

**Submission  
No 404**

**INQUIRY INTO USE OF BATTERY CAGES FOR HENS IN  
THE EGG PRODUCTION INDUSTRY**

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**Submission to the Inquiry  
into the use of Cages for Hens in the  
Egg Production Industry**

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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 to represent 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 about 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

NSW Farmers Association (NSW Farmers) welcomes the opportunity to make a submission to the Select Committee's Inquiry into the use of battery cages for hens in the egg production industry. We extend an invite to the committee to visit members businesses to gain first-hand knowledge of modern caged production systems.

The Australian egg industry adheres to strong animal welfare guidelines that ensure the best animal welfare outcomes are upheld in all egg productions systems, including across caged, barn laid and free range. Animal welfare is a complex and value-laden concept. There will be a range of views on the welfare outcomes achieved by each production system. This is a simple consequence of the fact that there are diverse frameworks for assessing welfare; all based on intrinsic values assessments. These complexities are not well understood by the general public.

NSW Farmers strongly supports the continued use of conventional cages as a production system option for hens in the egg production industry. Caged systems produce high quality welfare outcomes and may be more beneficial than other egg production systems due to improved biosecurity outcomes and reduced mortality rates than non-caged systems.

The Australian egg industry is taking many steps to ensure that egg production upholds high animal welfare outcomes. The industry continues to support the development of national Poultry Standards and Guidelines but is frustrated by the delays and the focus on conventional cages as the key issue, which has diverted attention from substantive welfare outcomes. NSW Farmers supports the adoption of the Poultry Standards and Guidelines as drafted, including the introduction of a regulatory cap on current conventional cage egg production capacity, restricting additional conventional cage infrastructure being developed.

## Recommendations

1. That the NSW Government support for all egg production systems currently operating in New South Wales is maintained.
2. That the NSW Government supports the continued use of conventional cages as a production system option for hens in the egg production industry.
3. That the NSW Government supports the adoption of the Poultry Standards and Guidelines as drafted and include a regulatory cap on current conventional cage egg production capacity, restricting additional conventional cage infrastructure being developed.
4. That the NSW Government does not support any legislative measures on cage egg production, either to phase out conventional cages or demand changes to specifications of conventional cages.

## Animal Welfare

Animal welfare is of the highest importance to farmers. As the primary care givers to poultry in their production systems, farmers have the pivotal role in protecting and improving animal welfare. There is also an economic incentive to maintain good outcomes. Farmers rely on happy and healthy animals in order to maintain productivity. Reflecting these moral and economic considerations, farmers are committed to continuous improvement. They use their knowledge and skilled management, to ensure that appropriate activities are undertaken to ensure positive welfare outcomes are achieved in the production system in which the animal exists.

Animal welfare is a complex and multifaceted concept, and there are differing frameworks to measure outcomes. Welfare can be assessed using three different frameworks, based on measures of biological functioning, affective state, or natural living.<sup>1</sup> The biological functioning framework accepts that welfare will be compromised if an animal is unable to adapt to its environment. The second framework assesses the affective state of the animal, which may be positive or negative. The final framework uses the concept of natural living, and it assumes that welfare is optimum when an animal can express normal patterns of behaviour. It is important to recognise that 'natural' is often poorly defined and this framework does not provide a rigorous scientific basis for welfare assessments.<sup>2</sup>

Animal welfare is also a value-laden concept.<sup>3</sup> There will be a range of views on the welfare outcomes achieved by each production system and the values of the assessor have a key impact on the outcome perceived as most appropriate. Moral and ethical judgements of individuals have a substantive role in perceptions of welfare outcomes. These values are embedded in and presented by animal welfare science. NSW Farmers recognises that the varying assessment frameworks and the impact of values means that there can be no single, correct answer in determining welfare outcomes.

Finally, the critical relationship between the management of the hens and welfare outcomes must be recognised.<sup>4</sup> Good welfare is underpinned by the quality of the management from farmers. Egg

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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, 9.

