



FROM NEST TO NUGGET

AN EXPOSÉ
OF AUSTRALIA'S
CHICKEN FACTORIES

NOVEMBER 2008


voiceless
the fund for animals

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ABOUT VOICELESS

As an innovator, capacity builder and ideas-generator, Voiceless plays a leading role in the development of a cutting edge social justice movement: animal protection.

With a highly professional and well-educated team, Voiceless brings together like-minded passionate Australians from the legal, academic, non-profit and education sectors to form strong and effective networks.

Voiceless believes in the provision of quality information, analysis and resources to inspire debate and discussion and to empower individuals and organisations to generate positive social change.

Voiceless is a non-profit Australian organisation established in May 2004 by father and daughter team Brian and Ondine Sherman.

To build and fortify the animal protection movement, Voiceless:

- gives grants to key projects which create the groundswell for social change;
- cultivates the animal law community through the provision of leadership, educational opportunities and resources; and
- raises awareness of animal protection issues within the education system in order to strengthen democratic skills, promote critical thinking and encourage advocacy amongst students.

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FOREWORD

We human beings had better hope that we will not be judged in the next world - if there is one - for our treatment of other species in this one.

It is an honour to be asked by Voiceless to endorse this report on our treatment of one of those species.

I recall arguments I had when, as a young Minister for the Environment, I sponsored legislation to ban the taking of dolphins from the ocean to be kept for human amusement in the pools of oceanariums.

The case had nothing to do with whether dolphins were "intelligent". It had to do with their capacity for suffering. There was no argument about that. Marine mammals that can swim and dive the distances that dolphins can, suffer cruelly if confined. And that became the case against taking them from the wild.

This exposé is based on the proposition that chickens suffer. Their suffering can be reduced.

I congratulate Voiceless.

I urge you to read the report and to join the campaign.

Bob Carr
Former Premier of New South Wales
March 1995 to August 2005

PREFACE

A sea of yellow stood before us as we slid open the heavy shed door. The smell was so overpowering that hands instinctively went up to cover our mouths and noses. Squinting in the low light, we tried to make out where the shed ended; the tunnel was so long it appeared to be an optical illusion.

Fifty thousand day-old chicks busied themselves. Some lay resting in a curled up position. Others pecked at feed stations or sought water from automated drips. It was hard to remember that each one of these animals was a living, feeling, sentient being: they were in such mass quantity, so impersonalised.

Holding one small soft body, its little heart pounding in the palm of our hands, it suddenly became much clearer.

This little chick will never in its whole life go outdoors, see the sun, feel the wind, roost in a tree, run from the rain, dust-bathe or scratch for worms in the earth. It will never find a mate or protect its young. This little chick will know only regimes of artificial light, controlled temperatures and processed food. It will spend its life standing and sitting in a litter comprised partially of its own faeces. It will grow larger and faster than its legs may comfortably allow. Packed in with tens of thousands of others, this little chick will be subjected to a stocking density that allocates it a measly A4 size area. Its whole life will last little more than a month.

Scientists research, debate and disagree about how to assess an animal's pain and suffering. What does it mean to an animal to be deprived of a natural life outdoors? Does it suffer? Does it know what it is missing?

Animal welfare research is slowly progressing in terms of assessing suffering. In the meantime, let's examine what we already know. We know that chickens can suffer. We know they feel pain. We know they have strong relationships and that powerful bonds are formed between mothers and chicks. We hear that when an animal is taken from an environment of deprivation and released into a natural one, many common behaviours that were previously denied, reappear.

At the end of the day, is this argument about scientific proof or a question of philosophy, morality and ethics? We must all ask ourselves this question. Do we have the right to take a sentient animal and deprive it of most of its natural behaviours for the sake of our culinary pleasure and industry profit? Do we feel proud living in a society that so clearly disregards the welfare of the weak and the voiceless?

Voiceless shares the heart-felt belief of a growing number of Australians that the factory farming of animals is indefensible. Animals must be treated with respect and compassion. Why? Simply because we have a moral responsibility to those beings who are defenceless against our power. They are not objects purely for our utility.

Australia is considered to be a kind and compassionate society. However, we are shamefully lagging behind international animal welfare reforms. Our legislation and policies primarily serve to entrench animal suffering in law, protecting powerful industries rather than defending animals. In years to come, when we look into the eyes of our children and grandchildren, how will we defend the actions of our generation? Will we plead ignorance or admit guilt?

Reform must be demanded from our politicians and corporations. We all have a responsibility for the lives of these animals. In the name of the hundreds of millions of birds confined for life, we urge you to act now.

