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Submission on the Free Range Egg Labelling Information Standard

Vegan Australia welcomes the opportunity to make this submission on the Free Range Egg Labelling Information Standard Exposure Draft. We hope this submission assists in ensuring the best outcomes for both animals and consumers.

Vegan Australia is a national organisation that informs the public about animal rights and veganism and also presents a strong voice for veganism to government, institutions, corporations and the media. Vegan Australia envisions a world where all animals live free from human use and ownership. The foundation of Vegan Australia is justice and compassion, for animals as well as for people and the planet. The first step each of us should take to put this compassion into action is to become vegan and to encourage others to do the same. Veganism is a rejection of the exploitation involved in commodifying and using sentient beings.

In this submission, Vegan Australia will argue that the existence of commercial egg production in Australia is inherently unethical. Furthermore, it is the position of Vegan Australia that allowing producers to market free range eggs as an ethical alternative is misleading and deceptive conduct, as it constitutes a failure to properly inform consumers of the ethical implications of commercial egg farming.

As an alternative, Vegan Australia proposes a ten year phase out of egg production in Australia concurrent with the phasing out of other animal industries. Failing to do so is to ignore the well-being of intelligent, emotional individuals.

The cognitive and emotional lives of chickens

Many people believe that chickens are unfeeling, unthinking creatures, but recent science has shown this characterisation to be false. Chickens, including the hens who lay eggs in commercial operations, are emotional, intelligent, and cognitively complex individuals, and deserve to be treated as such.

Despite being one of the animals with whom humans interact most frequently, research into the emotional lives of chickens is quite recent. Historically, research into animal emotions, in particular emotions in animals such as chickens, was viewed as anthropomorphic (a "cardinal sin" in animal research)[1]. Fortunately this attitude is changing, and in recent years, much has been learned about the lives of chickens. Chickens have been found to be capable of expressing empathy[2]; they form friendships (including interspecies friendships)[3]; and they feel many of the same emotions that humans do, including grief, fear, enthusiasm, anxiety, frustration,

friendship and boredom[4].

Just as chickens have complex emotional lives, they also have complex social lives. Naturally, red jungle fowl, the ancestors of chickens, live in small groups of about 6 individuals[5], however modern chickens are capable of functioning in groups of up to 100 individuals. Each member of the group is capable of recognising each other member of the group[6], and knowing where they fall in the social hierarchy[5]. Dominant members of the group model acceptable behaviour, which less dominant members learn[5]. Chickens will also coordinate activities as a group, including foraging, nesting, and defence[5].

In order to live such complex social lives, chickens have developed sophisticated communication. Chickens have over 30 vocalisations that they use to communicate, which they combine with visual, olfactory and tactile cues to convey a large range of meanings[4]. They are capable of using referential and representational forms of communication (a trait more commonly associated with primates)[7], and they change the content of their communication to suit their audience[8]. This communicative ability begins very early in life, beginning before hatching[9].

To facilitate this emotional, social, and communicative complexity, chickens have remarkably advanced cognitive abilities. Chickens are able to retain learning and apply it to future situations[10]; they are able to use adaptive and flexible decision making to solve novel problems[5]; they have long term memory of individuals and events[11]; they can anticipate future events and rewards; hens will adaptively teach their young according to their progress[7]; and immediately after hatching, chicks are capable of basic arithmetic, physics and geometry that human children only learn after several years of life[12]. Chickens have lateralized brains, a characteristic historically thought to be unique to humans, which gives them the capacity to multi-task[9], and the regions of their brains that deal with complex memory and problem solving that are similar to humans[7].

While Vegan Australia does not believe that an animal's intelligence determines the value of their life, it is important to recognise that chickens are not unthinking, unfeeling, automata. Each hen on each egg farm (to say nothing of the male chickens who do not even get that far) is an intelligent, emotional, sentient individual, and should be treated accordingly.

The reality of egg farming

Vegan Australia does not support the proposed Free Range Egg Labelling Standard, as this standard may lead consumers to falsely believe that the ethical problems with egg production have been adequately addressed by free range methods. In reality, merely allowing hens 'meaningful' access to an outdoor range and enforcing a maximum stocking density of 10,000 hens does very little to address the multitude of ethical problems resulting from egg production.

Even in 'higher welfare' systems, such as free range, virtually all male chicks are killed soon after hatching, as they are useless to both the laying and chicken meat industries. In Australia, this is done either by maceration (commonly known as 'shredding') or by gassing with carbon dioxide[13]. Earlier this year, the organisation Aussie Farms released Australian first footage of male chicks being macerated[14], which garnered

some media attention. Despite being a universal practice, even after the media attention, most consumers remain unaware of the reality of their food choices on male chicks.

The bodies of domestic chickens are ill-equipped to deal with near-daily laying. Red jungle fowl, the ancestors of chickens, only laid 10-15 eggs per year[15]. It is through persistent breeding, to the detriment of the health of the individual hens, that this rate has been drastically increased to current levels. Egg laying takes a huge amount of resources from the chickens' body. While laying, hens consistently lose bone density, resulting in osteoporosis[16] and, consequently, suffer from significantly increased risks of fracture and reduced ability to repair said fractures[17]. While these conditions are exacerbated by keeping layers in caged systems, free range systems do not solve the problem as the ultimate cause, near-daily laying, remains unchanged. Unsurprisingly, near-daily egg laying can also result in a number of reproductive illnesses, irrespective of whether the hens are caged, free range, or even backyard chickens[18].

