

Submission  
No 426

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

**Organisation:** Humane Society International Australia

**Date Received:** 25 July 2019

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## HUMANE SOCIETY INTERNATIONAL

**Humane Society International Inc.**  
ABN 63 510 927 032

PO Box 439  
Avalon NSW 2107  
Australia

Telephone +61 2 9973 1728  
Fax +61 2 9973 1729  
Email [admin@hsi.org.au](mailto:admin@hsi.org.au)

[www.hsi.org.au](http://www.hsi.org.au)



**US Office:**  
Washington DC

**Regional Offices:**  
Africa  
Canada  
Europe  
India  
Latin America  
Mexico  
United Kingdom

The Director  
Select Committee on the use of battery cages  
for hens in the egg production industry  
Parliament House  
Macquarie Street  
SYDNEY NSW 2000

By email: [egg.industry@parliament.nsw.gov.au](mailto:egg.industry@parliament.nsw.gov.au)

25 July 2019

Dear Sir or Madam,

Humane Society International (HSI) is the world's largest conservation and animal protection organisation with 70,000 Australian supporters, and over 12 million supporters globally.

In 2006 HSI Australia launched the certification scheme called *Humane Choice True Free Range*<sup>™</sup> to improve the welfare standards of farm animals across Australia and New Zealand. It ensures the highest standards of animal welfare and guarantees that the animals are truly free range.

As both a stakeholder with a large number of supporters and the representative of the highest standard of true free range producers nationally we welcome the opportunity to comment and trust you will give our recommendations serious consideration.

This inquiry into the use of Battery Cages for Hens in the Egg Production Industry is an opportunity for NSW to bring its egg production methods into alignment with the global movement towards less intensive production systems and with consumer animal welfare expectations.

HSI Australia offers the following submissions to the inquiry.

- a) **whether or not the use of battery cages to contain or accommodate hens in the egg production industry is:**
  - i) **associated with poor animal welfare outcomes or is accompanied by poor animal welfare practices,**

The use of battery cages in the egg production industry is associated with poor animal welfare outcomes and poor animal welfare practices.

Battery cages are about the size of an A4 piece of paper. They do not allow room for hens to stretch their wings, let alone exhibit their natural behaviours. The hen behaviours that are prevented by the use of battery cages are nesting, perching, foraging, dust bathing, and comfort behaviours (eg. preening and stretching).<sup>1</sup> Without the ability to perform these behaviours hens can become frustrated and experience higher incidences of metabolic disorders<sup>2</sup>, reproductive disorders, and broken bones.

The metal wire cage floors also cause foot lesions,<sup>3</sup> and the use of battery cages has also been associated with bone fragility and fractures, as well as fatty liver disease.<sup>4</sup> Evidence suggests that birds kept in cages are more fearful of other birds and of employees, compared to hens in cage-free environments.<sup>5</sup>

Caged hens are debeaked in order to prevent them from harming other birds in these confined spaces. Beak trimming can cause tissue damage and nerve injury, leading to acute and chronic pain. It can also cause painful neuroma formation.<sup>6</sup>

Finally, hens will naturally live for about ten years, but in Australia layer hens are considered to have reached the end of their useful life by 18 months and are then slaughtered.

## ii) **Justified by any other consideration?**

Many media reports on the matter of the use of battery cages have cited the necessity of battery cages to prevent the outbreak of disease.<sup>7</sup> These media reports also often refer to the lack of economic viability of using cage free egg production systems, and the inability of free range egg production to meet the egg consumption needs of the Australian population.

However, research undertaken in Switzerland has shown that disease amongst laying hen populations can be easily prevented through hygiene and the use of vaccines.<sup>8</sup> The study reported no significant emerging diseases or economic losses over a 12 year period following the implementation of alternatives to battery cages.<sup>9</sup>

As for economic viability, it has been shown time and again that consumers are willing to pay more for cage free alternatives. Furthermore, as pointed out above, no economic losses were reported in Switzerland following a ban on battery cages.

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<sup>1</sup> RSPCA, *Why is it important for layer hens to express normal behaviours?*

<https://kb.rspca.org.au/knowledge-base/why-is-it-important-for-layer-hens-to-express-normal-behaviours/>; The Humane Society of the United States. (2010) Welfare Issues with Furnished Cages for Egg-Laying Hens. *Impacts on Farm Animals*. 14. [https://animalstudiesrepository.org/hsus\\_reps\\_impacts\\_on\\_animals/14](https://animalstudiesrepository.org/hsus_reps_impacts_on_animals/14)

<sup>2</sup> Duncan, Ian J. H. (2001) The Pros and Cons of Cages. *World's Poultry Science Journal* 57(4), 381-390. doi:10.1079/WPS20010027; Ibid, The Humane Society of the United States.