Brian Sherman AM and Ondine Sherman
Directors and Co-founders

EXECUTIVE SUMMARY¹

CHICKENS –SOCIAL AND EMOTIONAL ANIMALS

- Chickens are sentient beings who can experience similar emotional states to human beings including fear, anxiety, frustration, boredom, pleasure and enjoyment. Like humans, they feel physical pain and their nervous system is similar to mammals in its complexity.
- In their natural environment:
 - chickens live in complex social hierarchies and communicate using sound variations, postures and visual displays;
 - hens form strong bonds with their chicks, helping them learn which foods to eat, where to roost and protecting them from danger with specific alarm calls which enable them to determine whether predators are travelling by land or sky;
 - chickens live for five to seven years, but in factory farms, they may be slaughtered after 35 days.
- According to a leading Australian ethologist, Professor Lesley Rogers, the cognitive abilities of the chicken have been vastly underestimated and the domestic chicken is the 'avian species most exploited and least respected'.

THE FACTORY FARM – DEPRIVATION AND DESIGNER DEFORMITIES

- Factory farming is defined as 'a system of raising animals, using intensive 'production line' methods that maximise the amount of meat produced, while minimising costs.' (*Industrial Animal Agriculture; the next global health crisis*, WSPA (2005))
- Factory farms arguably cause the most suffering to the largest number of animals.
- Chickens used in meat production are bred specifically for that purpose and are not the same breed as egg-laying chickens.
- The past 50 years has seen a 15,000% increase in Australian chicken meat production, from three million to 470 million chickens per year.
- In Australian factory farms:
 - Current stocking densities allocate chickens less floor space than an A4 page to call their own.
 - Up to 60,000 chickens may be housed in one shed.
 - Permanent confinement may compromise animal welfare by preventing chickens from experiencing positive activities crucial to their welfare such as roosting, perching and foraging outdoors.

– High stocking density may lead to elevated levels of ammonia which can cause substantial pain and suffering in chickens.

– Regimes of artificial light, used to increase productivity, can cause stress, disease and sleep deprivation.

– Selective breeding of chickens has created generations of birds with unnaturally high growth rates who can now be ready for slaughter in only 35 days.

– Antibiotics are administered directly and indirectly to chickens, to prevent and treat disease.

– The common industry practice of withholding food from chickens used for breeding can leave them stressed, anxious and chronically hungry.

– The catching process can be extremely stressful. Live chickens are bundled in each hand (up to five at a time depending on their weight) before being packed into transport containers.

IF CHICKENS ARE PROTECTED BY LAW, WHY ARE THEY HURTING?

- Many of the cruelties inflicted upon chickens in factory farms are facilitated by Australia's State and Territory animal welfare laws and its *Model Code of Practice for the Welfare of Animals – Domestic Poultry*.
- Current laws allow millions of chickens to live their short lives in factory farms on the assumption that permanent confinement is justifiable, reasonable and necessary to secure ongoing industry profits.
- The plight of meat chickens has not received widespread coverage in Australia.

CHICKEN STOCK: THREE COMPANIES SUPPLY 80% OF AUSTRALIA'S MEAT CHICKENS

- The industrialisation of chicken meat farming has resulted in a dramatic reduction in 'family-run' farms and the emergence of three big players: Inghams Enterprises, Bartter Holdings (Steggles) and Baiada Poultry.
- One of the three biggest players, Baiada Poultry, slaughters more than 2.4 million chickens per week.
- The process of growing meat chickens is generally contracted out to 'grow-out farmers' who raise the chickens from day-old chicks then sell them back to the large processors for about 52 -55 cents each.
- Chickens are raised for meat in factory farms situated across most of Australia. New South Wales and Victoria are the biggest chicken meat producers.
- Chicken meat is primarily sold domestically, with only a small percentage exported.

THE REAL MEAL DEAL

- Supermarkets, Producers of Chicken Meat and Fast Food Chains use clever marketing techniques such as confusing images and ambiguous language that encourage consumers to disassociate animals from food.
- The lack of mandatory labelling of chicken meat products (by production system) can be confusing for consumers.
- The majority of chicken meat is sourced from factory farms which means that if a label does not state the farming method used, it is likely that the chicken has been raised in a factory farm.
- Chickens labelled 'barn-fresh', 'grain fed', 'hormone free', and '100% natural' are likely to be sourced from factory farms.
- Alternatives to factory farmed chicken exist, including certified free-range and organic.
- Commercials made by fast food companies rarely mention the actual animals used to create the end product and instead divert consumers' attention with prize giveaways, meal deals or cartoon characters.
- If consumers want to make ethical decisions about what they eat, they need to be given adequate information about how the chicken they eat has been raised.

TAX-PAYER DOLLARS FUNDING THE CHICKEN INDUSTRY

- Each year, millions of Australian tax-payers' dollars flow to the chicken meat industry to subsidise the practices that go on in factory farms.
- Funds come from joint Government and industry programs, direct grants and via agricultural assistance programs.