Whether in caged or free range systems, layer hens are kept at stocking densities that far exceed those found in nature. A chicken is capable of recognising up to 100 individual birds, and can understand her place within the hierarchy of the group[5,6]. This place is determined through acts of minor aggression (this is the origin of the term 'pecking order'). Commercial facilities typically have tens of thousands of hens, making the establishment a hierarchy impossible. As a result of this, pecking and other acts of minor aggression, which are naturally a relatively harmless way to establish the social order, become an ever present threat to the well-being of hens.

In natural groups, the strongest hens express their dominance by geographical proximity to the dominant roosters, with the most dominant hens staying near the roosters while the subordinate hens are forced to the outer edges of the group[19]. In cage-free laying systems, similar behaviour is observed; however, instead of the dominant hens maintaining control over the (non-existent) roosters, they instead maintain control over the primary food sources. As a result, competition over food results in aggressive behaviour between chickens, even when the supply of food is plentiful. Access to outdoors, and thus alternative food sources, is insufficient to mitigate this at commercially viable stocking densities.

For a chicken living in a farmed environment, including a free-range environment, their lives involve not only constant stress, but also physical injury and death. Feather loss is common across all housing systems as hens constantly fight for superiority[20]. Another common aggressive behaviour exhibited by farmed hens is vent pecking: the pecking of the cloaca (external opening), most commonly immediately after laying. Vent pecking can be fatal, and has been found to be more common in free range systems than cage or barn systems[20]. These behaviours frequently lead to the deaths and cannibalism of hens who succumb to their injuries[21].

To combat these stress-induced behaviours, it is common practice to partially amputate the beaks of the layers to prevent pecking (commonly known as 'debeaking' or 'beak trimming'). Partial beak amputation most commonly occurs in the first day of life, immediately after the sexing of the chicks, and is often redone at around 8-12 weeks of age. Two methods are common in Australia: infrared and hot blade[22]. Both of these cause pain, stress and trauma to the hens[23]. Partial beak amputations frequently cause neuroma, a growth of nerve cells in the beak, resulting in chronic pain[24]. The procedure also partially removes one of the hens primary ways of interacting with the

world; the beak is used for feeding, drinking, preening and sensing[25].

The natural lifespan of a chicken is up to 12 years, however layer hen productivity decreases with age, and so commercial pressures ensure that the hens are replaced regularly. Before they are considered 'spent', hens may be subjected to "forced molting", a one to two week period during which their food is withheld. This causes the hens to devote more energy to egg production in the final weeks of their lives, extending their commercial usefulness. Laying hens in Australia are usually considered 'spent' at about 72 weeks of age[26]. At this time, they are roughly gathered up in a process known as 'depopulation', which frequently results in bone breakages[20], and sent to slaughter.

Misleading or Deceptive Conduct

Section 18(1) of the Australian Consumer Law states that:

A person must not, in trade or commerce, engage in conduct that is misleading or deceptive or **is likely to mislead or deceive**. (emphasis added)

Vegan Australia contends that by marketing free range eggs as an 'ethical' alternative to other production systems, while omitting information on other ethical problems inherent to egg production, consumers are likely to be misled and deceived.

All of the problems discussed above exist regardless of the system used. While a few of these problems are somewhat reduced in free range systems, most are not, and some are even made worse. 68% of consumers who buy free range eggs do so for animal welfare reasons[27]; the primary reason consumers choose to buy free range is because they believe this is an ethical choice. Vegan Australia believes that presenting the choice of free range eggs as an 'ethical' option to this large section of consumers who want animals to be treated well, constitutes misleading and deceptive conduct by failing to properly inform consumers of the ethical implications of their choices.

According to the Information Standard's Explanatory Statement: "It is relatively easy to mislead consumers and there is a financial incentive for producers to do so." We believe that the introduction of free range labelling will further legitimise this deception.

Concluding Remarks

Commercial egg production in Australia is an ethically fraught endeavour; it necessarily causes harm to sentient beings regardless of whether a caged, cage-free, or free range system is used. Allowing free range producers to position themselves as an ethical choice obscures the reality that, when it comes to egg production, there is no ethical choice. While some aspects of welfare are improved in free range production, many are not, and some are made worse.

Vegan Australia proposes a phase out of egg production in Australia over 10 years because we acknowledge the reality that there is no possibility of an ethical choice when it comes to eggs. Public support of the egg industry is built on campaigns of miseducation, and information suppression, often supported by governments. As long as consumers remain unaware of the ethical implications of their decisions, the representations made by free range egg producers are misleading and deceptive. Vegan Australia believes that the Free Range Egg Labelling Information Standard should not be

put into effect. Instead, education campaigns should be implemented to build public awareness of the inevitable suffering caused by the egg production industry. These should be accompanied by campaigns to educate the public that there is no need to consume eggs and that there are many simple, tasty and healthy ways to replace eggs in food preparation.

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