disease and predators. The difficult balance needed to achieve optimal animal welfare outcomes is not well understood by the general public but it must be actively managed to ensure that any changes do not result in perverse welfare outcomes.

Finally, farmers have the pivotal role in protecting and improving animal welfare. Farmers are the primary care givers to poultry in their production systems, and they have a direct interest in ensuring that welfare is adequately provided. Owing to the vital role in achieving good welfare outcomes, it

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was disappointing that the Regulatory Impact Statement (RIS) stated that “market signals will in general cause welfare standards to fall below community expectations”. This is a completely inaccurate and pejorative statement that does not recognise the crucial role of farmers in improving animal welfare. Even more disappointing was that the only source used to support the statement was an online news article produced by an author with a conflict of interest. It is important that the inaccuracy of this statement is highlighted and that such detrimental declarations are not included in documents that underpin public consultation processes.<sup>1</sup>

### ***Current Problems & Objective of the Standards***

To determine the most appropriate option, it is important to consider the objective of the S&G process and also the problems with the current structure. These two pillars have been used to evaluate the various options presented and to determine the most appropriate option for implementation.

The objective of the Poultry Standards & Guidelines process is to minimise risks to poultry welfare; and to reduce both industry uncertainty and the excess regulatory burden in a practical manner for implementation and industry compliance. The key criteria in determining this objective is to ensure that the development of animal welfare standards minimise risks, through the use of a science based approach that meets community expectations. The objective also recognises the costs imposed to ensuring compliance and that this is very important in considering the practicality of implementation and compliance.

The other area used to evaluate the options presented was the ability to address existing problems with the status quo. The problems acknowledged with the current situation are:<sup>2</sup>

- Risk to the welfare of poultry due to deficiencies in the existing Model Codes Of Practice (MCOP) and jurisdictional codes of practice for the welfare of poultry;
- Uncertainty for industry due to a lack of clear and verifiable standards;
- Excess regulatory burden arising from a lack of national consistency.

### ***Standards & Guidelines process***

The objective of the Animal Welfare Standards & Guidelines process is to develop new, nationally consistent policies to enhance the welfare framework in all Australian states and territories. The

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<sup>1</sup> Animal Health Australia, Proposed Australian Animal Welfare Standards and Guidelines- Poultry Consultation Regulatory Impact Statement (November 2017) 46.

<sup>2</sup> Ibid 28-29

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draft S&Gs have been developed through an exhaustive process that encompasses extensive consultation with all relevant stakeholders. This is a thorough and rigorous process that ensures all relevant views and scientific knowledge is considered and included.

Owing to the transparency and credibility of the development process it is highly disappointing that certain stakeholders have openly condemned the content of the draft Poultry S&Gs. These stakeholders have had numerous opportunities to provide comment and the drafts have been amended a number of times to incorporate their feedback. Owing to this involvement and the importance of the S&Gs, it is very disappointing that the development process has been questioned and that an inaccurate picture may be presented to the public. This inaccurate description not only unfairly damages the public's confidence in animal welfare protections in Australia but it also inaccurately skews the current public consultation process.



## Option C- Mandatory National Standards

NSW Farmers supports the implementation of Option C, as our strongly preferred option. Option C is supported for implementation as it will deliver significant animal welfare improvements, satisfies community expectations and addresses the current regulatory failures.

### *Advancing Animal Welfare Outcomes*

NSW Farmers is supportive of implementing the proposed Standards and Guidelines for Poultry as currently drafted. The implementation would be through legislation, requiring compliance with the standards and it would create consistent standards across all jurisdictions.

The proposed Standards and Guidelines address the identified welfare deficiencies within the current system. It is clearly recognised within the RIS that the current requirements are in need of renewal, as they have not been reviewed for an extended period of time, certain areas needed to be updated to reflect scientific evidence and other areas need to be included. Owing to these deficiencies within the current framework there is strong desire by industry to progress Option C, as the status quo is not acceptable.

The draft Standards incorporate the welfare improvements required. They reflect modern scientific understanding of welfare and also include all appropriate areas. The proposed standards are significantly different from the existing codes, with the RIS detailing the level of changes.<sup>3</sup> The list of changes for the new standards is substantial and demonstrates the industry's commitment to ensure that welfare requirements reflect current scientific evidence and met community expectations. The updated requirements address all the deficiencies identified within the RIS and ensure that all appropriate areas are covered.

