

**SELECT COMMITTEE INTO THE OPERATIONS OF THE
ROYAL SOCIETY FOR THE PREVENTION
OF CRUELTY TO ANIMALS WESTERN AUSTRALIA (INC)**

**TRANSCRIPT OF EVIDENCE
TAKEN AT PERTH
MONDAY, 12 OCTOBER 2015**

SESSION ONE

Members

**Hon Rick Mazza (Chair)
Hon Paul Brown (Deputy Chair)
Hon Nigel Hallett
Hon Lynn MacLaren
Hon Sally Talbot**

Hearing commenced at 10.24 am**Mr JOHN SIMPSON****President, The Commercial Egg Producers' Association of WA Inc, sworn and examined:****Ms LUCY RADZIKOWSKA****Executive Officer, The Commercial Egg Producers' Association of WA Inc, sworn and examined:**

The CHAIR: Welcome to today's hearing. Before we commence, I will introduce you to the members of the committee. We have Hon Lynn MacLaren, Hon Sally Talbot, Hon Paul Brown, Hon Nigel Hallett, and myself, Rick Mazza. On behalf of the committee, I would like to welcome you to the meeting. Before we begin I ask you to either take the oath for affirmation.

[Witnesses took the oath.]

The CHAIR: You would have signed a document entitled "Information for Witnesses". Have you read and understood that document?

The Witnesses: Yes.

The CHAIR: These proceedings are being recorded by Hansard. A transcript of your evidence will be provided to you. To assist the committee and Hansard, please quote the full title of any document you refer to during the course of this hearing for the record and please be aware of the microphones and try to talk into them; ensure that you do not cover them with papers or make noise near them. Try to speak in turn. I remind you that your transcript will become a matter for the public record. If for some reason you wish to make a confidential statement during today's proceedings, you should request that the evidence be taken in closed session. If the committee grants your request, any public or media in attendance will be excluded from the hearing.

Please note that until such time as a transcript of your public evidence is finalised it should not be made public. I advise you that publication or disclosure of the uncorrected transcript of evidence may constitute a contempt of Parliament and may mean that the material published or disclosed is not subject to parliamentary privilege. Would you like to make any opening statement?

Mr J. Simpson: Yes, please, if I may. I would like to thank the committee for the opportunity to appear today. The Commercial Egg Producers' Association of WA is the leading representative body for Western Australian commercial egg producers. Members produce approximately 85 per cent of eggs in Western Australia, using cage, barn and free-range production methods.

The RSPCA in WA depends on public donation funds from providing services as well as state government contributions. As a body that receives state government funds the RSPCA should be audited by the state government in line with other organisations that receive state funding. The objectives of the RSPCA, according to their website are: to prevent cruelty to animals by enforcing the existing law; establishing further legislation to protect animals; educate the public in reasonable animal care. CEPA supports the abovementioned objectives of the RSPCA; however, CEPA does not support activities that the RSPCA partakes on a regular basis that are not in line with the objectives of the organisation. Over the years the RSPCA appears to have been making a transition from a body which undertakes the above objectives to an animal activist organisation. There is little regard to the RSPCA to the legal methods of farming animals.

[10.30 am]

In the egg industry there are three methods of egg production: being caged, barn and free range. All three production methods are legal and used by producers across Australia. If the RSPCA does not prove current production methods, then it should establish further legislation to protect animals as stipulated in their objectives. Until such time that there is different state legislation, the RSPCA should prevent cruelty to animals by enforcing the existing law. RSPCA is fully aware that industries working within acceptable legislation, yet behaves as if the egg industry was doing something that was against the law. The activist activity is in our view outside of its jurisdiction. RSPCA mission is to improve the welfare of animals through leadership, collaboration with stakeholders, and the provision of quality services. Nowhere does it say that the RSPCA should campaign against known, and approved by veterinarians, industry practices used in agriculture.

Our association understands that the RSPCA constitution rules were changed in 2013. A number of changes were made which in our view moved the organisation further away from its objectives and appropriate corporate accountability, as follows: reduction in the number of board members means that three board members constitute a majority vote; removal of provision to appoint the Commissioner of Police or his nominees at the board; removal of provision to appoint a chief executive of a state government department—in this instance it would be the Department of Agriculture and Food—and removal of provision to appoint a veterinarian.

We have worked with the RSPCA and the Western Australian layer poultry welfare reference group, and they supported the introduction of legislation to underpin the full ARMCANZ 2000 decision by way of regulations under the Animal Welfare Act 2002. However, RSPCA continue to campaign against cage method of production at a consumer level.