<sup>3</sup> Ibid.

<sup>4</sup> Simonsen, H. B. (1978). Battery-cages as the cause of environmental and behavioural dependent diseases, *Nord Vet Med* 30(6), 241-252.

<sup>5</sup> The Humane Society of the United States, above n 1.

<sup>6</sup> Humane Society International. (2011) The Welfare of Animals in the Egg Industry. [https://www.hsi.org/wp-content/uploads/assets/pdfs/welfare\\_of\\_animals\\_in\\_the\\_egg.pdf](https://www.hsi.org/wp-content/uploads/assets/pdfs/welfare_of_animals_in_the_egg.pdf)

<sup>7</sup> Locke, S. (2017, January 5) Caged egg sales trend lower as demand for free-range increases. *ABC News* <https://www.abc.net.au/news/rural/2017-01-05/caged-egg-market-trending-down-in-response-to-free-range/8164004>; Davey, M. (2014, September 18) Inside the battery hen shed: the farmer who wants to prove cages aren't always cruel. *The Guardian Australia* <https://www.theguardian.com/world/2014/sep/19/sp-inside-the-battery-hen-shed>

<sup>8</sup> Kaufmann-Bart, M., Hoop, R. K. (2009). Diseases in chicks and laying hens during the first 12 years after battery cages were banned in Switzerland. *Veterinary Record*. 164, 203-207. doi:10.1136/vr.164.7.203

<sup>9</sup> Ibid.

If the cost of an overabundance of eggs available to consumers at an incredibly low price is the shockingly poor welfare of laying hens confined to battery cages, which is the case at present, then it is arguable that current production methods are not viable either.

HSI submits that the harm caused to laying hens by battery cages is not outweighed by any valid justification.

**iii) Consistent with community standards and supported by the public?**

The use of battery cages is not consistent with community expectations.

According to research conducted in 2017, 84% of Australian consumers would like to see an end to battery cages. The research found that current use of battery cages influenced their decision making when it came to buying or eating eggs.<sup>10</sup>

In 2012, Choice conducted a survey of 900 people and more than half of participants said they were willing to pay \$3-\$5 more per dozen for free-range rather than cage eggs.<sup>11</sup>

It is clear that there is a significant shift in community standards and support of the public away from battery cage production. It was reported in 2014 that the free-range egg market now makes up 49% of the total egg market - a staggering increase from about 5% in 1994.<sup>12</sup>

A recent study into the animal welfare perspectives of the Australian public showed 95% of people are concerned about farm animal welfare. The study showed that 35% of people disagree with the statement that laying hens have good welfare. This was the highest level of disagreement for any farmed animal.<sup>13</sup>

HSI submits that battery cages are becoming increasingly unsupported by the public and should therefore be phased out.

**b) What legislative measures should be taken to:**

**i) prevent poor animal welfare outcomes to hens in the egg production industry of New South Wales, and**

The use of battery cages for layer hens needs to be phased out because they fail to meet the physiological and behavioural requirements of layer hens. As discussed in (a)(i) above, caged hens suffer due to the denial of natural behaviour such as nesting, perching, and dustbathing, all important for hen welfare. Scientific evidence confirms that birds confined in barren battery cages suffer immensely.

HSI submits that battery cages must be banned in order to prevent poor animal welfare outcomes.

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<sup>10</sup> RSPCA (2017) *Breakthrough research finds 84% of Australians want to end the battery cage* <<https://www.rspca.org.au/media-centre/news/2017/breakthrough-research-finds-84-australians-want-end-battery-cage>>

<sup>11</sup> Davey, M., above n 7.

<sup>12</sup> Above n 7.

<sup>13</sup> Futureye. (2018). *Commodity or Sentient Being? Australia's Shifting Mindset on Farm Animal Welfare*

**ii) set appropriate minimum standards of accommodation for the accommodation and treatment of hens in the egg production industry,**

As a minimum accommodation standard for layer hens, battery cages should be banned in NSW. They must be allowed sufficient room to exhibit their natural behaviours and be provided shelter and protection from the elements.

