



Animals Australia submission  
to

## **THE AGRICULTURE AND FOOD POLICY REFERENCE GROUP**

***Re: Ensuring a profitable and sustainable agriculture and food sector in Australia***

July 2005

### **Introduction:**

Animals Australia welcomes this opportunity to provide input to this forward-looking reference group, and urges the group members to fully consider community views during deliberations.

Animals Australia is a peak body representing some 35 animal welfare organisations. Formed in 1980, Animals Australia continues to provide significant and reasoned input to the community debate about the welfare of animals. Animals Australia represents its constituency on key government and other animal welfare advisory bodies; including the National Consultative Committee on Animal Welfare (advising the Federal Agriculture Minister), and State and Territory Animal Welfare Advisory Committees. Over the past 3 years the Animals Australia Executive Director has provided key input to the development of the Australian Animal Welfare Strategy, and will be further involved in the consequent 'Action Plans' and implementation.

The primary and 'formal' purpose of Animals Australia is *'to protect animals from exploitation and suffering and permanently improve the lives of all animals in Australia'*. Given the very large numbers of animals involved with agriculture directly, and the effect also on wildlife and introduced wild animals that impinge upon farmland, the issues raised by the Reference Group are of considerable interest and concern to Animals Australia.

Our key policies in regard to the use of animals in agriculture relate to the prevention of suffering through 'surgical' mutilations (undertaken without pain relief) and the need to provide environments and resources that provide animals with behavioural and physical well being. There are therefore many current agricultural practices of great concern to Animals Australia and which are not sustainable – e.g. long distance transport of animals for slaughter, close confinement of animals in intensive farming (pigs, hens, chickens, beef cattle feedlots), mulesing, de-horning, tail docking, castration and many more such practices.

Whilst the community and consumers remain largely unaware of these practices, the agricultural community are increasingly aware that this is a sleeping giant. Disclosure will occur and changes will be forced upon these industries. The crucial question is really whether the industries, ideally with Government leadership, can move now to address the animal suffering that is inherent in many of the current animal farming systems in Australia.

This submission will attempt to follow the layout of the Discussion paper.

## **AA comments on specific Sections of the Issues Paper:**

### **B: Markets for agriculture and food**

Both domestic and international markets for Australian agricultural products will be affected by a number of factors, but increasingly consumers are interested in the manner in which a product is 'made'. Understandably this has usually involved assurances of a hygienic product, and increasingly assurances have been sought in regard to environmental standards and animal welfare/humane considerations. Dolphin-safe tuna, free range eggs and other products (particularly 'organic' products) have led the way, and most recently a request for 'mules-free' wool has shown that as community awareness grows, key demands of production systems will also be made. Any consideration of future markets must recognise this increasing consumer awareness and concern.

This also raises the issue of adequate descriptive labelling (discussed further below) – for domestically produced food and imported products – to enable consumers to distinguish between products 'produced' within either assured humane systems or in unacceptable systems.

#### International Markets:

The World Trade Organisation (WTO) negotiations currently take no account of production systems for most agricultural practices – merely describing the end product. Australia is in a position to lead the world in humane animal production systems if needed reforms (as will be documented in the implementation plans of the Australian Animal Welfare Strategy) are undertaken.

However, without recognition of improved or (eventually) superior practices, and with no legal means to prevent the trade, the 'free trade' environment will mean that cruelly-produced (and thus cheaper) animal products will be permitted to be imported without consumer recognition of the suffering involved. Similarly, exported Australian products, without recognition or labelling of production systems, will have difficulty competing with cheaper similar end-products from other countries.

Animals Australia therefore urges the Reference Group to press for consideration of animal welfare as an essential tenet of the further WTO talks in regard to proper assessment and consideration of the need for humane standards to be maintained and not undermined by WTO rules. If a WTO member country prohibits or modifies a practice to improve welfare, then that country should also be able to prohibit the import of products that are produced in an inferior system (i.e. if battery caging of hens was banned in Australia, then battery cage-derived eggs should be prohibited imports).