<sup>2</sup> Ibid.

<sup>3</sup> A.D Fisher, P.H. Hewsworth, R.A. Ankeny, H. Millar and R. Acharya, Animal welfare and values, April 2019, 1-2.

<sup>4</sup> Australian Eggs, 2019 *Australian Egg Industry- Sustainability Framework*, 22.

farming requires dedication as the constant nature of the process requires flocks and systems to be checked and then checked again to ensure that a problem has not arisen.



# Industry Background

## Industry Overview

Egg farms in Australia currently produce almost 100 million eggs each week with demand and production expected to grow steadily into the future. New South Wales accounts for 34% of national egg production,<sup>5</sup> and around Australia there are more than 19 million egg laying hens in 337 commercial egg farms. Approximately 55% of hens are kept in cage production systems with the remaining in barn or free-range production.<sup>6</sup>

Egg farming in New South Wales is a family business, with 98 per cent of egg farms nationally family owned and operated. These family businesses contribute around \$1.8 billion to the national economy each year.

Due to the perishable nature of eggs and their low value to weight ratio, consumption is predominantly domestic. Approximately half of all eggs are purchased by consumers as whole shell eggs with the other half servicing food manufacturers, restaurants, cafes and other food outlets. Eggs are an important and low-cost source of protein. There is a relationship between egg consumption and the price of alternative protein sources such as meat. Specific low-income demographics are more likely to purchase larger quantities of eggs.<sup>7</sup>

## Production Systems

Egg farmers in NSW use three different farming methods: cage, barn and free-range production. The variety of egg production systems, in general terms, provides for a range of animal welfare and egg quality outcomes. The three main production systems are guided by the national model code of practice for the welfare of animals – domestic poultry 4th edition (Model Code).

According to the Model Code, production systems may be defined as:

- a) cage, in which hens are continuously housed in cages within a shed;
- b) barn laid, in which hens are free to roam within a shed which may have more than one level; and
- c) free-range, in which hens are housed in sheds and have access to an outdoor range.

The production systems have different animal welfare profiles and NSW Farmers supports and

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<sup>5</sup> NSW Food Authority, *Eggs*, <http://www.foodauthority.nsw.gov.au/industry/eggs>

<sup>6</sup> NSW Department of Primary Industries, *Egg production systems in Australia*, <https://www.dpi.nsw.gov.au/animals-and-livestock/poultry-and-birds/poultry-planning-and-keeping/poultry-keeping-environment/egg-production-systems>

<sup>7</sup> G Hendrie, D Baird and M Noakes, Australian's usual egg consumption: Analysis of the CSIRO healthy diet score, 2016.

promotes each one. Production systems attract a different cost profile as a result of the different capital costs and the different biosecurity and predator risks associated with hens having access to outdoor areas. These costs are reflected in different farm gate, wholesale and retail prices.

Each production system provides a different welfare profile for hens, and the nature of egg farming means that each system has advantages and disadvantages. Effective management is the ultimate determinant in welfare outcomes.

NSW Farmers acknowledges that the community's outlook of welfare outcomes from each system will require value judgements and is inherently subjective. Cage eggs provide higher physiological welfare outcomes through lower incidents of disease, fewer mortalities and less medicinal intervention, including with antibiotics.<sup>8</sup> Barn and free-range eggs allow for the fuller expression of behaviours but higher flock mortality rates.<sup>9</sup>

NSW Farmers also acknowledges that people's preference of production system is subjective. It is critical that consumers should be able to make choices based on their own preferences.

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<sup>8</sup> E.N. Sossidou, A. Dal Bosco, H.A. Elson and C Fontes, 2011, 'Pasture-based systems for poultry production implications for poultry production: implications and perspectives', *World's Poultry Science Journal*, vol 67, no 1.; IC Petterson, R Freire, CJ Nichol 2016, Factors affecting ranging behaviour in commercial free range- hens, *World Poultry Science Journal*, vol 72, no 1, pp 137- 149.