The association believes that the RSPCA should undertake the inspectorate role for dogs, cats and horses, and the remaining livestock industries should be handled by the Department of Agriculture and Food in WA. In summary, we would ask that the government make provision for the Department of Agriculture and Food to be the body responsible for the inspection of livestock. DAFWA has a working knowledge of farming practices and is therefore better placed as an agency to inspect, police and prosecute under the Animal Welfare Act. Thank you, Mr Chairman.

Hon LYNN MacLAREN: Thanks, John, for coming in. I have a question about the inspections that occur for producers. How does that actually happen if a general inspector seeks to inspect one of your producers' properties?

Mr J. Simpson: It has always been my understanding that the RSPCA would not investigate unless they had received a complaint. I am not aware of any complaints for a long, long time now.

Hon LYNN MacLAREN: So, what about DAFWA? Do they inspect your facilities—the facilities of producers?

Mr J. Simpson: Yes.

Ms L. Radzikowska: I have been in contact recently with the Department of Agriculture and Food and they have indicated that quite a number of poultry properties have now been inspected by their inspectors and there do not seem to be any issues with any of them.

Hon LYNN MacLAREN: When those inspections occur, is there prior notice?

Ms L. Radzikowska: As far as I am aware, yes.

Hon LYNN MacLAREN: Are there any unannounced inspections by either the RSPCA or DAFWA inspectors of egg properties?

Ms L. Radzikowska: We are not aware of those details.

Mr J. Simpson: We are not aware of any. Many years ago we did a campaign with the RSPCA to educate their inspectors by taking them to farms. They chose to pick random farms and we took them around.

Hon LYNN MacLAREN: Let us say in the last two years, are you aware of any?

Mr J. Simpson: No, I do not think there has been.

Hon LYNN MacLAREN: The producers, as I understand—and in your submission you talk about the model code of practice for animals. Do I have the current one, which is the “Domestic Poultry 4th Edition”? Is that really the latest one?

Mr J. Simpson: The fourth edition is current; this is under review. All codes are being transferred to standards and guidelines. It is being worked on now by—Animal Health Australia, I think, is the lead agency. It is a slow process; it has probably been going on for a couple of years.

Hon LYNN MacLAREN: This is dated 2001. Do you know when this was last—is that 14 years ago?

Mr J. Simpson: It probably would be, yes.

Hon LYNN MacLAREN: So, it has not been updated in 14 years.

Mr J. Simpson: No, but it is being transferred now to Standards and Guidelines, where the standards are mandatory and guidelines are guidelines; yes.

Hon LYNN MacLAREN: Right now, in the law in Western Australia under the Animal Welfare Act, what rules for producers are there?

Mr J. Simpson: I think the code is referred to and that is defensible by being in the act.

Hon LYNN MacLAREN: So you are saying that if a producer can prove that he is adhering to the code of practice, then it is a defence for an animal welfare charge?

Mr J. Simpson: Correct, yes.

Hon LYNN MacLAREN: Have there been any charges laid? And that was—I was trying to do that carefully.

The CHAIR: I was keeping a straight face, member!

Hon LYNN MacLAREN: Have there been any charges laid —

Mr J. Simpson: No, no.

Hon LYNN MacLAREN: — on laying hen producers in Western Australia in the last, say, five years?

Mr J. Simpson: No.

Hon LYNN MacLAREN: So what percentage of your producers are barn, cage and free range?

Mr J. Simpson: I think cage production is, say, 60 per cent in round terms; free range, 35; and five per cent for barn.

Hon LYNN MacLAREN: And why would a producer not belong to your organisation, because it says you have 85 per cent of producers in Western Australia who are members? What is the benefit of membership?

Mr J. Simpson: Was it 85 numbers, Lucy—or production, I think?

Ms L. Radzikowska: It was based on production and numbers. I guess we are a state association, so, obviously, there is no legislative requirement for anyone to be a member of ours. The advantages of being a member of the association are that producers can come together and discuss issues that they all find in common, whether it is production issues, marketing issues, planning development issues and the like.

Hon LYNN MacLAREN: Is your goal to have 100 per cent membership, or what is the reason why a producer would not belong to CEPA, the Commercial Egg Producers Association?

Mr J. Simpson: Maybe apathy.

Hon LYNN MacLAREN: How much do you charge?

Mr J. Simpson: It is \$120 a year, including GST; it is heavily subsidised. I think in any organisation you are struggling to get 100 per cent. It is interesting. You know, you think if it is their livelihood, they would want to be, but not everyone does.

Hon LYNN MacLAREN: What is the value to the Western Australian economy of the egg producers?

Mr J. Simpson: It would be around \$40 million per annum.

Hon LYNN MacLAREN: How do you ensure compliance of the model code of practice?

Mr J. Simpson: I guess the industry has a fairly good grapevine and, you know, you tend to hear things if people are not doing the right thing. You know, you might have a chat to them and find out the reasons and that type of thing. That has happened over the years through, you know, over the cup of coffee after the association meeting, that type of thing; producers get together and discuss their practices and that sort of thing.