#### Domestic Markets:

The 'Issues' document rightly acknowledges that there are opportunities for the agricultural sector through new markets;  
*'For example, 'organically certified' food grown and prepared under specified conditions represents a small but growing segment of the market that has developed in response to demand for 'natural' foods.'*

As more Australian and international consumers become aware of the animal welfare and 'production disease' (genetic and environmental) associated with intensive livestock production systems, such opportunities (organic and free range farms) will no longer be viewed as merely

'niche markets', but rather an indicator of future broad consumer demands. The BSE crisis in Britain particularly led to a new awareness on the part of consumers that livestock housing and treatment standards were a crucial part of the food cycle and that significant improvements were needed.

As stated in the 'Issues' document,  
*'Consumers are also taking more interest in the origins of their food and the processes underpinning its production, including the use of pesticides, animal welfare and environmental management'*.

From this greater 'interest' of consumers of animal products and the broader community in the welfare of animals, come two key issues for the agricultural sector;

- the first being how the agricultural sector can improve its own animal welfare standards and how to assure universal compliance, and
- the second is how those assured standards can be communicated to consumers.

These two aspects are of great interest to Animals Australia and its members and supporters and will be addressed in turn here.

### **Current animal welfare standards in Australia**

Animal welfare is constitutionally a matter for the States and Territories. Each State and Territory has its own animal welfare legislation, and most also have their own Animal Welfare Advisory Committee/Council (AWAC).

However, the federal Government has jurisdiction over some aspects of issues relating to animal welfare – particularly those related to the export of animals (e.g. livestock exports for slaughter), or wildlife products (e.g. management of commercial kangaroo killing for export), and the import of animals and animal products (e.g. fur products or endangered species).

The Federal government has also understood the need for a national approach and expert advice on all animal welfare issues, and so in 1989 established the National Consultative Committee on Animal Welfare (NCCAW) which advises the federal Minister for Agriculture, now the Hon. Peter McGauran.

Codes: In addition to those issues of direct responsibility, at least since the early 1980s the federal Government's agriculture Minister and department (variously named over the years) has assumed a coordinating role in developing 'Model Codes of Practice for the Welfare of Animals' [often called the 'pink codes'] for each of the animal-based agricultural industries. This occurred with the aims of reducing duplication of effort and to achieve consistent standards across the country. This has been undertaken through the Primary Industry Ministerial Council (and its predecessors) and its subordinate committees, particularly the Animal Welfare Working Group (AWWG) which has representatives from the agriculture departments of all the States and Territories.

These 'Model' codes, whilst developed at the national level, may be altered at the State/Territory level due to the need for consistency with that jurisdictions legislation, due to advice or pressure from the AWACs or other stakeholders, or because the issues (climate, distances, industry practices) may vary across Australia. They then become State/Territory Codes (called Standards in Tasmania).

The Codes are **not legally enforceable** in the States and Territories except for in South Australia where non-compliance can be an offence. Proof of compliance with a Code provides a

defence to a cruelty charge in each of Victoria, Queensland and Western Australia. In the remaining States of Tasmania and New South Wales, and in the ACT and Northern Territory, the only 'legal' role of Codes is that a court may 'recognise' the document as indicative of a minimum accepted standard of conduct in that industry.

Whilst some casual observers believe the Codes in concert with animal welfare legislation form the basis of viable 'animal welfare standards', it is the considered and experienced view of Animals Australia that this is a misrepresentation of a harsh reality for agricultural animals in the country. In our view Codes do not provide an animal welfare benefit and in fact, authorize and sanction cruelty to animals (through description in the Codes). Codes of Practice exist primarily to permit practices to agricultural animals that would normally be considered prosecutable breaches of the general provisions of animal protection legislation in each state of Australia.

The existing 'Codes of Practice' system fails to protect the welfare of animals in Australia. In summary, it does so due to:

- the legal exemptions permitted to operators from prosecutions under cruelty provisions under relevant animal protection laws in most jurisdictions for practices which arguably comply with the Codes;
- the combination of 'motherhood statements' and descriptions of permitted practices that cause animal suffering in the various Codes;
- the lack of inspection, absence of auditing for compliance, and failure to enforce even minimum standards, by agriculture authorities or officers authorized under welfare legislation;
- the clear examples of widespread lack of compliance with even minimum standards within Codes of Practice which in themselves could be ethically and scientifically argued to be cruel;
- considerable evidence available through media statements and letters from industry bodies, retailers and government representatives that the existence of Codes of Practice have been used to alleviate the concerns of consumers questioning the welfare aspects of methods of production of agricultural animals.
- thus, the community has been misled to believe that welfare standards for agricultural animals are equal to that of domestic animals, have been of primary consideration, are regularly monitored and are enforceable. As a result consumers have been prevented from making a considered choice of purchasing more humanely produced products and in doing so encourage the further development of such systems.