AUSTRALIA - SHAMEFULLY BEHIND INTERNATIONAL REFORMS

- Internationally, consumers are learning about the suffering of animals in factory farms. This has led to a consumer outcry and calls for farm animal law reform.
- Europe is leading the way with the United Kingdom, Sweden, Denmark and Norway all taking steps to ensure better conditions for chickens raised for meat in factory farms.
- In 2007, the European Union agreed to a Council Directive which set minimum standards for the protection of meat chickens. This Directive constitutes an attempt to address some of the worst aspects of factory farming which continue unabated in Australia.
- Consumers can be a powerful force for change, as evidenced by the United Kingdom, where consumers are increasingly choosing to purchase certified free-range or organic chicken as opposed to factory farmed chicken.
- Globally, supermarkets are expanding their product lines to include free-range chicken options. This demand-led revolution is beginning to take effect in Australia.

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CHICKENS - SMART, SOCIAL AND EMOTIONAL ANIMALS.

KEY POINTS

- Chickens are sentient beings who can experience similar emotional states to human beings including fear, anxiety, frustration, boredom, pleasure and enjoyment. Like humans, they feel physical pain and their nervous system is similar to mammals in its complexity.
- In their natural environment:
 - chickens live in complex social hierarchies and communicate using sound variations, postures and visual displays;
 - hens form strong bonds with their chicks, helping them learn which foods to eat, where to roost and protecting them from danger with specific alarm calls which enable them to determine whether predators are travelling by land or sky;
 - chickens live for five to seven years, but in factory farms, they may be slaughtered after 35 days.
- According to a leading Australian ethologist, Professor Lesley Rogers, the cognitive abilities of the chicken have been vastly underestimated and the domestic chicken is the 'avian species most exploited and least respected'.



- 1.1 While Australia claims to be a nation of animal lovers, few of us have had the opportunity to spend time observing or interacting with chickens. If we did, we would discover what science has shown and what some of us already consider commonsense: that chickens are sentient beings for whom pain, pleasure and quality of life matters.
- 1.2 Like humans, chickens have the ability to feel physical pain. Their nervous system is similar to mammals in its complexity,² which means that chickens may suffer gross harm due to the practices and procedures described later in this Report, associated with factory farming. Chickens also experience similar emotional states to humans, including fear, anxiety, frustration, boredom, pleasure and enjoyment.³
- 1.3 Chickens are very social animals. In a natural environment, they may live with up to 30 others in well established social hierarchies.⁴ They spend much of their time foraging for food, scratching the earth with their claws and pecking anything edible with their beaks.⁵
- 1.4 Chickens are capable of complex cognition and can perform as well as humans in some problem-solving tasks involving symbols.⁶ They are born with well-developed brains and from the time of hatching are able to make decisions and form memories.⁷ Chickens can also recognise more than 100 of their kind.⁸ They communicate using sound variations, postures and visual displays.⁹ Flock mates play an active role in keeping the group together¹⁰ and help co-ordinate activities such as dust-bathing, foraging, resting and roosting.¹¹
- 1.5 With this in mind, however, it is important to remember that greater intelligence does not necessarily lead to an increased capacity to suffer. In fact, one leading scientist has argued that ‘simpler’ animals may suffer more than those considered ‘complex’ due to the fact that they do not have sufficient coping mechanisms available to them.¹²
- 1.6 In a natural environment, female chickens, (also known as ‘hens’) go to considerable trouble when deciding where to build a nest. Some travel long distances through thick bush before choosing an appropriate site.¹³ They may also seek the assistance of males in the process.¹⁴ Once a site has been identified, hens go through an elaborate nestbuilding exercise.¹⁵ This involves scratching a hole into the earth then carefully collecting loose material and depositing it around the hole until the nest is complete.¹⁶ Hens form strong bonds with their chicks, beginning their communication with their young prior to hatching.¹⁷ A mother will help her chicks to learn which foods to eat by giving a ‘tidbitting call’ to alert her chicks to places where she is feeding.¹⁸ She will also teach her babies to roost on branches at night.¹⁹ Hens are fiercely protective of their young²⁰ and will protect them from danger with specific alarm calls which enable them to determine whether predators are travelling by land or sky.²¹
- 1.7 Chickens, who descend from the red jungle fowl of India and Southeast Asia,²² live naturally for about five to seven years and weigh about one to two kilograms.²³ Thousands of years ago they lived in dense vegetation, roosting at night in small groups and changing habitats according to the season and food availability.²⁴ Many wild populations continue to inhabit forests and cultivated lands across India today.²⁵
- 1.8 Despite generations of selective breeding or ‘artificial selection’ aimed at changing chickens’ bodies, core physiological and emotional traits remain. For example, given the opportunity, chickens raised for meat will preen, run, jump and engage in behavioural repertoires such as ground-pecking, wing-flapping, dust-bathing and vocalising.²⁶
- 1.9 It is increasingly recognised that understanding the cognitive abilities of animals is essential to issues of animal welfare. Yet, some scientists believe that to date, there has not been sufficient research aimed at understanding the behavioural abilities of chickens.²⁷
- 1.10 While new practices may be developed and implemented to improve welfare and productivity in intensive (factory) farms, one of Australia’s leading poultry ethologists, Professor Lesley Rogers, has noted that ‘even vastly improved intensive systems are unlikely to meet the cognitive demands of the hitherto underestimated chicken brain’.²⁸ Professor Rogers goes on to state that the domestic chicken (or *gallus gallus domesticus*), ‘is indeed the avian species most exploited and least respected.’²⁹