Hon LYNN MacLAREN: So, at the moment, you say the code is being reviewed. Are there any concerns about the code that you want to see changed, anything you would like to update in the code of practice or any failings of it? Is there any problem with it?

Mr J. Simpson: I think it is fairly okay. You know, obviously it will need tweaking and that sort of thing, but basically I think we would be happy to see a similar type of document.

Hon LYNN MacLAREN: So you are happy with the stocking density for caged —

Mr J. Simpson: Caged as in compared to free range, are we talking or —

Hon LYNN MacLAREN: Well, just, you know, in a caged, intensive industry, are you happy with that?

Mr J. Simpson: We are. The cage is quite different to, say, the outside stocking density for free range; it is based on the live weight of the birds. Different breeds, you know, have different weights. So some of the old breeds might be big, fat birds and, you know, obviously you could put less into a cage to get the same density as a modern lightweight breed.

[10.40 am]

Hon LYNN MacLAREN: Okay; just two more questions. What is the current size of a cage for an intensive layer hen?

Mr J. Simpson: They vary. You know, some of the modern cages—one big farmer, they would probably run, say, seven birds per cage. Others may have a different density.

Hon LYNN MacLAREN: And the cages, is that the 550 square centimetre cage?

Mr J. Simpson: Yes, yes.

Hon LYNN MacLAREN: So seven birds in a 500 —

Mr J. Simpson: No; that is each bird. Each bird has to have that space.

Hon LYNN MacLAREN: So each bird has 550 centimetres squared. How big is that? Can you show us?

Mr J. Simpson: A ruler is 30 centimetres—you got me, I think.

Hon LYNN MacLAREN: You are in the business, so I figured you would know what the cage size is.

Ms L. Radzikowska: Do you need to be shown 55 centimetres; is that what you are saying?

Hon LYNN MacLAREN: I just thought you could show me how big a cage is that you keep your layer hens in.

Mr J. Simpson: Say, here to here, to the end of the desk, you know, yea high—seven birds in there, all got space to move around in there.

Hon LYNN MacLAREN: Because, of course, the campaigns are all targeted; they are saying, you know, they do not have bigger than a size of paper—one of these.

Mr J. Simpson: A4 size; yes.

Hon LYNN MacLAREN: So, is that about right?

Mr J. Simpson: Well, it is not really correct. You know, they are not just confined to that A4; they can move around the whole space.

Hon LYNN MacLAREN: Depending on where the other hens are.

Mr J. Simpson: Yes, yes.

Hon LYNN MacLAREN: So you have got seven moving around within that space.

Mr J. Simpson: Correct; yes.

Hon LYNN MacLAREN: But it is about one of these, is it not?

Mr J. Simpson: Well, that is the dimension, yes. But, you know, that is a moving piece of paper; they are just not confined to that.

Hon LYNN MacLAREN: Right; and there are seven of them moving?

Mr J. Simpson: Yes.

Hon LYNN MacLAREN: The final question is just the court case that the ACCC is currently—where are you at in the court case? It is currently before the courts that there is a problem with labelling, is that?

Mr J. Simpson: Yes, the government have come out and said that they want a national information standard on egg labelling.

Hon LYNN MacLAREN: Yes.

Mr J. Simpson: They have put out their draft—what do they call it, the draft thing on their website—and I think we have got until the end of the month or in November to make a submission.

Hon LYNN MacLAREN: But, in addition, there is currently a case before the courts on two Western Australian—well, one Western Australian producer is still before the courts. Is that related to the model code of practice in any way?

Mr J. Simpson: I do not believe so. I believe it is a labelling issue that, you know, he was saying they are free range where the ACCC was saying that they did not have access to the outside or something similar. So, there is some disparity there.

Hon LYNN MacLAREN: Producers in Western Australia who produce free range or use that free range label, do many of them also run intensive—is part of their farm an intensive practice?

Mr J. Simpson: A lot of them do—not all of them; some are just purely free range. But quite a few of the larger producers run all three systems, yes.

Hon LYNN MacLAREN: So I guess this is one of the big problems that I see as a consumer with the commercial egg producers, is that trust in whether you are buying what you pay for—whether the labelling is correct. How prevalent do you think that is? How big of a problem is that in the Western Australian industry?

Mr J. Simpson: I am not sure from the consumer point of view. You know, there is a lot of groups out there saying it is a problem. Whether it really is or not, you know, may remain to be seen.

But we welcome the national information standard that is going to be brought forward, and that will give consumers certainty, you know, and also give producers certainty, so they can build farms and know that if they adhere to these requirements, you know, they can safely say they are free range.

Hon LYNN MacLAREN: Without a system of inspection, though, how can you ensure that? If you do not have a regular regime of inspecting facilities, how can you ensure that producers are producing free range eggs?