<sup>9</sup> CJ Nicol, J Bouwsema, G Caplen, A.C Davies, J Hockenhull, SL Lambton, JA Lines, S Mullan and CA Weeks, 2017, Farmed bird welfare science review, Agriculture Victoria, Economic Development, Jobs, Transport and Resources, Melbourne.

## Caged Systems

### *Animal Welfare Outcomes*

The Australian egg industry adheres to strong animal welfare guidelines that ensure the best welfare outcomes are upheld in all egg production systems, including across caged, barn laid and free range. As we have noted earlier, animal welfare is a complex and value-laden concept. There will be a range of views on the welfare outcomes achieved by each production system. This is a simple consequence of the fact that there are diverse frameworks for assessing welfare; each based on intrinsic values assessments.

These complexities are not well understood. However, it is critical that these complexities are recognised and managed, as otherwise there is a grave risk that perverse welfare outcomes will be the result. For instance, while we agree that hens should be able to express innate behaviours, this must be balanced in providing hens with a safe environment. It must be recognised that the environment to enable these behaviours increases the risk of adverse welfare outcomes, such as pecking and cannibalism, disease occurrence and predation. The industry actively manages these challenges to ensure that it is able to strike a balance and achieve optimal welfare outcomes.<sup>1</sup>

### *Caged production*

The use of cages to accommodate hens does not inexorably lead to poor animal welfare outcomes, nor is it accompanied by poor animal welfare practices. Caged production systems reduce a hen's ability to express innate behaviours. However, it also protects hens from adverse welfare outcomes such as pecking, disease and predators, which have a higher incidence in non-caged egg production systems.

Hens in cage systems have higher welfare outcomes based on the 'biological functioning' welfare framework and lower levels of welfare on the 'affective states' welfare framework. As per the Model Code of Practice, conventional cages enable hens to stand at normal height with a minimum space allowance of 550 square centimetres and access to clean water and feed. Cages deliver a number of welfare dividends which can loosely be defined as physiological.

Hens in cages are less likely to contract disease and parasitic infections, require less medical treatment such as antibiotics and have lower mortality rates. They are less likely to experience

feather pecking and cannibalism.<sup>10</sup> Indeed, cages were introduced because of these welfare benefits. These factors underpin NSWFA's support for the system.

Importantly, cages also provide for stronger biosecurity protection, a lower carbon footprint and greater production efficiencies.<sup>11</sup>

#### *Barn production*

Hens in barn systems have lower welfare outcomes based on the 'biological functioning' welfare framework and higher welfare outcomes based on the 'affective state' welfare framework. Birds in barn systems are free to roam within a shed, which may have more than one level. This means that barn systems allow for the expression of more behaviours than cage production. However, hens in barn systems are more likely to contract diseases, and farmers must manage unclean and unhygienic litter and dust. Barn systems also have higher rates of cannibalism than cage egg production due to the large social groupings and the fecal oral cycle means greater disease and mortality rates.

#### *Free range production*

Free range hens are housed in sheds and have regular access to an outdoor range where they are free to roam and forage. Due to the nature of these systems free range hens are more likely to contract and spread diseases, and require antibiotic treatments. Due to the creation of unstable pecking orders, free range systems create the highest rates of cannibalism of all production systems and attract greater instances of predation and smothering. Free range allows hens the largest amount of freedom to express natural behaviours, but has the highest rates of mortality of any production system.

### **Community & Consumer Support**

Purchasing patterns suggest that the community supports all systems operating in Australia. Indeed, ongoing support for caged egg production is clearly demonstrated by the fact that it still accounts for 44% of supermarket sales,<sup>12</sup> and that it is used extensively in food service industries, such as bakeries and restaurants. The ongoing purchasing and use by the community demonstrates that caged eggs meet community standards and is supported by the public.

