

Submission
No 477

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

Organisation: Macquarie-Blue Mountains Animal Justice Regional Group.

Date Received: 24 July 2019

Animal Justice Party, Blue Mountains Regional Group

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

Dear Sir/Madam,

The Blue Mountains Regional Group of the Animal Justice Party appreciates the opportunity to lodge the following submission to the NSW Legislative Council Select Committee on the Use of Battery Cages for Hens in the Egg Production Industry.

Our AJP members are strongly opposed to battery cages and ask that the NSW government outlaw this system of production in NSW and implement swift transition arrangements to assist the industry to adjust to a far more humane system of egg production.

Hens are living, feeling individuals, capable of experiencing pain, fear and distress. They exhibit a range of complex cognitive skillsⁱ. (Such as a perception of time passing; good communication skills, use of deductive reasoning to predict social interactions and a good memory.) Hens enjoy the social companionship of their flock and they have the capacity to exhibit their unique and individual personalities. They need to perch, scratch, nest, bathe in the dust and stretch and flap their wings.

As feeling beings, hens deserve the right to exhibit their natural behaviours, and to be given the chance to enjoy natural sunlight and fresh air.

Some more specific arguments are set out as follows under the Inquiry Terms of Reference.

(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,

Using a battery cage to contain hens in egg production facilities is inherently cruel and it causes unnecessary suffering. Confinement for life in a small wire cage with an area of an A4 page causes significant specific harms that cannot be overcome by management practice:

- extreme behavioural deprivation;
- the highest rates of disuse osteoporosis (brittle bones) and bone fractures at depopulation than any other production system; and
- the highest rates of non-infectious diseases such as fatty liver disease

The abnormally high egg production by layer hens is achieved by artificial lighting and breed selection that predisposes animals to aggression and other forms of harm.

Hens are usually slaughtered at only 18 months of age, well short of their natural life span of 10 years. The associated practices such as de-beaking, 'forced moulting' via starvation, in addition to other practices such as male chicks as 'wastage' gives no consideration to their welfare.

II. justified by any other consideration, and

The justification for the use of this battery cage generally proffered by industry and government alike is economics; greater profitability coupled with lower monetary costs, providing lower cost form of protein to the community.

There have also been arguments put historically that animal welfare of battery cages is good because of the high productivity achieved. This is a fallacy based on poor science and self interest of the egg industryⁱⁱ. The mental wellbeing of hens has not been a consideration but needs to be. The generation of greater profits for industry do not justify suffering on this level. Similar arguments were put forward by the slave trade as a justification of its continuance.

As for the affordability of eggs to consumers, RSPCA quote a figure of non battery cage eggs costing of 15-20 cents additional per egg- less than the cost of a bottle of water for a dozen eggs.

The Australian Senate Committee on Animal Welfare in 1990s concluded that an end to battery cages should be considered when viable alternative systems with welfare advantages are available.ⁱⁱⁱ Clearly that evidence is now available and major egg producing countries such as those in the EU have shown that transition to more humane production systems is viable. Sweden and Switzerland showed long ago that egg production was viable without the use of battery systems.

III. consistent with community standards and supported by the public,

The current dominance of egg production by battery systems is not consistent with community standards. The public has increasingly demanded cage free eggs, as witnessed by the increasing shelf space dedicated to these eggs on supermarket shelves and the public undertakings by many large high visibility companies to cease the use of eggs produced under the battery cage system.

In addition to the market expression of public opinion, independent surveys conducted by the RSPCA show that a large majority of Australians support the banning of battery cages^{iv} and improved animal welfare across the wider agricultural industry.

This demand by consumers is occurring despite the egg industry working to avoid the public being informed about the extent of abuse suffered by chickens in the egg production industry and despite community knowledge and concern that egg labelling is not consistent nor reliable. None the less there remains a strong desire by the community to send signals to the market showing a willingness to pay for cage-free eggs.

(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,

Battery Cages should be phased out. The EU has demonstrated how that can be achieved, allowing producers to transition by adapting their existing infrastructure.

The current legislation and codes of practice legalise animal cruelty. Legislation and Codes of Practice should be framed so as to treat animal welfare as the primary consideration, with productivity and efficiency as correlated benefits. This will require formulation of codes to be based on independent animal welfare science, free from conflict of interest that pervades the industry-dominated governance structures responsible for the current standards.

The development of new standards should not be overseen by the Agriculture portfolio of government, which has an inherent conflict of interest on this issue.

The new standards should be backed by adequate monitoring and enforcement by an independent authority. This is essential, as much of the community pressure for change has been the result of exposure by whistle blowers and external groups, of the cruelty of current practices. If government is now acting to prosecute such actions by citizens via ag gag legislation, the government must assume the obligation of effective and transparent monitoring and enforcement of acceptable standards of animal welfare.