THE FACTORY FARM - DEPRIVATION AND DESIGNER DEFORMITIES

KEY POINTS

- **Factory farming is defined as ‘a system of raising animals, using intensive ‘production line’ methods that maximise the amount of meat produced, while minimising costs.’** (*Industrial Animal Agriculture; the next global health crisis, WSPA (2005)*)
- **Factory farms arguably cause the most suffering to the largest number of animals.**
- **Chickens used in meat production are bred specifically for that purpose and are not the same breed as egg-laying chickens.**
- **The past 50 years has seen a 15,000% increase in Australian chicken meat production, from three million to 470 million chickens per year.**
- **In Australian factory farms:**
 - **Current stocking densities allocate chickens less floor space than an A4 page to call their own.**
 - **Up to 60,000 chickens may be housed in one shed.**
 - **Permanent confinement may compromise animal welfare by preventing chickens from experiencing positive activities crucial to their welfare such as roosting, perching and foraging outdoors.**
 - **High stocking density may lead to elevated levels of ammonia which can cause substantial pain and suffering in chickens.**
- **Regimes of artificial light, used to increase productivity, can cause stress, disease and sleep deprivation.**
- **Selective breeding of chickens has created generations of birds with unnaturally high growth rates who can now be ready for slaughter in only 35 days.**
- **Antibiotics are administered directly and indirectly to chickens, to prevent and treat disease.**
- **The common industry practice of withholding food from chickens used for breeding can leave them stressed, anxious and chronically hungry.**
- **The catching process can be extremely stressful. Live chickens are bundled in each hand (up to five at a time depending on their weight) before being packed into transport containers.**

- 2.1 Factory farming has been defined as: *‘a system of raising animals, using intensive ‘production line’ methods that maximise the amount of meat produced, while minimising costs. Industrial animal agriculture is characterised by high stocking densities and/or close confinement, forced growth rates, high mechanisation, and low labour requirements... Latterly, the term has been extended to include farming practices that involve the use of transgenetic farm animals.’*³⁰
- 2.2 Of all animal industries, factory farming arguably causes the most suffering to the largest number of animals. Within this context, it is chickens raised for meat, whose deprivation is of the greatest magnitude due to the sheer number of animals permanently confined indoors in intensive conditions. Renowned bioethicist, Professor David Morton has argued: ‘If chickens are able to suffer, ought we to be farming them in this way? Surely the production of broilers [meat chickens] constitutes a disregard for our obligation to avoid causing suffering to intelligent animals whenever possible...’³¹
- 2.3 Chickens in Australia today are bred specifically for the purpose of either laying eggs or meat production. Different breeds of birds with particular traits are used depending on their intended purpose. Below are some of the differences between the two:³²

MEAT CHICKENS	EGG-LAYING CHICKENS
Male and female chickens are raised to be eaten.	Female egg laying chickens, called hens, are raised to lay eggs. Males are gassed or macerated (placed in a grinder) as day-old chicks. ³³
Majority ‘roam free’ in large sheds with up to 60,000 other chickens. ³⁴	Majority of hens kept caged in large sheds (4 to 20 birds per cage). ³⁵
Also known as ‘broiler chickens’.	Also known as ‘layer hens’.
Slaughtered for food at between 35-55 days. ³⁶	Hens are kept for 12-18 months, then slaughtered when no longer ‘productive’. ³⁷
470 million chickens slaughtered in 2006/07. ³⁸	More than 16 million hens are kept ‘in production’ at any one time. ³⁹

- 2.4 In the past 50 years the Australian chicken meat industry has undergone a massive transformation with the annual slaughter figure climbing from three million to about 470 million chickens per year.⁴⁰ These figures represent a startling 15,000% increase in Australian chicken meat production.
- 2.5 The dramatic increase in chicken meat production has come about because Australians now eat more chicken than ever before.⁴¹ What was once a ‘special’ meal has become a staple fast food. The popularity of chicken appears to be linked to the fact that it is a relatively cheap meat which has become cheaper to purchase (compared to other meats) over time.⁴² In reality, low prices have come at a cost to each and every chicken who now lives out his or her short life in the barren conditions of a factory farm.