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<sup>10</sup> Sossidou, 'Pasture-based systems for poultry production implications for poultry production: implications and perspectives', above n 8.

<sup>11</sup> P. Clarke 2010, 'Intensive poultry production better for the environment', Poultry World, vol 154, no 5.

<sup>12</sup> Australian Eggs, 2019 *Australian Egg Industry- Sustainability Framework*, 11.

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 the retail level. Labelling poultry products ensures that consumers can clearly identify the production system when making their purchases. The industry has been transparent and responsive, ensuring that the products demanded by consumers are available to purchase. The ongoing support across all production systems demonstrates the community's continued support for all systems.

### *Sustainability Framework*

The egg industry is conscious of community concerns around farming practices and is working to address them through the Australian Egg Industry Sustainability Framework. The framework has been developed to facilitate community and industry engagement.

The core of this process has been a community engagement research program, conducted by CSIRO, which ascertains community attitudes in relation to the egg industry. The CSIRO community survey process was undertaken to inform industry of community attitudes and identify pathways to build greater community trust. The key conclusion from the representative survey is that community attitude towards the industry is positive. Results indicated that Australians care deeply about how their eggs are produced, and revealed strong confidence in the safety and effective regulation of egg production.<sup>13</sup>

The survey was conducted through two samples, a representative and open sample. It is clear that a minority of the community has strong views that differ from those of the community as a whole. This is particularly the case when it comes to hen welfare. Those in the representative sample indicated strong agreement that hen welfare was important across a range of issues. However, the open sample revealed an extremely high level of agreement that hen welfare was important.

Industry acknowledges that there is a vocal segment of the community who strongly dislike cages system and confinement. This has been clearly demonstrated through the number of public campaigns pushing for caged systems to be banned. The public campaigns in recent years have included:

- In October 2017, GetUp launched a campaign to its membership base;
- In January 2018, RSPCA commenced a campaign during the Poultry Standards and Guidelines; and

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<sup>13</sup> CSIRO, Australian Egg Industry Community Research – 2018 Report, 8.

- Currently RSPCA is seeking to influence this inquiry through a template submission to this committee.

The outcomes from the survey results are critical as they demonstrate that the strong concerns of a minority group are not reflected or supported by the general community. It is critical to recognise that the general community continues to support the egg industry and caged production as a component of this.

### **Environmental Impact**

#### *Land Management*

All agricultural production enterprises must adhere to relevant environmental regulations. Agricultural production systems, including commercial egg production, must adhere to the *Protection of the Environment Operations Act 1997* enforced by NSW Environmental Protection Authority (NSW EPA).

Australian Eggs has also developed the Egg Industry Environmental Guidelines to proactively ensure the economic and environmental sustainability of the Australian commercial egg industry. The guidelines aim to ensure egg production facilities are developed, designed and managed to minimise the risk and severity of adverse environmental and amenity impacts.

All agricultural industries have environmental impacts and for the egg industry, the key impact is energy use.

#### *Energy Use and Carbon Impact*

In the last 20 years caged systems have introduced climate controlled sheds to protect hens from harsh climatic conditions. As a result, energy usage of the industry has increased, but caged systems continue to have the lowest carbon footprint of all egg production systems. Further, eggs have a lower carbon footprint compared to other protein sources.<sup>14</sup>

### **Health of Workers**

The health and safety of workers on agricultural properties including commercial egg production enterprises is of significant importance. Caged systems produce high quality health and safety outcomes for workers. Workers are able to operate in a safe and climate controlled environment,

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<sup>14</sup> Australian Eggs, above n 12, 25.

and are not subjected to the elements as much as in other systems. Caged systems also provide clean environments, enabling workers with sensitivities to dust to operate without impediment.

## Legislative Measures

NSW Farmers does not support any further legislative measures for the Australian egg production industry. There is currently an ongoing debate focused on caged production systems, with two options being pushed; (1) to phase out caged production systems, or (2) to require that conventional systems are removed and farmers move towards enriched systems. Both of these legislative measures are strongly opposed by NSW Farmers, as they will not enhance welfare, have undesirable impacts on the community and are unviable for industry.