The CHAIR: We will leave that as the last question too, thanks member, because we are running out of time. Mr Simpson, if you could just answer that, then we will move on.

Mr J. Simpson: I think the ACCC do a fairly good job in determining what comes under the consumer law act, yes.

Hon LYNN MacLAREN: But they do not inspect.

Mr J. Simpson: Well, they do go around when they believe they have got a case for prosecution.

Hon LYNN MacLAREN: If they get a complaint or —

Mr J. Simpson: Well, I do not —

Hon LYNN MacLAREN: I am sorry, I asked you about inspections before, but you did not mention that you had any inspections other than by complaint.

Mr J. Simpson: I thought you meant from the RSPCA.

The CHAIR: We will have to move along, member, because we are running out of time.

Hon PAUL BROWN: Hello, Mr Simpson. How are you?

Mr J. Simpson: Good morning.

Hon PAUL BROWN: Can you just let us—let the committee—inform the committee about any of the animal welfare improvements that the commercial egg producers have made in the last five to 10 years? You were talking previously about cage sizes, but are there any other animal welfare initiatives that you have undertaken as egg producers to improve animal welfare?

Mr J. Simpson: Have you got some detail there?

Ms L. Radzikowska: Yes, thank you. With regards to the animal welfare improvements, we do have the Australian Egg Corporation, which is a body that collects levies from producers to undertake research and development. So at a national level, they undertake, on behalf of industry, a number of studies in the animal welfare area to ensure that industry provides conditions for hens that not only comply with legislation and codes of practices, but are actually best practice that can be put into practice from around the world.

Hon PAUL BROWN: Thank you. You said in your submission that—there were a couple of spots in there. One, you spoke about the RSPCA's call for a review of the code-of-practice model, but also that they supported the implementation of new legislation for the Agriculture and Resource Management Council of Australia and New Zealand with new regulations, but, again, have been actively campaigning against what those new regulations will drive. Can you make some comment about that?

Mr J. Simpson: Yes. It is interesting, you know, that they have their representatives sit on the committee. You know, they may not like the outcome of the committee—say, the ARM CANZ decision, you know, and the cage stocking densities and that type of thing—but, you know, they were certainly there at the end of the day when it was, you know, finalised. And then for them to come out later on and say, “We don't support caged farming practices”, you know, it is quite bizarre.

Hon PAUL BROWN: What role did the RSPCA have in that resolution of those guidelines that ARMCANZ are implementing? If they are not happy with caged egg practices, why are they there and what role do they place in that implementation?

[10.50 am]

Mr J. Simpson: I guess they are there to have their say and voice their concerns and, you know, they probably do make those concerns known that at the end of the day it is a consensus and, you know, the general industry practices prevail.

Hon PAUL BROWN: Okay, so they would have opposed the resolution, is that what you are saying?

Mr J. Simpson: Not right at the end if it came to a vote or anything, they would say we are anti—even Animals Australia, they went along with it as well, and if anyone would not go along with it, it would be them.

Hon PAUL BROWN: We have got a copy of the memorandum of understanding that you have with the RSPCA. It seems quite simple and it does not appear that there is anything hidden in here. What was the intention of signing and undertaking that memorandum of undertaking—understanding shall I say—with the RSPCA?

Mr J. Simpson: I guess it stemmed from quite some years back—I cannot remember the dates; I forgot to look it up before I came—but there was a case where a farmer who was probably known in the industry not to have best practice had been—they were investigating him and, in the end, industry got together and pitched in to go there and help tidy the farm up and euthanase the chooks that needed to be euthanased and then help depopulate farm because he decided that he was not going to be in business anymore. From that, we thought it would be a good opportunity to develop a memorandum of understanding with the RSPCA. You know, there were some things that happened in the course of that event that we were not happy with and we wanted to ensure that it never happened again.

Hon PAUL BROWN: The MOU does not seem to say that the RSPCA can come on without any forewarning to CEPA or CEPA members, so what additional powers does this MOU give the RSPCA that they otherwise would not have under the act already?

Mr J. Simpson: None at all. It is just an agreement so that we are both aware that in the event that there was an incident, perhaps CEPA should be the first point of contact—you know, keep us in the loop. We can all talk together and work things out rather than a bunch of inspectors come in and bomb ahead and do what they think is right, which may not always be correct.

Hon PAUL BROWN: But this is non-binding, so they can chop CEPA out of the discussion and go straight to the breeder if they so desire?

Mr J. Simpson: The breeder? The grower.

Hon PAUL BROWN: The grower, should I say, sorry.

Mr J. Simpson: Yes.

Hon PAUL BROWN: Thank you.

Mr J. Simpson: He would be the first point and then we would hope they would bring us into the discussion as well.