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<sup>3</sup> Ibid 18- 21.

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In addition to encompassing the relevant science, the drafted Standards and Guidelines are focused on welfare outcomes rather than inputs. The welfare outcome focused nature of the standards places significant and ongoing obligations on persons responsible for poultry to continually manage their welfare. This ongoing requirement will improve welfare through requiring a set welfare level to be continuously achieved and this placing a heavy obligation on farmers. Industry recognises the need for an outcome based approach but it is important to recognise the additional obligations that this will place on persons responsible for the welfare of poultry.

### ***Community expectations***

A clear necessity of the Standards and Guidelines process is to develop animal welfare requirements that reflect community expectations. The implementation of Option C will further strengthen the community's support for poultry production as it will improve welfare outcomes across all systems.

It is clear from the community's current purchasing behaviours of poultry products that all systems operating within Australia are currently supported. It is vital that the community expectations are not measured through responses received during this public consultation process. The use of this narrow data would give a false and unrepresentative impression of the community. During this process there has been a clear focus by minority groups to have conventional caged egg production systems banned. It is vital to recognise that caged eggs system remains widely supported within the community, clearly demonstrated through consumers ongoing purchasing behaviours. The ongoing support for caged egg production is clearly demonstrated as it still accounts for the highest volume of sales at retail and it is used extensively in other industries, such as bakeries. This ongoing purchasing and use by the community demonstrates that caged eggs meet the community's expectations.

Finally, it is important to highlight that the poultry industry has supported the right of the community to choose their preferred production system through clear labelling at retail. This labelling of poultry products ensures that the consumer knows the system that produced their purchases. The industry has been transparent and responsive to ensuring that the products demanded by consumers are available to purchase, and the ongoing support across all production systems demonstrates the community's continued support for all systems.

### *Regulatory failure*

The RIS identified that there are two regulatory failures in relation to the welfare of poultry; the unsuitability of the existing codes of practice and the distinctions across jurisdictions. These failures would be resolved by Option C, as implementation of the proposed standards will create clearly enforceable consistent requirements that enhance animal welfare.

The current codes do not clearly define the welfare standards required for compliance and this hinders enforceability. The current framework is confusing, as there is a lack of clarity on the requirements that need to be adhered to and those that indicate best practice. The proposed standards have rectified this problem by clearly setting out the requirements (“must” statements) and guidelines (“should” practices) for poultry farmers. The proposed standards also clearly set out the requirements that apply to all poultry and the specific obligations for individual species. The proposed standards will provide clarity on the requirements that must be adhered to, ensuring that non-compliances are enforced.

The other regulatory problem with the status quo is the lack of consistency between jurisdictions and the excessive regulatory burden that this places on farmers. Option C by requiring implementation via legislation across all jurisdictions will facilitate uniform, ensuring that the same level is required and met across state borders.

### *Costs*

The costs involved in implementing Option C are significant but industry is prepared to incur these due to the animal welfare benefits that will be achieved. The implementation of the option is estimated to be \$709.72 million over 10 years. The majority of the costs will be accounted for by businesses in NSW, Victoria and Queensland.<sup>4</sup>

### *Implementation*

Finally, in support of Option C it is vital to highlight that implementation of the poultry standards must be undertaken in a timely manner by all jurisdictions. The judicious implementation by the jurisdictions is essential to ensuring that the benefits highlighted above are achieved. In the past, the improvements advocated by industry have been hindered by government inaction even after the Model Codes have been agreed to. This lack of implementation of animal welfare standards has

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<sup>4</sup> Ibid 63.

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caused frustration within the industry, as these delays have meant that non-compliances have not enforced.

## Option D- Phase out of caged eggs

NSW Farmers strongly rejects Option D, which seeks to phase out conventional caged egg production systems within either a 10 or 20 year timeframe. Option D is not accepted as a desirable or viable selection, on the basis that it will not achieve appropriate animal welfare outcomes, will significantly enhance biosecurity risks, the costs of implementation are unfeasible and it does not reflect community expectations.