NSW Farmers strongly supports the finalisation of the Poultry Standards and Guidelines and we request that the NSW Government endorses adopting the Standards and Guidelines as drafted and include a regulatory cap on current conventional cage egg production capacity, restricting additional conventional cage infrastructure being developed.

Regulatory processes are not appropriate mechanisms for addressing minority community expectations in relation to food production. As the development of the Poultry S&Gs has illustrated, regulatory processes are susceptible to being distracted by specific issues.

***Recommendation 1 - That the NSW Government support for all egg production systems currently operating in New South Wales is maintained.***

***Recommendation 2- That the NSW Government supports the continued use of conventional cages as a production system option for hens in the egg production industry.***

### ***Poultry Standards & Guidelines***

The purpose and intent of the Standards and Guidelines (S&Gs) has always been to improve upon the current voluntary standards for animal welfare. NSW Farmers continues to support this process and the introduction of mandatory standards. We are disappointed that the S&G process has been distracted by the focus on conventional cage production systems as a key issue and indicator of animal welfare outcomes. This has led to substantial delays in the process and, in NSW Farmers' view, has unnecessarily delayed the improvements in hen welfare outcomes.

The egg industry is committed to continuous improvement of animal welfare. The industry has undergone a revolution in the growth of alternative egg production systems in the last 20 years and recognises the need for further change to align with community expectations.



The NSW Farmers proposal to adopt the S&Gs and include a regulatory cap on current conventional cage egg production has clear benefits. It would ensure that the welfare benefits of acceptable mandatory animal welfare standards could be realised as soon as possible. Our position recognises concerns in relation to conventional cage systems expressed in public submissions by making key improvements. Implementing the S&G will come at significant cost, but the industry is prepared to incur this because of the enhanced animal welfare benefits that will be achieved. The implementation of the option is estimated to be \$709.72 million over 10 years.<sup>15</sup> The majority of the costs will be accounted for by businesses in NSW, Victoria and Queensland. Finally, and critically, the transition away from conventional cage egg infrastructure can continue in a manner that is market driven in terms of outcomes and timing. To support this, the egg industry has put community engagement at the forefront of its activities, both in its response to the S&G process and through the Australian Egg Industry Sustainability Framework. In short, the egg industry accepts that community attitudes are evolving and is working to reflect those attitudes in a practical context. NSW Farmers submits that this should also be the focus of the S&G process.

***Recommendation 3 – That the NSW Government support the adoption of the Poultry Standards and Guidelines as drafted and include a regulatory cap on current conventional cage egg production capacity, restricting additional conventional cage infrastructure being developed.***

### ***Phase out caged egg production***

Any move to phase out all cage farming in Australia would have four negative consequences. It would make the Australian egg industry internationally uncompetitive, would threaten industry stability, create egg shortages, and increase the price of protein.

The economic consequences are highlighted more fully below.

### ***Moving to pre-enriched cages***

A move to mandate furnished cages is problematic. There is simply no market for pre-enriched eggs. It is an option driven by concerns about cages by a relatively small section of the community and a very small section of cage egg consumers. There is no evidence of demand for eggs farmed using furnished cages and no basis to suggest that this demand would exist in the future. Each of the

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<sup>15</sup> Animal Health Australia, Proposed Draft Australian Animal Welfare Standards and Guidelines For Poultry (November 2017)

major retailers in Australia has now announced an intention to phase out cages (including furnished cages) by either 2023 or 2025. Regardless as to whether consumer demand prevents these intentions from being realised, this move makes it impossible for egg farmers to contemplate investment in new furnished cage infrastructure on anything other than a niche/specialty product basis.

