Western Australia

Free Range Eggs Labelling Bill 2012

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**Schedule 1 — Conditions under
which free range hens are kept**

Western Australia

<u>LEGISLATIVE COUNCIL</u>

(*Introduced by Hon. Lynn MacLaren MLC*)

Free Range Eggs Labelling Bill 2012

A Bill for

1   **An Act to define and regulate the labelling and sale of free range**
2   **eggs.**

The Parliament of Western Australia enacts as follows:

1   **1.**   **Short title**

2   This Act is the *Free Range Eggs Labelling Act 2012*.

3   **2.**   **Commencement**

4   This Act comes into operation on the day on which it receives
5   the Royal Assent.

6   **3.**   **Definitions**

7   (1)   In this Act —

8   *Code* means the *Code of Practice for Poultry in Western*
9   *Australia*, published by the Department of Local Government
10   and Regional Development 2003, as amended from time to
11   time.

12   *egg* means an egg laid by a hen.

13   *Free range egg* means an egg laid by a free range hen.

14   *Free range hen* means a hen kept in the conditions described in
15   schedule 1.

16   *hen* means any domesticated chicken (Gallus gallus) which is
17   bred, kept or used for the purpose of commercial egg
18   production.

19   *packaging* means any container or wrapper in or by which eggs
20   are completely or partly enclosed, contained or packed.

21   *sell* means —

22   (a)   barter, offer or attempt to sell; or

23   (b)   receive for sale; or

24   (c)   have in possession for sale; or

25   (d)   display for sale; or

26   (e)   cause or permit to be sold or offered for sale; or

27   (f)   send, forward or deliver for sale; or

28   (g)   dispose of by any method for valuable consideration; or

(h)   dispose of to an agent for sale on consignment or by any other method; or

(i)   sell for the purpose of resale,

and any derivative from the word *sell* has a corresponding meaning.

4.   Free Range Egg labelling requirements

A person must not sell free-range eggs unless the packaging for the free-range eggs displays the words "free range eggs" conspicuously in standard type at least 6mm high.

5.   Labelling of egg packages

A person must not sell eggs which are not free range eggs in packaging that displays the words "free range" or any variant thereof.

Maximum penalty: 50 penalty units, imprisonment for 6 months or both.

6.   Display of Free range eggs for retail sale

(1)   A person who displays free range eggs for retail sale commits an offence if the display is not in accordance with subsection (2).

Maximum penalty: 50 penalty units.

(2)   For subsection (1) —

(a)   the display must have a sign containing the following statement: 'These eggs are free range eggs. They are produced by hens in free range systems that comply with the minimum standards in the Code of Practice for Poultry in Western Australia'; and

(b)   the sign must be placed prominently so that it can be seen and read easily by a person at or near the display; and

(c)   the statement on the sign must be printed in —

(i)   a colour that contrasts with the background colour of the sign; and

(ii)   Arial bold typeface in a size not less than 50 point.

7.   Regulations

The Governor may make regulations, not inconsistent with this Act, for or with respect to any matter that by this Act is required or permitted to be prescribed or that is necessary or convenient to be prescribed for carrying out or giving effect to this Act.

Schedule 1 — Conditions under which free range hens are kept

Hens are kept —

(a) with daytime access for a minimum of 8 hours per day to an outdoor range; and

(b) with access at all times to indoor litter, perches and nests; and

(c) with adequate protection at all times from predators and the elements; and

(d) in a system having a maximum stocking density of 1500 hens per hectare; and

(e) in all other respects in accordance with the requirements for free range systems under the Code.

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