### *Animal Welfare*

The phase out of caged eggs is not desirable as it will not improve animal welfare outcomes. As noted in the introduction, animal welfare is a complex concept and it is important to holistically consider the impacts of any change, as otherwise there is a risk that perverse outcomes will result. We are deeply concerned that the phase out of conventional caged systems is being presented to the public simplistically as a welfare improvement, when this will not be the outcome in reality.

The focus needs to be on ensuring that all production systems are delivering by sufficient animal welfare standards, as they can all produce quality outcomes. The RIS noted that the overall assessment of the welfare of birds is complex, and there are advantages and disadvantages with each of the three main layer hen farming systems: cages; barns; and, free range. It is clear that no one single system has a clear welfare advantage over the others when all the factors involved in welfare are considered holistically. For instance, hens in free range systems have a greater ability to express natural behaviours and it is often deceptively cited that this indicates a superior welfare outcome. However, this inaccurate representation fails to recognise the increased welfare risks of free range systems compared to the caged and barned systems.

It is deeply concerning that Option D, the proposed phase out of conventional caged eggs, would result in large negative welfare impacts on layer hens. Under this option there would be negative outcomes with greater welfare risks such as higher incidences of disease, cannibalism, predation risk and feather pecking.<sup>5</sup> The removal from conventional cage system would also result in less reliable access to feed, water, more exposure to environmental conditions, and greater biosecurity risks.<sup>6</sup>

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<sup>5</sup> Ibid 65.

<sup>6</sup> Ibid.

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Finally the scientific evidence presented during the development of the S&Gs for Poultry does not support the phase out of conventional cages. The initial scientific review found no compelling evidence to support the phase out to enhance welfare outcomes. Additionally, the scientific evidence being used to support Option D, is not accurate for Australian conditions. This research encompasses welfare evidence on cages from across the world. Many of the findings are not applicable to Australia, as such caged systems do not operated here or improvements such as enlarged door sizes have been implemented to rectify the identified welfare issues. This inaccurately attributes poor welfare outcomes to Australian businesses operating conventional cages even though the systems described do not operate here. The selective and inaccurate use of scientific evidence to support a certain outcome is disappointing. It is not within the spirit of the S&G process, and if adopted, would have a detrimental impact on the welfare on hens in practice.

### **Biosecurity Risk**

It is well established that caged egg systems have strong biosecurity credentials, as disease transmission between birds can be actively managed.<sup>7</sup> Other production systems have a greater interaction between hens, and in free range systems there is an increased risk of exposure to wild birds and potential infection with emergency diseases such as Avian Influenza. It is vital that the biosecurity implications of the various production systems are recognised.

### **Costs**

The costs of compliance with Option D are large and impose an unacceptable burden on industry, for no clear welfare benefit. The RIS estimates the costs of Option D to be \$1.34 billion for a 10 year phase out and \$932.64 million over 10 years in present value.<sup>8</sup> These costs will be borne by the layer hen industry and are much larger than the costs of implementing Option C. The proposed phase out would impose unacceptably large costs on the layer egg industry and the calculation of these costs is just on industry demonstrating compliance with the phase out.

The phase out would also impose large costs on the industry in the disruption that it would have on egg markets. The phase out would have a hugely detrimental impact on the value within the industry and certain production systems. Conventional cage systems are vitally important to the viability of the industry due to the efficiency of the system. Many businesses are structured to involve a variety

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<sup>7</sup> Ibid 35.

<sup>8</sup> Ibid 66.

of production systems and removing one will have impacts across the profitability of the whole business and industry.

Finally, we are concerned that the phase out period is not feasible. The current infrastructure cannot simply be change from conventional cages into alternative systems. The conversion to alternative systems will also at times involve a new development application. The time lag in getting applications through the development approvals process is slow, with our members reporting a minimum of 2-5 years.

### ***Community Expectations***

Caged egg production accounts for the largest volumes of sales in the retail sector, which is egg sales direct to the consumer. The fact that caged sales remain the majority of sales at the retailer level demonstrates the community's trust in the system and illustrates that their expectations are being met. The proposal to phase out such a trusted production system would not be respecting the community's expectations.