Experience in New Zealand also demonstrates a strong disincentive for Australian egg farmers to invest in furnished cages. Having been encouraged to invest in furnished/colony cage systems, many New Zealand farmers made long term investments in these systems only to find a few years later that they would be phased out. This option would have the same effect as a ban on all cage production systems and mandating a move to alternative egg production systems

***Recommendation 4 – That the NSW Government does not support any legislative measures on caged-egg production, either to phase out conventional cages or demand changes to specifications of conventional changes.***

## Economic Effects

NSW Farmers and the broader Australian egg industry do not support a ban of the use of cages to house hens in the egg production system. Overall, the production of caged eggs is supported by the community and accounts for the largest proportion of retail sales. This is important, because retail labelling means that consumers are making informed decisions when making their purchases. Eggs are a valuable and affordable source of protein and the three production systems allows consumers to choose the product that aligns to their needs and values.

Banning the use of cages in egg production would have adverse economic and social effects on the community. It is estimated that the phase out of caged eggs would increase the cost of a carton of eggs by \$1, forcing Australians to pay up to \$200 million more for eggs per year. Price increases would not be shared evenly. Rather, they would be imposed on those that rely on the most affordable protein source available in the form of cage eggs.

A ban on caged egg production systems would also damage the industry, resulting in the closure of family operated egg production enterprises. It would impose significant costs on those that choose to upgrade—costs that would be passed onto the consumer—and would also cause smaller caged egg producers to exit the industry. We saw these developments in 2008, when the Australian egg industry invested significantly to improve hen accommodation by upgrading older-style conventional caged systems to more modern (environmental) cages.<sup>16</sup> This was only a decade ago and many egg farms will be unable to secure the finance required for further investment.

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<sup>16</sup> New South Wales Environmental Protection Authority, Local Government Air Quality Toolkit: Air Quality Guidance Notes (Egg Production), <https://www.epa.nsw.gov.au/-/media/epa/corporatesite/resources/air/mod3p3eggs07268.pdf?la=en&hash=F0C6100042E5444E4FC4207184B9B52FFA5F9CE1> (September 2017).

## Social Impacts

### *Food Security*

Eggs are a staple of most Australians diet. They are a recommended part of a healthy diet and a vital source of affordable protein. Currently, eggs are readily available as the industry is able to provide a consistent supply: over 17 million are produced each day. Farmers continually manage risks across the system, particularly in relation to reliability and biosecurity.

Any move to ban caged production would have a dire impact of this reliability. This move would result in substantial disruption to egg production and supply. It is not possible for the production capacity in caged systems to easily shift to other systems. Production would decline.

Additionally, any move to phase out caged systems through regulation would force industry into systems where the capacity of the industry to manage risk to reliability is hindered. Biosecurity is the key risk to reliable supply, and in barn and free range systems the biosecurity risks are more difficult to manage. In these systems, managers do not have the control over the environment in which the hens exists, limiting their ability to manage biosecurity.

### *Higher Prices*

The requisite investments in replacement infrastructure through a phase out would only be made if supported by higher prices paid by consumers. The price of eggs would have to rise by up to \$1 per carton, hitting Australian households with an extra \$200 million for eggs each year. This price increase will hurt those with the least capacity to pay the hardest, and potentially deny people of a lower socio-economic status access to vital protein.

Higher prices are likely to extend to other products. Caged eggs are used extensively as an input in the food service industry and egg-containing products, such as bakery products. A range of other businesses would need to increase the price of their products.

## Conclusion

NSW Farmers strongly supports the continued use of conventional cages as a production system option for hens in the egg production industry. Caged systems produce high quality welfare outcomes and may be more beneficial than other egg production systems due to improved biosecurity outcomes and reduced mortality rates than non-caged systems.

The Australian egg industry is taking many steps to ensure that egg production upholds high animal welfare outcomes. NSW Farmers supports the adoption of the Poultry Standards and Guidelines as drafted, and the introduction of a regulatory cap on current conventional cage egg production capacity, restricting additional conventional cage infrastructure being developed.