Following the phase out of battery cages, HSI strongly advises that minimum standards for free range hen accommodation should not exceed 5,000 birds per house, with an indoor stocking density no more than 15kg/m<sup>2</sup> including the roosting area.

HSI does not support barn laid egg production systems and therefore we do not make any submissions as to minimum accommodation standards for barn laid production specifically.

Regardless of which production method is adopted, the minimum standards set for the accommodation and treatment of hens in the egg production industry should align with the five freedoms. The ACT recently passed legislation that makes it mandatory to consider the sentience of animals in all animal welfare laws – here we implore NSW to do the same.

**c) the impact of egg producing commercial operations that use battery cages, on:**

**i) the environment, and**

The use of battery cages facilitates more intensive egg production than cage free alternatives allow. Where a greater number of animals are housed and farmed, one can expect a greater environmental impact to follow, given the greater amounts of waste produced and feed required.

There have been very few studies into the environmental impact of egg production, however a study undertaken in Spain showed that egg production contributes to methane, ammonia, and nitrous oxide emissions, although minimally. The greatest impacts were actually caused by feed production – an issue circumvented by reducing the high stocking densities allowed by battery cage production methods – and the environmental cost of replacing layer hens after such a short useful life.<sup>14</sup> By improving the welfare of layer hens, keeping them physically and psychologically healthy, and reducing the intensity of production required per hen, we can expect that hens will have longer productive lives and need less frequent replacement.

**ii) health of workers,**

There is mounting evidence that workers who are subjected to the conditions governed by intensive farming production systems may suffer adverse health effects. For example, a review of South African poultry workers confirmed that they are at increased risk of developing adverse respiratory health outcomes that may be attributed to exposure to dust and other airborne contaminants in poultry-house environments.<sup>15</sup> Further, the impact on the

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<sup>14</sup> Abín, R., Laca, Amanda, Laca, Adriana, Díaz, M. (2018). Environmental assessment of intensive egg production: A Spanish case study. *Journal of Cleaner Production*. 179, 160-168. doi:10.1016/j.jclepro.2018.01.067

<sup>15</sup> Ngajilo, D. (2014). Respiratory health effects in poultry workers. *Current Allergy and Clinical Immunology*. 27. 116-124.

workers' mental health may be significant and could potentially lead to detrimental cases of abuse towards the animals or other people.

**d) trends in relative consumer demand for egg and egg-containing products derived from commercial operations that use battery cages and commercial operations that do not,**

Recently we have seen a shift away from consumer demand for caged eggs. As already outlined in (a)(iii) above, the free-range egg market is nearly half of the total egg market in Australia. Furthermore, retailers such as McDonalds, Subway, Woolworths and Coles have all undertaken to phase out cage eggs.<sup>16</sup> As can be seen in Figure 1 below, there is a clear trend in consumer demand away from caged eggs and toward free-range eggs.

Public preference for cage free eggs will no doubt continue to grow, therefore action must be taken by the industry and the NSW government to ensure that egg producers are in a position to meet this demand. HSI submits that a phase out of battery cages is necessary if the egg production industry is going to continue to keep pace with consumer demand in the future.

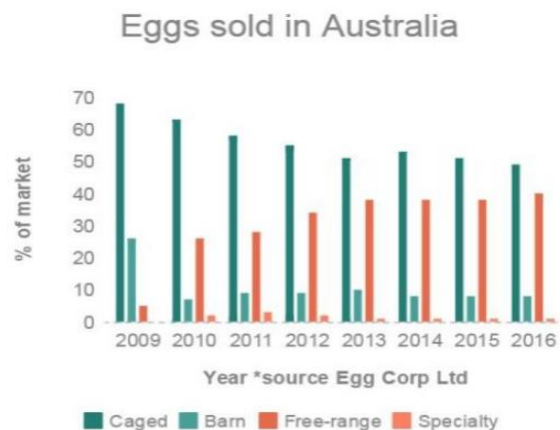


Figure 1 – ABC Rural 5 Jan 2017: Caged egg sales trend lower as demand for free-range increases

**e) the protection of consumer interests, including the rights of consumers to be fully informed of the sources of eggs in egg-containing products,**

While consumers have a right to truthful labelling, the parameters of what information is or is not required to be truthfully printed on a label are at the discretion of regulators.