Hon PAUL BROWN: Your relationship with the RSPCA, and also your relationship with DAFWA, given that you have highlighted in your submission that you think that DAFWA should be the inspectorate that deals with commercial livestock production: can you make some comment about your relationship one, with the RSPCA and also, with DAFWA as well?

Mr J. Simpson: The RSPCA I believe is very good—you know, a good working relationship. Their CEO was appointed a few years back now. They had been using old photo images in some of their campaigns. When we approached them and said, “This is old stuff. It’s not like that anymore; modern cages look a lot better”, and they agreed to sort of not use the old footage anymore and stick to the new stuff. That is a start. Our preference would be that they promote the system that they want to rather than knock the system they do not approve of. DAFWA, we have a good working relationship with them, particularly in the animal welfare areas and the emergency animal disease response centre—high regard for them in those two areas, yes.

Hon PAUL BROWN: How regular is your contact with either RSPCA inspectors or DAFWA inspectors—maybe not you, but your members? How often would they have contact with the RSPCA inspectors or the DAFWA inspectors at any one of their facilities?

The CHAIR: Member, can we just make that the last question too, because of the time?

Hon PAUL BROWN: Yes, that is fine.

The CHAIR: Thank you.

Mr J. Simpson: I guess the RSPCA—I am not sure about the inspectorate—but Lynne Bradshaw, the president, and the CEO, you might meet them at functions—that type of thing, you know—and probably more on a needs-be basis. If we think they are saying something we are not happy with, we will call a meeting. DAFWA, we meet with them fairly regularly; there are a few committees we all sit on together.

Hon PAUL BROWN: Both those, with RSPCA and with DAFWA, are at a higher level than an inspectorate level at any facility?

Mr J. Simpson: True.

Hon SALLY TALBOT: Can I just try to get you to explain in a little more detail on what you mean by your statement that you included in your opening statement to today’s hearing that somehow things have changed with the way the RSPCA operates, that perhaps there was a time when—I do not want to put words into your mouth, but is your feeling that the RSPCA somehow more militant now than they used to be? Can you do a sort of before and after?

Ms L. Radzikowska: I guess the RSPCA over the years that I have worked in the agriculture industry has got a very good reputation in terms of what they do, in terms of domestic animals and probably the agriculture sector. What I have seen in the last few years—probably five to six years—is that the campaigns that are being run by the RSPCA—they are mainly run by the national office, not so much the state office—basically are very negative towards production systems within the agriculture industry. So, they have become more of an activist in that particular space rather than a body that has commanded quite a bit of credibility and respect within the community. One of the campaigns that they have been party of that affects our industry is the “Set a Sister Free” campaign, and also the humane food region in the Swan Valley, which the RSPCA took up to make sure that most of the restaurants that were serving food in that particular vicinity became ones that supported humane food and rejected caged eggs or supported free range egg production. From our point of view, I guess, it is disappointing because we have always looked to the RSPCA as a body that is well respected within the community and within the state government, and we are also aware that it receives money for which it does a good service. So, in terms of, I guess, posting my conviction, they do run at an opportunity of being discredited in a way and, I guess, losing credibility.

Hon SALLY TALBOT: Is your point that those campaigns are not successful or that they are based on fallacious claims? I am just trying to understand a little more about what you are actually getting at, because, in the case of both of those campaigns that you have talked about, you have to say that consumer sentiment is driving them, surely.

Ms L. Radzikowska: I guess what we are saying is that the RSPCA is at a table at a state and federal level when we talk about model codes of practice, legislation and regulation that affect the industry, so they have ample opportunity at a federal level and a state level to indicate what level of animal welfare is acceptable. So, they are party to those agreements and they uphold the law, I suppose you could say, at a state level, yet at the same time, the other arm of the organisation is running campaigns against an industry that they support through those model codes of practice and legislation. That is where our issue lies.

Hon SALLY TALBOT: Do you get feedback from your producers whose practices include caged birds that they feel in some sense targeted by the RSPCA?

[11.00 am]

Mr J. Simpson: I do not know if “targeted” is the right word.

Ms L. Radzikowska: I guess they do. A number of years ago—and I am sorry, I do not know what the document is called—there was a document put out that talked about the stocking densities.

Hon LYNN MacLAREN: This one?

Ms L. Radzikowska: No, not the RSPCA document. Sorry, I have just lost my train of thought. Can you repeat the question again?

Hon SALLY TALBOT: I was asking you whether your caged egg producers feel that they are being targeted in some way.

Ms L. Radzikowska: I believe that they do, purely from the point of view that they try to produce eggs within the confines of legislation, regulation and codes of practices, which the RSPCA is party to. They then go and invest millions of dollars in new facilities—land that they have to acquire to actually meet those expectations under that. Yes, I believe that they feel targeted by the RSPCA because they feel that they are trying to do the right thing only to be told that they are still doing something wrong.

