

ANIMAL WELFARE (LAYER HENS) CODE OF WELFARE AMENDMENT 2013 REPORT

Introduction

1. The Animal Welfare (Layer Hens) Code of Welfare 2012 (the Code) was issued on 6 December 2012. This report accompanies a 2013 amendment to the Code.

The report notes:

- the reasons for NAWAC's recommendations;
- the nature of any significant differences of opinion about the Code, or any provision of it, that have been shown by the submissions; and
- the nature of any significant differences of opinion about the Code, or any provision of it, that have occurred within NAWAC.

In providing this report, NAWAC notes that it fully considered all submissions it received and reviewed relevant scientific literature, and that there was debate among NAWAC members on many points. This report is not required to, and does not attempt to, show every detail of the analysis and discussions that took place.

Amendment preparation and public submissions

2. The poultry industry submitted that NAWAC underestimated the problems it would have in meeting the transition timetable set down in the Code. In response to these concerns NAWAC commissioned an independent assessment (Harris Consulting, 2013) of the feasibility and practicality of the changes it had recommended.
3. NAWAC considered the findings of this assessment on 15 May 2013 and accepted the consultant's view that the transition dates in the Code were likely to result in a high risk of price and supply volatility during the phase-out.
4. Section 78 of the Animal Welfare Act sets out the process for reviewing codes of welfare, and requires that NAWAC must consult the public on every draft code. The discussion document with the proposed changes to the Code was publicly notified on 20 June 2013 by notices in the major newspapers in Auckland, Wellington, Christchurch, and Dunedin. In addition, it was sent to specific interested individuals and groups, including all those that had made submission on the Code in 2011. The closing date for submissions was 2 August 2013.
5. A total of 26 full submissions were received during the public consultation period. In addition 49 SAFE standard letters were received. All submissions were read in their entirety and taken into account. A summary of the submissions received was prepared and NAWAC's responses to the submissions were noted.

6. All submissions were considered by NAWAC and on 14 August 2013 NAWAC agreed to recommend the Amendment to the Minister.

Phase out dates for Cages

7. NAWAC considers that the use of cages, also known as battery cages, do not provide adequate welfare for layer hens and the Code requires battery cages to be phased out by 31 December 2022. There are three transition steps within the ten-year period.
8. In addition to a thorough consideration of animal welfare objectives, NAWAC must consider a range of additional factors when proposing a transition from current practices. These factors, under section 73(4) of the Animal Welfare Act include (but are not limited to) the economic implications that the change will have on stakeholders and the feasibility and practicality of complying with requirements of the Code once it is issued. The industry data that NAWAC had access to prior to finalising the Code implied that average egg prices would increase to cover the additional cost of colony cages or barn-based farming systems. While NAWAC was aware that there was likely to be some short-run price volatility on the way to a new battery cage-free equilibrium, there was insufficient data to estimate either the magnitude or the certainty of the potential temporary price increases. Subsequent analysis of more detailed data received after the Code had been issued suggested that a significant short-run disruption in the supply of eggs would be highly likely. Because of the nature of the demand for eggs, a significant reduction in supply in the short term can be expected to result in severe price increases. These market disruptions would be most significant for low-income consumers, for whom eggs represent an important source of high-quality protein. Similar market dynamics have been observed in recent months overseas, where producers have struggled to comply with deadlines for industry-wide bans on non-welfare friendly production methods.
9. Although the industry and NZVA supported the proposal, the majority of submissions did not support delaying each of the transition steps by 2 years nor did they agree that the existing phase-out requirements for battery cages were not practical or feasible. Some submissions also wanted the final phase out to also be extended by two years.
10. NAWAC considers that the egg price and supply volatility could be significantly reduced by amending the code to delay each of the transition steps by two years, while still retaining the final date when cages will be prohibited. This means that the first transition date would happen at the end of 2018 instead of 2016, the second transition would be at 2020 instead of 2018, and the final phase out would remain 31 December 2022, after which no battery cages would be able to be used.

Claw shortening devices in Cages

11. NAWAC proposed a relatively minor change to the Code to remove the requirement for battery cages to have claw-shortening devices installed prior to their being phased

out. Submissions either supported the proposal or were concerned that this was just another delay to the removal of battery cages.

12. NAWAC's priority is to have hens out of cages as soon as possible and would rather see farmers concentrate their efforts on transitioning out of cages rather than on this short-term housing design change. However, NAWAC understands that some producers may be contemplating modifying their existing cages and believes if they can afford that cost then logically part of any modification should also include the addition of these devices.
13. NAWAC therefore recommends amending the Minimum Standard to require that suitable claw shortening devices be fitted if any cage modifications are made, rather than removing the requirement for claw shortening devices to be installed in all cages completely.

Stocking Density in Barns

14. NAWAC having consulted with the industry, affected parties and the public, decided to set in the Code maximum stocking density standards of 7 birds per square metre for birds without access to the outdoors and 9 birds per square metre for birds with access to the outdoors. In the latter case the intent was that the available area included any covered areas adjacent to the barn, commonly referred to as winter gardens, to which the birds had continuous access during daylight.
15. NAWAC also recognizes that the Code placed farmers already stocking at more than 9 hens per square metre in the undesirable situation of having to cull birds to meet the new standard. So while requiring a stocking rate of 9 birds per square metre, the¹ amendment will allow existing flocks stocked at more than 9 hens per square metre to complete their laying cycle.

The nature of any significant differences

16. All significant differences of opinion about the Amendment, or any of its provisions, have been set out above or in NAWAC's response to submissions.

Dr John Hellström

Chair, National Animal Welfare Advisory Committee
12 September 2013

¹ The Minister for Primary Industries issued the Amendment Notice in December 2013 without a change to the stocking density due to the small number of farmers affected, most of whom will have in any case become compliant with the new stocking level in the twelve months since the code was issued.

References

Harris Consulting (2103). Review of transition provisions for the code of welfare for layer hens. Report for the National Animal Welfare Advisory Committee. Pp38. Accessed on 22 August 2013: <http://www.biosecurity.govt.nz/animal-welfare/codes/layer-hens/index.htm>