There is currently a review of the Codes of Practice system in Australia. Called the Neumann Report (Geoff Neumann and Associates, February 2005), the PIMC will consider the future of Codes of Practice soon. Animals Australia has provided a detailed submission in response to that Report, outlining evidence and examples to support the dot points above, and arguing that Codes should be abandoned totally. That submission can be made available to the Reference Group if required.

Recent 'high profile' examples of the failure of voluntary Codes systems to protect both animals and the reputation (and thus sustainability) of the agricultural sector are the live export of sheep (inadequate standards and enforcement) and the exposure of the mulesing mutilation (permitted

only through description in the sheep code). There are many similar but currently low profile examples that will inevitably be exposed over time.

The failure of this Code 'system' is therefore, and will remain, a contributory factor to an unsustainable agricultural sector unless reform proceeds urgently.

### **Wildlife and Introduced Species:**

In addition to the known issues related to housing and husbandry practices that cause animal suffering of farmed animals, the use by farmers of practices that lead to the suffering of vertebrate 'pests', whether native or introduced, is also likely to become a consumer and trade issue.

#### Wildlife:

The killing of species that are normally protected through the provision of destruction permits is often seen as virtually a 'right' of farmers. The killing of kangaroos and wallabies (Tasmania) to reduce grazing pressure is afforded often only cursory inspection and surveillance by wildlife authorities – for example in Victoria requests for kangaroo killing permits may not even involve an on-site inspection, nor follow-up of numbers killed, whilst in Tasmania, farmers may use dogs and shotgun to pursue, wound and kill thousands of native wallabies. In Victoria many areas allow the killing of wombats if they are likely to make holes in fences or burrow in farm areas. Fire arm proficiency and shooting accuracy tests are not usually required by farmers.

In addition to direct destruction permits for wildlife, the use of poisons for introduced animals (rabbits, mice, foxes) and thus secondary poisoning, and illegal use of poisons (off label) or the use of 'home made concoctions' for unwanted wildlife (e.g. corellas and cockatoos in crop areas) can cause poisoning and suffering of otherwise 'protected' wildlife. These unmonitored practices have the potential to be further exposed and thus lead to great consumer concern, particularly international concern for our treatment of unique wildlife in farming areas.

#### Introduced wild animals:

So-called 'feral' or 'pest' animals are no different in their ability to feel pain and to suffer than any other similar animal (livestock or wildlife), yet because these animals often come into conflict with farming interests they are treated in a severe manner – and are yet another 'class' of animals that is exempted from legislative protection. This has meant that they are treated with little regard to independent assessment (ethical, ecological, biological, economic) of the justification for lethal control, inhumane and/or ineffective methods are often used (due to an emphasis on dead bodies rather than actual damage reduction), and often there is inadequate or no follow-up to assess whether the population control is even effective.

Examples of these lethal control methods include 1080 poison (sodium monofluoroacetate) and other poisons such as Warfarin, fumigants such as Chloropicrin (tear gas), traps which hold an animal until it can be killed or dies of thirst or starvation, shooting in all its forms, and biological (germ) warfare such as Myxomatosis and Rabbit Calicivirus Disease (RCD).

Such treatment of sentient animals, particularly given there has been scant effort to replace even the worst and least effective methods (sulphur baits for pigs, steel jaw traps for rabbits, chloropicrin for fumigations of warrens) is a potential liability for the sustainability of agricultural industries.

**Quality Assurance Systems:** Whilst QA programs that encompass biosecurity issues, product safety and OH & S issues are adopted through most industries, including livestock industries, there are few examples of livestock industries that have adopted comprehensive animal welfare audits. For example, the egg industry agreed (through ARMCANZ negotiations) in 2000 to the

delivery of some small welfare improvements via an industry-wide adoption of an animal welfare audit. Regrettably the animal welfare audit developed (by the Animal Welfare Science Centre in consultation with the industry and other stakeholders) was rejected as too comprehensive. A much reduced audit was eventually confirmed, but at this time only two egg producers have been accredited under this system (Egg Corp Assured Program).