It is vital that in assessing the expectations of the community that solid and factual data is used, such as consumer purchasing preferences. Throughout this public consultation process there has been a concerted campaign against caged egg production and caution is needed in assessing these inputs to ensure that this vocal minority is not mistakenly seen as representative of community expectations. It is clear that this is only a small segment of the community, generally with a focus on limiting the operation of agricultural industries, and that their views are not representative. It is vital that community expectations are based on the community as a whole, which is best illustrated through their purchasing behaviors and not determined by small interest groups.

### ***International Examples***

The current process is focused on developing animal welfare standards that are appropriate for Australia. It is vital that this is remembered and placed at the forefront of any decision, rather than broader international examples that are not relevant for Australian conditions. The view that Option D should be supported because Australia must follow international examples in phasing out caged eggs not only misrepresents the current process, but also misconstrues those examples and their applicability to Australian conditions.

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It is commonly advocated in support of Option D that there are a number of international examples of successful phased outs. This argument fails to explain the strong differences between the Australian market and those international examples, such as New Zealand, the European Union, Canada, and certain states within the USA. It also does not elaborate on the difficulties being experienced in certain countries with the phase out and considerable costs with the isolation of vital infrastructure. It is also important to recognise that many of these countries are able to easily import caged production from other adjoining countries, while others were able to implement the change as they operate within an internationally regulated system.

These complexities and differences are often overlooked in simply progressing an argument to phase out caged egg production in Australia. However, they overlook the fact that Australian must set animal welfare standards appropriate to itself, based on scientific evidence and with a proven animal welfare impact. All three of these factors are not established within the current debate. Option D must be rejected.



## Option E- Reduce Stocking Density

NSW Farmers does not support Option E, seeking to reduce stocking density, as the large costs cannot be justified when the potential animal welfare benefits cannot be clearly determined. There is not a clear welfare benefit to the proposed change and in the absence of clear scientific evidence it is not appropriate to make such a significant change.

The costs involved in these changes are substantial and would apply across a wide range of poultry production systems, including: layer hens, meat chickens, turkeys and ducks. The estimated costs of implementation noted in the RIS are \$1.53 billion over 10 years in present value dollars. As there is no clear benefit, the large implementation costs cannot be justified and the option must be rejected.

## Option F- Enrichment

NSW Farmers does not support Option F, seeking to vary the proposed standards to require the availability of nests, perches and litter for all layers in caged and non-cage systems. The net animal welfare benefits are only limited and cannot be justified when balanced against the costs of implementation: \$1.13 billion over 10-years in present value dollars.

## Option G- Management Practices

NSW Farmers does not support Option G, which seeks to change the Standards to remove certain surgical procedures including: castration, pinioning and devoicing, no hot blade beak trimming and no routine second beak trimming. This option groups together practices that are undertaken by the show bird industry, and also the use of beak trimming which is vital within commercial egg operations.

NSW Farmers strongly opposes the proposal in relation to beak trimming. The use of beak trimming is important to the egg industry, especially free range operations, as it is vital to achieving positive animal welfare outcomes through minimising the risk of pecking. The proposed change would result in negative animal welfare outcomes through increased mortality from a higher incidence of pecking. It is therefore not an appropriate proposal to implement. Additionally, the costs are

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significant and will impact across a wide range of poultry systems. As there is no clear welfare benefit or community expectation the option is not appropriate to proceed with.

The practices of castration, pinioning and devoicing are not used within the commercial poultry industries, but rather used by fancier bird operations. NSW Farmers membership does not encompass these areas and as a result will not provide further comment. Other than to note that during public consultation sessions held by the NSW Department of Primary Industries in February that concerns were raised with this option and its impact on bird fanciers.

## Conclusion

NSW Farmers supports the implementation of Option C, as our strongly preferred option. Option C will deliver clear improvements to animal welfare, meets community expectations, and addresses the current regulatory failures.

The proposed phase out of conventional caged eggs is strongly rejected. Option D is not acceptable as a desirable or viable selection. It will not achieve appropriate animal welfare outcomes, will significantly enhance biosecurity risks, comes with unfeasible implementation costs, and does not reflect community expectations.