Hon SALLY TALBOT: I think I remember you saying earlier in this hearing that there have not been any prosecutions. I guess if I can just explain what I am trying to illuminate, for my own purposes. From my understanding of the issue, it looks as if consumer sentiment is driving a change in practice, just as it did with things like smoking and eating saturated fats, and that a group like the RSPCA that clearly has an animal welfare agenda is going to be part of that driving of consumer sentiment. I understand—and correct me if I am wrong—that two of our major supermarkets—the duopoly, in fact—has made huge steps towards not stocking caged eggs. That is surely not just because of a campaign being run by the RSPCA. They expect people to walk through the doors and buy eggs.

Ms L. Radzikowska: You would probably find that is more to do with market share than anything else. You made a comment that free range is being driven by consumers. We are all for consumer choice. We believe that consumers should have a choice of which eggs to buy, whether it is caged, barn or free range. You will find that people have different reasons for purchasing different production system eggs.

Hon SALLY TALBOT: My last question, Mr Chair. You referred, I think in your submission, to your view that the five freedoms are an outdated concept. I am sure you are very well aware that the origins of the RSPCA wherever it has existed in the world has actually been in commercial use of animals rather than companion animals. What do you mean by saying that the five-freedoms concept is outdated?

Ms L. Radzikowska: A US study has been put together—I do not have it on me today—which actually looked at the welfare of animals. They have undertaken a study of what it actually means to look after the animal welfare status. There was a professor who came to Western Australia a few years ago who did a presentation at Murdoch University indicating what the study results were and

obviously indicating also that what they have now found as far as animal welfare is concerned and the measures that you use to ascertain animal welfare is not quite in line with what the five freedoms are under the RSPCA guise.

Hon SALLY TALBOT: You may not be able to answer this without taking it on notice but could you provide the committee with a little more background about exactly what that means?

The CHAIR: You can take that on notice.

Hon PAUL BROWN: And perhaps also the professor's name if possible and the paper he was referring to.

The CHAIR: We will take that as A1.

Mr J. Simpson: We are happy to provide that.

Hon NIGEL HALLETT: I just want to carry on a little bit from where Hon Sally Talbot was. Are you finding any anti-campaigns against the caged egg producers that are being misleading that are being put out there?

Mr J. Simpson: We believe they are all misleading. It is well known that caged production has better animal welfare outcomes. Free range and all that has just perceived benefits, whereas there is a lot against it.

The CHAIR: Just on that question, what are some of the benefits of actually producing caged eggs to the animal itself? You mentioned that some of it is misleading because of the benefits of having caged production. What are some of the benefits of caged production?

Mr J. Simpson: The risk of disease. You have heard of bird flu—avian influenza. All the outbreaks that have been recorded in Australia have come from free-range farms. They come into contact with wild birds that are carriers. By being in cages off the ground away from parasites and all that sort of thing, there is minimal contact and less risk of disease. The health status of the flock is far greater in the caged system.

The CHAIR: Just for my own information, with the sheds that the caged birds are kept in, are they climate controlled in any way?

Mr J. Simpson: The modern ones are—fully air-conditioned, automatic feed, automatic manure removal, water. You can set a temperature what you want it at.

Hon PAUL BROWN: The predation between the birds in caged versus free range. There is a lot of talk that birds do attack birds and kill each other. Which one, in your view, has the most predation amongst those facilities?

Ms L. Radzikowska: With regards to predation, there have been studies undertaken at a national level. The studies indicate that it is not so much about the production system that is used but it is actually the management of those systems.

Hon NIGEL HALLETT: John, you would have some pretty current data on the results, production costs and the health of the animals in both systems now?

Mr J. Simpson: Yes.

Hon NIGEL HALLETT: Would we be able to get that? I think it would be interesting data to certainly look at from our perspective.

Mr J. Simpson: I might be struggling to get it, with commercial sensitivities. Producers do not like to let other producers know what their costs of production are.

The CHAIR: We could keep it private, Mr Simpson. If you would provide the information, it would be private to the committee.

Ms L. Radzikowska: I think we would need to ask the producers before we could provide that information, as it is not ours.

Hon NIGEL HALLETT: Even just a general costing of the two—the net difference between them. But also in relation to animal welfare, if there is one that is significantly different.

Mr J. Simpson: Is there a reason as to what the costs are of caged versus free range? I cannot quite grasp the point you are trying to get to.

Hon NIGEL HALLETT: Basically, I think it would give a real good comparison of which system is working the most effectively for the producers.

Mr J. Simpson: They have got costs trimmed to the bone on all systems. I guess mortality is greater in the free-range systems. That is probably the biggest one. Vaccinations—you have to do more of it. If there was a requirement for antibiotics. Those sorts of things drive costs up and I think you would find it is cheaper to run the caged system.