It is clear from this example, and the record of non-adherence and ignorance of the Codes of Practice, that voluntary systems will not work in agricultural industries.

### **Consumer information/education and honest labelling**

As stated, both international and Australian customer/consumers are increasingly interested in details related to the generation of food and other animal products. Real choices can only be made if honest and clear labelling and product information is provided at point of sale. When (and only if a system is in place) Australian producers are able to assure good animal welfare practice, then providing this information to consumers can both assist to assure market access and provide an important competitive advantage over countries/producers who cannot achieve this.

In regard to labelling of animal products according to the manner of production- in this case housing – there is an important precedent in current egg carton labelling. A decision by State and Federal agriculture Ministers (then ARMCANZ, now PIMC) in 1999 led to a ‘National Standard for Egg Labelling’ agreed to by all stakeholders in 2001. Egg carton labelling has now been embraced by that industry and there is now virtually total compliance with labelling that identifies eggs as coming from either a free range, barn laid or cage eggs housing/production system. Not surprisingly, since the labelling of ‘battery’ cage eggs as ‘cage eggs’ on the front of each carton, the sales of eggs from other systems have increased.

Last December Animals Australia launched the ‘savebabe.com’ public awareness campaign. The campaign and website highlight the conditions of pigs in the intensive housing systems in Australia. Since the launch the campaign has attracted significant media and other interest, and the community response has been strong. A common response however has been that people are totally unaware that Australian pigs are intensively farmed and confined. The next question is usually about how consumers can identify ham, pork and bacon products that have resulted from intensive farming, and how to then locate more humane alternatives. At present identification is not possible (with the exception of a few organic or free range proprietary labels).

It is clear that the labelling of pig products to indicate the farming method used is warranted, and there can be no doubt that as community understanding of the extent of intensive housing and painful production practices grows, the demand for information will similarly grow.

Food Safety Australia and New Zealand (FSANZ) is currently enquiring into country of origin labelling (CoOL), and comments by it’s CEO Mr Peachey indicates that body is very aware of the right of consumers to be aware of what they are eating (e.g. ‘We are what we eat – we eat what we know’ 28/5/05 speech by Peachey). In a submission to that CoOL enquiry, Australian Pork Limited (representing pig producers) supported mandatory country of origin and content labeling of pork products and further stated;

*‘It is essential that consumers also have accurate information regarding both the whole food and the individual ingredients to enable consumers to make informed purchase decisions’.*  
(APL Submission to FSANZ 26/4/05)

Elsewhere too, APL have championed the right of consumers to know what they are purchasing and consuming;

*'Consumers have a right to know what they are consuming and need to have sufficient information made available to them on which to base a purchase decision.'* (APL submission to the Productivity Commission, February 2005).

Recently Animals Australia met with representatives of the Australian Consumers Association (ACA) to particularly discuss pork product labelling. In line with their general policy of support for providing the maximum information possible to consumers, they have confirmed that they support a move to ensure pig product labelling indicates the type of housing used in the breeding and rearing of pigs. Of interest too was that the ACA representatives themselves did not know of the intensive housing conditions used for pigs in Australia until advised by us.

Animals Australia advocates labelling of product to provide potential buyers with (as a minimum) details of the production systems used. If these industries are to be sustainable then consumers need assurance that those systems comply with acceptable animal welfare standards.

In summary, both improving current standards, and then providing open and honest product labelling, must be key priorities for Australia's agricultural industries.

However, due to the crucial community interest, and past 'market failures', agriculture industries alone are unlikely to address all of these crucial issues; federal and State/Territory Governments must put in place regulatory and other measures to ensure the setting of higher welfare standards and their active enforcement.

## **C: Competitiveness of Australian agriculture and food businesses**

Australia has an opportunity to ensure both market access (e.g. in Europe where consumers already recognise welfare issues) and even some market distinction by putting in place higher welfare standards than competitors, accompanied by honest and descriptive labelling.

Animal welfare may be viewed at present in a similar manner to the organic food trend, as a niche market. However, like the natural food trend (low fat, low salt, etc), growing community awareness and education is more likely to make this a required market access issue. Australia's agricultural industries and governments should move now to instigate the necessary reforms.