- 2.6 In order to keep pace with increasing demand, the structure of Australia's chicken meat industry has changed tremendously over the last few decades. The factory farming of chickens, like that of other 'production animals' such as pigs and cows, has led to the development of economies of scales in sentient beings. The corporations that own these animals, while claiming to be welfare friendly,⁴³ are ultimately providing 'good enough welfare' to keep their stock productive, disease-free and alive until slaughter. The ethics of using sentient beings as meat production machines is rarely considered.
- 2.7 The vast majority of chickens purchased in supermarkets and restaurants today are sourced from factory farms. The following are some features of factory farm production which chickens are likely to have endured before they are slaughtered.

2.8 PERMANENT CONFINEMENT IN CROWDED SHEDS

- (a) Factory farmed meat chickens are raised indoors in closed sheds⁴⁴ designed to maximise productivity and minimise expenditure. Professor John Webster of the University of Bristol has described this production method as 'in magnitude and severity, the single most severe systemic example of man's inhumanity to another sentient animal'.⁴⁵ An 'average' factory farm houses about 320,000 birds over eight sheds, though some larger sheds may house up to 60,000 birds.⁴⁶ Under current laws, chickens are permitted to be stocked at a density of about 20 birds per square metre, depending on their body weight and the type of shed in which they are raised.⁴⁷ In practice, this means that while they can theoretically roam throughout their shed, current stocking densities allocate chickens less floor space than an A4 page to call their own.⁴⁸
- (b) The term 'animal welfare' includes positive experiences, not only the absence of negative ones.⁴⁹ In this respect, permanent confinement in sheds compromises animal welfare by limiting or preventing chickens from experiencing positive activities crucial to their welfare such as roosting, perching and foraging outdoors.⁵⁰ While they can dust-bathe and peck, they are denied the opportunity to do so in an outdoor environment.⁵¹ Studies of some factory farms have shown that the level of activity of chickens decreases with a rise in stocking density.⁵² High stocking density is often associated with:
- (i) Poor air quality arising from elevated levels of ammonia and dust particles. Ammonia odours tend to be generated by the breakdown of faecal matter⁵³ which accumulates in sheds in which chickens are kept.⁵⁴ While ammonia levels vary based on shed design and management, exposure has been associated with substantial pain and deprivation due to:
 - (A) reduced food intake, causing weight loss;
 - (B) irritated mucous membranes, causing respiratory and eye diseases; and
 - (C) reduced ability to carry out foraging, preening and resting behaviour.⁵⁵
 - (ii) Poor litter quality, which can cause hock burns (characterised by black marks around the upper leg of the chicken),⁵⁶ skin diseases such as footpad dermatitis and lameness;⁵⁷
 - (iii) Physical injury such as scratching and bruising caused by birds climbing over each other in an attempt to get to feeders while some are seeking to rest,⁵⁸ and
 - (iv) Problems associated with high humidity and temperature changes, such as heat stress, leading to hyperventilation, panting and death.⁵⁹
- (c) Chickens raised in factory farms are generally more anxious than birds raised

'the single most severe systemic example of man's inhumanity to another sentient animal'.

outdoors or at low stocking densities. Fear in chickens may constitute a powerful emotional state leading to chronic stress or long periods of tonic immobility, known as catatonic states or freezing, where a chicken will remain rigid for an extended period of time.⁶⁰

- (d) High stocking density has been rated by scientific experts and stakeholders in the Australian chicken meat industry as the key animal welfare issue.⁶¹ This constitutes an acknowledgment of the devastating impact that factory farming methods have on the quality of life of chickens.
- (e) Furthermore, the chicken meat industry itself appears conscious of the problems associated with high stocking density. A recent NSW Farmers Association newsletter stated that due to animal welfare concerns, lower stocking densities would be desirable. However, the newsletter reported an industry reluctance to openly discuss or debate the issue given that it would attract unwanted attention from animal protection organisations.⁶²

High stocking density has been rated by scientific experts and stakeholders in the Australian chicken meat industry as the key animal welfare issue.