Choice's 2012 'Survey on Consumer Expectations of Free Range Egg Labelling' found that 85 per cent of consumers choosing free-range did so for animal welfare reasons.<sup>17</sup> This

<sup>16</sup> Davey, M, above n 7.

<sup>17</sup> Parker, C., de Costa, J. (2016) Misleading the ethical consumer: The regulation of free-range egg labelling. *Melbourne University Law Review*. 39(3). 895-949. Availability: <https://search.informit.com.au/documentSummary;dn=195141552212725;res=IELAPA>

shows that consumers make purchasing decisions based on the information displayed on egg labelling, but they are at the mercy of regulatory bodies that decide what labelling information is mandatory.

HSI submits that, in the interests of transparency and informed decision making, consumers must be fully informed of the source of their eggs/egg products, and the animal welfare practices of the producer. The public is already distrustful of egg labelling following a historic lack of regulation around the use of terms such as “free range”. It should be required that stocking densities and hen accommodation should be reported in full on egg labelling for all producers, not just those claiming to be free range. This allows consumers to make fully informed purchasing decisions.

**f) the economic and social effects on New South Wales of:**

**i) banning, or not banning, the use of battery cages to contain or accommodate hens in the egg production industry, and**

Battery cages are already banned in the EU, Switzerland, some states in the US and are being phased out in NZ. It is clear that NSW, as Australia’s largest egg producing state, is on the back foot when it comes to layer hen housing, globally and domestically. Egg producers stand to lose market share as public preference continues to move away from battery cage eggs and toward cage free alternatives.

**ii) legislating, or not legislating, to prevent poor animal welfare outcomes to hens in the egg production industry of New South Wales and/or to set appropriate minimum standards of accommodation for the accommodation and treatment of hens in the egg production industry**

As above in (f)(i), the social and economic impacts of failing to improve welfare outcomes and minimum standards of accommodation for layer hens could be severe for NSW egg producers as they continue to lag behind global trends and community expectations toward improved welfare and cage free egg production.

**g) the advantages, disadvantages and issues of different egg farming production methods,**

In Australia there are essentially four different kinds of egg production: cage eggs, barn laid, free range, and organic.

Cage and barn laid eggs do not allow the hens access to the outdoors at all, and allow high stocking densities that are severely detrimental to the welfare of layer hens. Therefore HSI is of the view that free range (as defined by the Commonwealth Free Range Egg Labelling Information Standard 2017) and organic egg production methods, which have inherently lower stocking densities and allow hen access to the outdoors, are preferable.

While free range and organic egg production may require more land, more proactive monitoring, and more resources generally, the animal welfare benefits of such methods are significantly greater than any achieved by the continued use of battery cages.

**h) what measures should be taken to assist businesses that may be adversely affected by any proposed changes to the law,**

The peak industry bodies, Egg Farmers of Australia and NSW Farmers Egg Committee, as well as the NSW Department of Primary Industries should offer avenues of support (both financial and technical) for caged egg producers during and after any transition away from battery cages.

**i) what scientific literature says about the above matters, and**

The appropriate scientific literature has been referred to at the relevant points throughout this submission.

**j) any other related matter.**

*Enriched or Furnished Cages*

HSI is opposed to the use of furnished cages which are equipped with a nest box, perch, and dustbathing which have been developed as a better welfare option than the controversial battery cage. Despite the additional provisions, furnished cages provide an unacceptably limited amount of space per bird which, much like the battery cage, has dire health implications. Enriched cages fail to provide an adequate level of welfare for the hens and therefore should not be considered.

*CCTV*

In order to monitor layer hen welfare and ensure producer compliance with standards, HSI calls for mandatory independent CCTV monitoring of all animal handling areas to be introduced.

HSI welcomes this inquiry into the welfare of layer hens and the use of battery cages. We implore the Committee to recommend robust changes to the standards currently applies to layer hen housing and egg production methods. HSI strongly supports a phase out of battery cages and a shift toward cage free and free range egg production systems in NSW.

Furthermore, HSI encourages NSW to agree to a phase out of battery cages in the proposed Australian Animal Welfare Standards and Guidelines for Poultry.

Please forward any correspondence in relation to these submissions by email to \_\_\_\_\_ I can be contacted anytime on \_\_\_\_\_ or at the email address noted above.

Yours sincerely,

Georgie Dolphin  
Program Manager – Animal Welfare  
Humane Society International