**Education, skills and labour supply:** Along with the need for reformed systems, the level of education and extension of research and development outcomes, and improved husbandry and facility design and skills development, will be required as advances are to be assured. Accreditation of operators that are involved with invasive techniques for example should be a minimum requirement.

**Research, development, innovation and technology:** The 'issues' paper in this section focuses on 'productivity growth'. Animal welfare may often be compromised when R & D selects only productivity as its benchmark. An example of where this has led to terrible problems is the genetic selection for a fast growing 'broiler' meat chickens which has proceeded despite the attendant inability of the skeletal system of many of the chicks to bear the weight of their bodies – even in the mere 6 weeks before they are slaughtered. The hip and leg problems, and associated inability of chicks to then walk and obtain food and water, causes the suffering of millions of birds each year in Australia.

The focus and conduct of research and development would benefit from greater input from community interests. As usually half the research funds available to the agricultural industries come from the taxpayer (\$ for \$) due to the acknowledged 'community public good' interest, then the community, and particularly the animal welfare community groups, should have some input into the selection of the appropriate research directions. At present the R & D councils are industry-dominated, and this likely to be to the medium-term detriment of the agricultural industries.

**Infrastructure in the agriculture and food sector:** There is a need a re-evaluation in regard to the real costs of intensive farming of animals. For example, the use of water and disposal of animal wastes push the need for infrastructure greatly – piggeries and beef feedlots in the Murray Darling Basin excrete a similar amount of sewerage as the entire population of Sydney (Murray Darling Basin Commission Report).

## **D. Using and managing natural resources**

As highlighted in many recent environmental reports, intensive farming use greater levels of water, requires huge sewerage disposal facilities, and requires considerable cropping land to provide high protein grain and other foods.

**Extreme climatic events and climate change:** Assessment of the medium-term viability of marginal farming land should be undertaken both due to animal welfare concerns and environmental degradation. In some inland areas large numbers of animals (mostly cattle) are left to virtually fend for themselves, being mustered just once a year. With low water and fodder reserves and minimal husbandry intervention, the suffering of these neglected animals is another 'market risk' issue that must be addressed.

**Drought management:** Despite many inquiries, drought management continues to be a controversial issue. Animal welfare continues to suffer on many affected properties because farmers fail to adequately plan as drought becomes evident; seemingly holding out for rain or government assistance. Without assurance that animal welfare is to be given greater priority in the vast Australian grazing properties, this issue will also pose ongoing market access risks.

## **E. Rural and regional communities**

Less intensive industries (free range and organic) mean more employees per animal and thus assist rural employment and community activities. Local economies in rural communities will be assisted if systems that provide greater individual animal attention (and thus usually welfare) are supported.

Similarly, if there is greater 'value adding' to primary produce (in this case animal products) employment will stay in Australia, rather than being virtually exported. For example, the slaughter of cattle, sheep and goats in Australia, rather than live animal export to the Middle East and SE Asia could mean a further 10,500 abattoir, transport and other jobs – most in rural or regional centres.

[ 'Impact of the Live Animal Export Sector on the Australian Meat Processing Industry', SG Heilbron Pty Ltd, 2000.]

## In Summary:

Animals Australia welcomes the scrutiny of the Reference Group, and looks forward to its assessment of the way forward for the agricultural sector in Australia.

In our view it is imperative that the welfare of animals involved with agriculture in this country – both those grown for their products (food and fibre) and others affected by the farming enterprise (wildlife and introduced species) – are protected from suffering. Whilst the community already expects that industry leaders and government should work towards this goal, Animals Australia has in this submission outlined the need for radical and urgent change to assure that reform commences.

Only when Australia has adequate arrangements to protect the welfare of 'farmed' animals can it be assured of a sustainable future. The present system fails to protect millions of animals each year and in so doing also fails the trust of the Australian community.

Further clarification of this submission can be provided if required.

Yours sincerely,



Glenys Oogjes  
**Executive Director**

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Glenys Oogjes  
Executive Director, Animals Australia  
37 O'Connell Street, North Melbourne 3051  
Ph +61 3 9329 6333  
Fax +61 3 9329 6441

E-Mail: [googjes@animalsaustralia.org](mailto:googjes@animalsaustralia.org)  
Website: <http://www.animalsaustralia.org>