2.9 EXPOSURE TO ARTIFICIAL LIGHTING REGIMES

- (a) Factory farms use artificial lighting to increase feeding time and to control the productivity of meat chickens.⁶³ Lighting programs are also used to affect growth rate, body weight, movement, mortality and susceptibility to metabolic diseases or circulatory problems.⁶⁴ Lower lighting intensity may be introduced as a tool to control aggression resulting from high stocking density.⁶⁵
- (b) Chickens raised in regimes of artificial light suffer because they rarely, if ever, have the opportunity to experience natural sunlight and darkness. They live in an artificial world of fluorescent and muted light, which distorts their normal sleeping and feeding patterns. Many show signs of stress when exposed to light for continuous periods.⁶⁶ These practices clearly have detrimental effects on their welfare and may increase the prevalence of lameness, skin diseases, and even eye disorders at very low levels of light.⁶⁷
- (c) The use of artificial lighting regimes in conjunction with breeding, stocking densities, poor ventilation and poor litter management has been associated with the onset of substantial pain in some chickens arising from a condition known as 'contact dermatitis'. This condition takes the form of ulcerative skin lesions that affect the feet, hock joint and breast of the chicken.⁶⁸

2.10 SELECTIVE BREEDING AND FAST GROWTH

- (a) Chickens raised for meat today reach market weight much faster than their counterparts 30 years ago. In fact since 1975, the time it takes to reach 'processing size' across the Australian industry has decreased from 64 to 35 days.⁶⁹ Contrary to popular thought, these 'unnatural' increases in chicken growth rates are not due to the use of hormones. Instead they are the product of selective breeding over many generations, a process designed to transform chickens into fast-growing, feed-conversion machines. Selective breeding has focused on responding to consumer-demand for large quantities of breast meat.
- (b) Chickens today are marketed by breeding companies in the same way one might advertise a mobile phone or a car. For example, some of the main 'hybrids' of chicken used in Australia such as the Cobb 500 and Ross 308 are derived from stock imported from the United States and the United Kingdom.⁷⁰ Their developer-breeders boast that their research has resulted in products (ie chickens) characterised by superior 'performance, quality and welfare' or 'bottom line returns'.⁷¹

- (c) Selective breeding has had grave ramifications for the health of the world's 48 billion meat chickens and those raised in Australia are no exception.⁷² Studies have shown that as growth has been directed towards muscle and fat tissue and not bone, many meat chickens have been left with fragile legs that can buckle under their own weight.⁷³ Lameness and skeletal disorders, characterised by inflammation, spinal cord damage, impaired mobility, tension on joints and ruptured tendons have become a major welfare issue in many countries, including Australia.⁷⁴ The stress and pain associated with such disorders has led to a generation of birds that spend considerable time lying down on litter. Furthermore, in some instances, the pressure of fast growth has impacted on the hearts and lungs of chickens. This has resulted in the emergence of lethal metabolic disorders such as ascites and sudden death syndrome.⁷⁵
- (d) In recent years, multinational chicken breeding companies who spend millions of dollars researching and 'designing' chickens,⁷⁶ have sought to address the undesirable side effects of selective breeding by creating new genetically 'improved' strains of meat chickens.⁷⁷ These activities are arguably motivated more by the fact that sick birds have the potential to compromise profitability (since they need to be killed before they reach market weight) than a desire to improve the life of chickens. Despite the extensive welfare issues associated with selective breeding, the practice remains unaddressed by Australia's State and Territory laws.

2.11 DIET OF ANTIBIOTICS

- (a) Antibiotic use by Australian farming industries is high.⁷⁸ Due to the unnaturally crowded conditions in which factory farmed animals live, antibiotics are used as a therapeutic agent to treat bacterial infections. For meat chickens, such infections include e.coli, salmonella and enterococci. In sick birds, the antibiotics are used as a prophylactic agent, to prevent and control the spread of disease.⁷⁹ Simply put, this means that chickens may be fed antibiotics before they even get sick so as to reduce the potential costs associated with an outbreak of disease. This is part of a global phenomenon in which antibiotics are used to compensate for the environmental risks of housing unnaturally large numbers of birds in confined spaces and the metabolic stress on chickens posed by factory farming.⁸⁰ A significant proportion of the antibiotics used for farm animals kept in intensive conditions are administered via the food the animals eat – low doses are continuously fed to the animals during their 'production cycle'.⁸¹ Antibiotics may be administered directly and indirectly through

the chickens' feed and water.⁸²

- (b) As bacterial infections have the potential to inhibit the growth of birds, use of antibiotics has the 'incidental' benefit for producers of maximising chicken growth.⁸³ While industry maintains that antibiotic residue in chicken meat is insufficient to harm humans, considerable research and development has been devoted towards phasing out antibiotic use.⁸⁴ In 1999, the Joint Expert Advisory Committee on Antibiotic Resistance (JETACAR) found qualitative evidence that antibiotics given to animals 'leads to resistant bacteria and that these bacteria or their genes are passed on to humans, principally via the food chain'.⁸⁵ Arguably, these findings and the considerable research conducted since the JETACAR report was released, demonstrates that many consider antibiotic use to be problematic.