Hon NIGEL HALLETT: And more in the animal welfare benefit.

Mr J. Simpson: It is cheaper and there is the bonus of the animal welfare benefits, yes.

Hon NIGEL HALLETT: Just another question. We see some products are “RSPCA approved”, and it might be pork or whatever. Have you got this in the industry now? Are some producers saying it is RSPCA approved; and, if so, what cost is that adding to that particular producer, or what benefit do you see in it?

[11.10 am]

Mr J. Simpson: The RSPCA barn-laid approved has been around for quite a number of years now. I believe producers pay—I have heard a couple of cents a dozen is the cost they have to cough up to the RSPCA.

Hon NIGEL HALLETT: That is to get RSPCA approval?

Mr J. Simpson: To use their endorsement, yes. There are a couple of producers around who still use it. Most producers tried it for a while and it sort of fell out of favour.

Hon NIGEL HALLETT: What did they have to do to get that approval?

Mr J. Simpson: There is a list of criteria that the RSPCA want. Hon Lynn MacLaren may have had something from the RSPCA there that she held up. I am not sure whether that is it or not.

Hon LYNN MacLAREN: It is just the information notes. I can table these, member. That is just from the RSPCA Australia website on layer hens. Is that what you are referring to?

Mr J. Simpson: No. I thought it may have been; but it may not be.

Hon LYNN MacLAREN: I also have the intensive farming practices policy from the RSPCA, which has three policy points on cages, if that is what you are talking about.

Mr J. Simpson: There is probably more than —

The CHAIR: I think what Hon Nigel Hallett is after is actually what the criteria are for each producer that wants to be RSPCA approved directly. Are we able to take that on notice?

Ms L. Radzikowska: Yes. That is actually available on the RSPCA website.

The CHAIR: Okay.

Mr J. Simpson: It is quite a demanding list. I think that is why a lot of producers pulled away from it; they felt it is quite unnecessary and it is way above the model code standards and that sort of thing.

Hon PAUL BROWN: How many of your members would be subscribing to that farm-approved—one?

Mr J. Simpson: One.

The CHAIR: Any further questions?

Just a couple of questions I have. Earlier, Hon Sally Talbot spoke about consumer sentiment driving whether people buy caged eggs or free-range eggs. Do you think some of the campaigns that have been run through the RSPCA advocacy is actually driving that sentiment?

Mr J. Simpson: You are nodding?

Ms L. Radzikowska: Yes.

Mr J. Simpson: But I think we could talk all day about driving the public sentiment. The duopoly was mentioned. I can bet you they know how to manipulate their figures to show you that—they will say, “Our consumers say they want this.” That is because they say, “Do you buy free range or caged?” and there are no caged eggs on the shelves; you are going to say, “I have to buy free range.”

The CHAIR: Free range; okay. This question might have been asked before but I will ask it again: what is the percentage currently in WA of caged egg production as against free-range production?

Mr J. Simpson: I think I said 60 per cent caged, 35 free range, five per cent barn.

The CHAIR: What is the price differential between, say, a dozen caged eggs currently compared to a dozen free-range eggs?

Hon LYNN MacLAREN: Is that real free range, member, or just labelled “free range”?

The CHAIR: Labelled “free range”, which is what the consumer sees. The ACCC will sort the rest out, member.

Mr J. Simpson: Hopefully, the national information standard will sort that out for us.

The CHAIR: What is the price difference in percentage terms? Is it a 20 per cent increase, a 10 per cent increase?

Mr J. Simpson: I think it is probably a couple of bucks a dozen eggs, yes, that they could command. It varies quite significantly, yes.

The CHAIR: So it could be up to 30 per cent?

Mr J. Simpson: Yes.

The CHAIR: How many eggs are produced in Western Australia each year?

Ms L. Radzikowska: We do not have that data and no-one collects it. So, the Australian Egg Corporation may have some data at a state level that we could possibly table at a later time.

Hon LYNN MacLAREN: That would be good.

The CHAIR: Yes, that would be good. I did see, I think, a national egg body who was publishing how many millions of eggs are produced each year. It would be just nice to know what we have in Western Australia.

Hon LYNN MacLAREN: Good idea.

Mr J. Simpson: We are 10 per cent of the national production—10 per cent of the national flock.

Hon PAUL BROWN: Is that CEPA or WA?

Mr J. Simpson: WA is 10 per cent of the national flock, so just over a million laying birds.

The CHAIR: I do not know whether this has been considered by CEPA at this point in time, but if caged eggs were to be outlawed, what effect would that have on industry?

