

**Submission
No 471**

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

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Date Received: 25 July 2019

Submission to the Legislative Council Select Committee on the Use of Battery Cages for Hens
in the Egg Production Industry:

Inquiry into the Use of Battery Cages for Hens in the Egg Production Industry

25 July 2019

Thank you for the opportunity to lodge this submission to the NSW Legislative Council Select Committee on the Use of Battery Cages for Hens in the Egg Production Industry.

I am strongly opposed to the use of battery cages in egg production and call on the NSW Government to ban this practice. My specific concerns as per the Terms of Reference, part (a) (i) (poor animal welfare outcomes and/or practices), are:

- The practice of confining hens to battery cages is cruel, exploitative and unethical.
- Hens are forced to live in extremely small indoor spaces, under great stress with no ability to engage in normal and instinctual behaviours.
- Their beaks are burnt off leaving them with chronic pain.
- They also develop osteoporosis as well as foot and leg problems due to being forced to stand on wire floors.
- Hens who die are left next to living chickens with no concern about the effect this will have on other sentient beings of the same species.
- Lack of hygiene in the battery cage facilities is a significant bio-security risk both to the hens and workers as the sheds become full of ammonia from the waste of the birds.
- When a hen can no longer lay eggs and has no value to the farmer she is treated as waste and slaughtered with no consideration of the fact she is a sentient being rather than an object of production.
- Male chickens are macerated alive using industrial grinders, suffocated with CO2 gas or killed by cervical dislocation soon after being hatched as they are of no value to the egg industry. These practices are shockingly cruel and unacceptable to the community.
- The practice of forced moulting to increase egg-laying capacity of battery hens, where chickens are starved and deprived of water, also gives rise to serious animal welfare concerns.
- Being deprived of access to sunlight and fresh air is also unnatural and cruel.

In relation to part (b) of the Terms of Reference, regarding what legislative measures should be taken to (i) prevent poor animal welfare outcomes in the egg production industry of NSW and (ii) set appropriate minimum standards for the accommodation and treatment of hens in the egg production industry, it is useful to see what measures have been taken in other jurisdictions.

Battery cages in egg production have been phased out in the European Union, a process which began 20 years ago.¹ Battery cages for egg-laying chickens are also banned for animal welfare reasons in some US states including California, Michigan, Ohio and Oregon. They are currently being phased out in New Zealand and Canada. Tasmania began to phase out battery chicken cages in 2012² and the ACT has banned the use of battery cages via the introduction of the *Animal Welfare (Factory Farming) Amendment Bill 2013 (ACT)*³.

¹ See *European Union Council Directive 1999/74/EC* of 19 July 1999. Available at <https://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:1999:203:0053:0057:EN:PDF>. (Accessed 24 July 2019).

² See <https://www.abc.net.au/news/2012-05-18/tasmania-to-ban-battery-hen-farming/4019200>. (Accessed 25 July 2019).

³ Available at https://www.legislation.act.gov.au/b/db_48501/. (Accessed 24 July 2019). See also Michele Brennan, "ACT bans battery cages and sow stalls", 26/2/2014, Parliamentary Library, Parliament of Australia, Available at

I strongly encourage the Government to view the significant body of research from the veterinary and scientific communities that has led to these changes in other jurisdictions.

There is also widespread support for the abolition of battery cages from animal rights organisations such as Animal Liberation, Animals Australia and Voiceless as well as the RSPCA and Humane Society International. The ethical dimensions of genetic engineering for intensive egg production and its unnatural and painful effects on growth and physiology, is another relevant issue that attracts strong community concern.

In conclusion I urge the NSW Government to implement the following reforms:

- An outright ban of the use of battery cages for egg production.
- An outright ban on the debeaking of hens.
- An outright ban on the maceration, suffocation or killing by other means of newly hatched chickens.
- If the Government is not prepared to ban these practices outright, set a clear timeframe for their abolition and phasing out.
- Amend laws and regulations to prohibit the confinement of laying hens in cages.⁴
- Amend laws and regulations to prohibit the debeaking of hens.⁵
- Amend laws and regulations to prohibit the maceration (grinding up alive), suffocation or killing by other means of newly hatched male chickens.⁶
- Introduce relevant penalties.
- Introduce an Animal Welfare Code of Practice under the *Prevention of Cruelty to Animals Regulation 2012* (NSW), Schedule 1 - Animal trades and relevant Codes of Practice and Standards, that sets minimum standards that ensure the physiological and ethological needs of hens are always met.
- Make representations that the *Model Code of Practice for the Welfare of Animals – Domestic Poultry*, 4th edition, issued by the Agriculture and Resource Management Council of Australia and New Zealand ⁷, be amended to reflect any amended NSW laws and regulations that result from this current Inquiry.
- Make it mandatory that farmers work with rescuers and sanctuaries to rehome hens rather than slaughtering them.

The community does not accept that higher profits should take priority over the welfare of hens.

Mary Ann Gourlay

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https://www.aph.gov.au/About_Parliament/Parliamentary_Departments/Parliamentary_Library/FlagPost/2014/February/ACT_bans_battery_cages_and_sow_stalls. (Accessed 24 July 2019).

⁴ See Division 2, *Prevention of Cruelty to Animals Regulation 2012* (NSW).

⁵ See *Prevention of Cruelty to Animals Act 1979* (NSW), s 12 Certain procedures not to be performed on animals. Add sub-sections to prohibit debeaking.

⁶ See *Prevention of Cruelty to Animals Act 1979* (NSW), Part 2 Offences. For example, add a new s 21E that prohibits the maceration, suffocation and killing by other means of male chicken hatchlings.

⁷ See <http://www.publish.csiro.au/ebook/download/pdf/3451>