Efforts must also be made to introduce the improved standards across all states as a uniform National Code in order to avoid creating complexity of regulation and unfair competition across the different jurisdictions in Australia.

II. set appropriate minimum standards of accommodation for the accommodation and treatment of hens in the egg production industry,

The extreme behavioural restrictions inherent in battery cages must be removed by banning and swift phase out. Hens must have adequate room to exhibit their natural behaviours, being: to stretch out, flap their wings, scratch, jump, forage, perch, nest, dust bathe, preen, and exercise.

Hens must also be provided with protection and shelter, and enough space and appropriate group size to allow pecking order to be safely established. These minimum standards for cage-free systems should be mandated in the enforceable code.

Studies have shown that some of welfare risks presented by cage free egg production systems can be mitigated and managed to acceptable levels by good management and appropriate breed selection.^v Good management practices must also then be codified as they will be essential to provide sufficient resources for hens to share.

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

- I. the environment, and
- II. health of workers,

The opportunity should be taken to reduce pollution from intensive farming and to provide improved environmental conditions for both hens and workers. The mental health of workers can also be improved if they are not forced to witness and participate in ongoing abuse of hens, something that brutalizes some people working in such inhumane systems.

(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,

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

As noted above there is a world-wide trend of consumers demanding better animal welfare in food production systems. Whilst the market is responding to some degree by taking action to reject eggs produced by battery cage systems, animal welfare is an externality in the economic system and thus reliance on the profit motive will not produce sufficiently comprehensive improvement in welfare conditions. Acceptable progress in welfare of hens will only be achieved by legislation and enforcement.

Consumer law requires correct product labelling. Current labelling is confusing and often misleading. Consumers want transparency about where their food comes from and which practices they fund via purchases. The Code as amended should enhance clarity, truthfulness and full disclosure in product information to consumers regarding the features of the production system under which the chickens and hens are bred and kept. Self regulation by the agricultural industry is not effective and is not acceptable.

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

Battery cage systems are inherently cruel and the welfare issues cannot be overcome by good management. The welfare and cost disadvantages of other production methods can be overcome by good management practices and appropriate transition arrangements including breed selection. (See previously cited Elson 2015)

(i) what scientific literature says about the above matters,

According to credible scientific research, farmed animals are sentient, emotionally complex, and intelligent. (See the earlier reference to a comprehensive treatment of this subject by Malcom Caulfield (2018)). It is critical to welfare outcomes that both the physical and behavioural aspects of welfare be considered and provided for.

(j) any other related matter.

1. Currently there is a disproportionate influence by the animal use industry in the framing and implementation of the animal welfare policy. It is essential that the submissions to this Inquiry receive a full and independent consideration and that that policy is similarly framed by government departments who are not also responsible for promoting the agricultural industry.

It is also worth considering that the interests of the industry itself may be best served by moving toward more humane food production systems- Australia prides itself on being clean and green; compassion is also a feature that appeals to consumers and can help to promote a viable future for the industry.

2. More work is needed on the most humane methods of slaughter. The widely used method of carbon dioxide gassing still causes high levels of distress and pain in the hens.

3. Pain relief should be mandated for painful procedures

4. The issue of male chicks being routinely killed at a day or two of age needs to be further considered and a means of avoiding this mass slaughter and waste found. The question is not a straightforward one. In-ovo sexing is being developed but is likely to only be available to large agri - companies further consolidating egg production into the hands of large scale industrial producers and squeezing out small scale producers.^{vi} This runs the risk of concentrating power over the future of billions of animals into the hands of a few, something that may well work against long term animal welfare interests.

There is also the issue that the routine slaughter of billions of male chicks also represents a waste of economic resources that should be avoided on that ground alone.

This is not a straight forward issue and the options should be publicly debated as part of formulating an appropriate way forward.

Thank you for considering the views of the AJP Blue Mountains Regional Group.

ⁱ Marino,L (2016) Thinking Chickens: a review of cognition,emotion, and behaviour in the domestic chicken. *Animal Cognition* 20:127-147.

ⁱⁱ Caulfield, M (2018) *Animals in Australia Use and Abuse* Vivid Publishing, pp52-62.

ⁱⁱⁱ Caulfield, M (2018) *Animals in Australia Use and Abuse* Vivid Publishing, pp 70.

^{iv} RSPCA (2016) *The Welfare of Layer Hens in Cage and Cage-Free Housing Systems*

^v Elson, HA (2015) Poultry welfare in intensive and extensive production systems. *World Poultry Science Journal* 71:449-460

^{vi} New Food Economy www.newfoodeconomy.org