Mr J. Simpson: It would be devastating. You would need a long lead-in time to build and acquire free-range or non-caged systems. We have seen it just recently when the duopoly started to say,

“We’re going to have a phase-in period to ban caged eggs.” They had to convert some sheds to free range and go out and try to acquire land to build other free-range sheds.

The CHAIR: You mentioned earlier that the mortality rate was higher for free-range chooks compared to caged hens. What percentage difference would there be? Is there twice as many, a third as many hens that would die in a free-range production site compared to a caged production site, or is that something you will have to take on notice?

Ms L. Radzikowska: It varies. It is dependent on management of the system. That has been proven by research and we are quite happy to take that on notice and provide you with the documents.

The CHAIR: Just on that, I think you mentioned earlier something about medications that had to be given to free-range chickens. What sort of medications are given to free-range chickens?

Mr J. Simpson: I think I meant if they had to, maybe antibiotics. Can you think of anything off the top of your head?

Ms L. Radzikowska: No. The point being made was that in a free-range system it is obviously a little bit harder to catch chickens to actually administer those. Obviously, being on the ground, they may be susceptible to more pest—more diseases per se that they may need to be treated for.

The CHAIR: I have one last question. I know Hon Lynn MacLaren is pretty keen to ask a couple, but one last question: in your opening statement and also in your submission you make the claim that —

... the RSPCA partakes in on a regular basis that are not in line with the objectives of the organisation. Over the years, the RSPCA appears to have been making a transition from a body which undertakes the above objectives to an animal activist organisation.

Can you just expand on that a little bit as to why CEPA has that opinion?

Ms L. Radzikowska: Yes. I think it is in line with the comments that I made previously in that in the last five to six years the RSPCA has been a lot more aggressive in its campaigns. We always knew what the policies of the RSPCA have been, as far as the five freedoms were concerned, but the campaigns that are being run at a federal and state level are quite aggressive.

The CHAIR: So their advocacy is giving you that opinion; okay.

Hon NIGEL HALLETT: Can I just add to that?

The CHAIR: Yes. Hon Nigel Hallett and then Hon Lynn MacLaren.

Hon NIGEL HALLETT: From what you just said then, you feel the RSPCA now is not working with the industry; it is working its own agenda.

Ms L. Radzikowska: Yes.

Hon LYNN MacLAREN: You have mentioned the campaign by the RSPCA against some intensive practices and that it has impacted intensive producers, but you have not mentioned the campaigns run by Choice or Humane Society International or Animals Australia, and I am sure there are several other organisations that are currently campaigning against that production method. Do you see that the RSPCA’s campaigns are more effective than the other campaigns—is that what you are saying—or do the other campaigns also affect the industry?

Mr J. Simpson: I will just kick off. I thought the inquiry was into the RSPCA. That is why we never mentioned Choice and Animals Australia, but they certainly give us beef. With the national information standard, we have all agreed that we will go that route and do it, but they still come out and hammer you, saying, you know, “It’s not quick enough; not good enough.”

Hon LYNN MacLAREN: You were talking about RSPCA Australia’s policies and how they impact your producers. I would want you to tell us what your producers think is wrong with this policy and its policy statement 2.5.2 under “Cages for poultry” —

RSPCA Australia supports housing systems that protect the welfare of the individual bird and in which the hens can perch, roost, dustbathe, forage for food, satisfy their urge to lay their eggs in a nest and in which stocking density is appropriate to allow hens to stand properly, walk and stretch or flap their wings.

What problem do the producers have with that policy?

Ms L. Radzikowska: I would say that producers would not have a problem with that particular policy of an organisation. It is one thing for an organisation to have that policy; it is another thing for industry to basically be forced to work within it. I would also like to go back to the previous question that you asked with regards to the RSPCA versus Choice and Animals Australia per se.

[11.20 am]

Hon LYNN MacLAREN: And Humane Society International.

Ms L. Radzikowska: And humane Australia society, yes. We as an organisation feel that the RSPCA is a responsible and a respectable organisation and that is why it is important for us that the RSPCA maintains its credibility. That is why we have not come out slamming Choice and the other bodies, because they are very, I guess, large and activist organisations and we believe that there is room for an organisation that actually has the respect of industry and we do believe that it is the RSPCA, and that is why we are here today.

Hon LYNN MacLAREN: So you support the policy of the RSPCA then?

Ms L. Radzikowska: I cannot speak on behalf of the industry as far as that policy is concerned. We as an association support cage, free-range and barn production systems.

The CHAIR: We might leave it there considering the time. On behalf of the committee, I wish to thank you for your attendance today. The committee will forward any additional questions it has in writing to you in the next few days together with a transcript of evidence, which includes any questions you may have taken on notice. Responses to these questions will be requested by a due date and should you be unable to meet this deadline, please contact committee staff as soon as possible. Once again, thank you for your attendance today. Thank you.

Hearing concluded at 11.21 am