2.12 CHRONIC HUNGER

- (a) In addition to the millions of chickens grown and bred for meat, some chickens are raised specifically as 'breeders'. Their sole purpose is to lay eggs that will hatch to become the meat chickens that Australians eat.⁸⁶ To increase their productivity and minimise certain health problems, 'breeding' birds are often fed restricted diets which means they are chronically hungry.⁸⁷ This practice, which is known as 'skip-a-day feeding', has flow-on effects including over-drinking, excess consumption of litter and related infections.⁸⁸ The withholding of food causes boredom and frustration as demonstrated by foraging, spot-pecking of walls, hyperactivity and other stereotypical behaviours.⁸⁹
- (b) Stereotypical behaviours are scientifically recognised as an indicator of stress and anxiety. These behaviours, which are not limited to chickens used for breeding, are also caused by the inability of the factory farm environment to meet the intellectual needs of chickens.⁹⁰ Skip-a-day feeding has also been associated with behavioural changes in chickens including increased aggression in males and fear in females.⁹¹

2.13 THE TRAUMA OF TRANSPORT

- (a) At the age of approximately 35 days, some meat chickens are deemed ready for slaughter, having reached their target weight.⁹² Before they can be transported to the slaughterhouse, they are captured by contract pick-up crews.⁹³ The catching process can be extremely stressful as current laws permit chickens to be caught by either their legs or body. Up to five live chickens are bundled in each hand⁹⁴ before being packed into transport

containers. In order to reduce labour costs and address the extreme stress responses that some chickens have shown in response to manual catching, automatic 'harvesters' are have been introduced by some chicken producers in Australia to expedite the catching process.⁹⁵

- (b) After capture, chickens are permitted to be confined for transport at a stocking density of 28 or more per square metre.⁹⁶ They are typically packed into 'drawers' within containers with approximately four drawers per crate.⁹⁷ Containers are generally stacked on top of each other to maximise the numbers of birds transported in each vehicle. The trip to the slaughterhouse which tends to be located within 100km of most farms, offers little reprieve. This journey takes a massive physical and psychological toll on any chicken that has survived to their slaughter weight.⁹⁸

2.14 DO FACTORY FARMERS CARE ABOUT CHICKENS?

ARGUMENTS IN FAVOUR OF FACTORY FARMING	VOICELESS SAYS
It makes chicken cheap	In the past, chicken meat was more expensive which meant people ate it less frequently. Today since chicken meat is significantly cheaper and more readily available, chickens are paying the price in the form of lower standards of welfare.
Chickens are free to roam in enclosed sheds	Up to 20 chickens are lawfully allowed to be kept per square metre. They spend their life crowded together with thousands of others, permanently enclosed indoors. They rarely, if ever, see natural light and are not able to engage in many of their normal behaviours. Many chickens also suffer from lameness or other disabilities.
Chickens are protected from predators and given access to food and water	At what cost? One could also argue that humans would be better off permanently jailed. This would protect us from the dangers of life such as road accidents and natural disasters. It would also protect us from the stresses of life - work, finances, mortgages etc. Which one would you choose?
There are laws that protect chickens	These laws compromise the quality of life of chickens by deeming their suffering as 'necessary' for industry profits. The same laws classify chickens as property, stock and units of production. Can such laws really be thought of as 'protecting' chickens?

03

IF CHICKENS ARE PROTECTED BY LAW, WHY ARE THEY HURTING?

KEY POINTS

- Many of the cruelties inflicted upon chickens in factory farms are facilitated by Australia's State and Territory animal welfare laws and its *Model Code of Practice for the Welfare of Animals - Domestic Poultry*.
- Current laws allow millions of chickens to live their short lives in factory farms on the assumption that permanent confinement is justifiable, reasonable and necessary to secure ongoing industry profits.
- The plight of meat chickens has not received widespread coverage in Australia.



3.1 Many people believe that because Australia has a detailed regulatory framework for animal protection, chickens must be well treated. Most would be shocked to learn that the cruel practices described above are institutionalised and sanctioned by our State and Territory animal welfare laws. While our laws purport to prevent animal cruelty, in practice, chickens, like other factory farmed animals, are largely exempt from meaningful legal protections.⁹⁹ Instead of serving as a tool to protect the fundamental interests of animals, the animal welfare laws of each jurisdiction, together with the Federal Model Code of Practice for the Welfare of Animals – Domestic Poultry (*'Poultry Code'*)¹⁰⁰, expressly or impliedly sanction animal deprivation. This is achieved in two main ways:

- (a) By enacting standards that cover a range of practices relating to the raising of chickens. This includes setting maximum stocking densities and minimum standards for lighting, ventilation, food, water and capture pre-transport.¹⁰¹ This effectively entrenches current procedures in law; and
- (b) By prohibiting 'unnecessary', 'unreasonable' or 'unjustifiable' suffering. This sanctions the deprivation of chickens to secure ongoing industry profits and the continuing expansion of Australia's chicken meat industry on the basis that suffering is *necessary*.¹⁰²

3.2 The plight of meat chickens has not received widespread coverage in Australia. Despite this, some politicians have sought to place the plight of meat chickens on the public record. The following are some examples:

*'One of the large producers in South Australia contracts out to people to house chickens in these huge barns. The chickens never see daylight from the moment they are hatched to the moment they are killed and I think those practises are questionable. People who visit those places say that if you saw the conditions you would never buy that brand of chicken... It is not necessary in Australia or South Australia to have animals in such conditions.'*¹⁰³

The Hon Bob Such MP.

'Broiler [meat] chickens ... spend the last few days of their lives with very little room to move. The severe restriction of movement over those last few days is cruel [152] ... [160] There are other cruel practices ... the restriction of broiler breeders' feed with the result that they go hungry although bred for appetite, leg problems in broilers bred for weight, rough handling of broilers taken for slaughter and pre-stun electric shocks suffered by broilers on the way to slaughter.'

Richard Jones MLC, now retired, quoting Justice Bell in the highly publicised English High Court 'McLibel' case.¹⁰⁴

3.3 Politicians who speak up for animals play an important role in highlighting institutionalised cruelty. Their efforts place the suffering of farm animals on the public record where they can garner media attention and facilitate community debate. They also acknowledge the legitimacy of public concern about animals, paving the way for meaningful law reform.

04

CHICKEN STOCK: THREE COMPANIES SUPPLY 80% OF AUSTRALIA'S MEAT CHICKENS

KEY POINTS

- **The industrialisation of chicken meat farming has resulted in a dramatic reduction in 'family-run' farms and the emergence of three big players: Inghams Enterprises, Bartter Holdings (Steggles) and Baiada Poultry.**
- **One of the three biggest players, Baiada Poultry, slaughters more than 2.4 million chickens per week.**
- **The process of growing meat chickens is generally contracted out to 'grow-out farmers' who raise the chickens from day-old chicks then sell them back to the large processors for about 52-55 cents each.**
- **Chickens are raised for meat in factory farms situated across most of Australia. New South Wales and Victoria are the biggest chicken meat producers.**
- **Chicken meat is primarily sold domestically, with only a small percentage exported.**

4.1 THE MAJOR PLAYERS

While Australians have a strong attachment to the iconic Aussie farmer, the nature of factory farms, being giant businesses focussed on maximising productivity and efficiency, has left little scope for traditional family farmers to survive. In reality, the modern chicken meat industry in Australia is vertically integrated and highly concentrated. This means that several large companies own most stages of the chicken production process from the hatchery to the processing plants (slaughterhouses in which chickens are converted into a variety of meat products). At the present time, three companies supply approximately 80% of Australia's meat chickens,¹⁰⁵ with the remainder supplied by about seven medium-sized companies.¹⁰⁶

4.2 WHAT THEY OWN

- (a) Inghams Enterprises Pty Limited is the largest player in the Australian chicken meat market which means it owns and operates a significant number of factory farms.¹⁰⁷ Inghams, which also produces turkeys and ducks¹⁰⁸, has over 8,000 employees and operates in all Australian states.¹⁰⁹ In 2007 its group turnover exceeded \$1.6 billion.¹¹⁰ Inghams also packages its products under the brand names: Chickadee, Barons Table, Aldinga Table Turkeys, Mitavite and other retail house brands.¹¹¹ Inghams includes some free-range products in its range.
- (b) Bartter Holdings Pty Limited, which owns the Steggles brand¹¹² is the second largest producer of chicken meat in Australia.¹¹³ In 2005/06, its revenue was over \$703 million. It has operations in New South Wales, Victoria, Queensland, South Australia and Western Australia and processes more than 2.4 million chickens each week.¹¹⁴
- (c) Baiada Poultry Pty Limited, which is based in New South Wales, is Australia's third largest poultry company.¹¹⁵ In addition to its factory farming operations, Baiada also runs a free-range facility in Victoria, which markets its products as Lilydale Select Free Range Chicken.¹¹⁶ In total, Baiada produces over 50 million kilograms of chicken meat every year.¹¹⁷
- (d) Some of the other more well-known chicken meat companies are: Hazeldene's Chicken Farms, Cordina Chicken Farms, La Ionica Poultry, Red Lea, Sunnybrand and Golden Cockerel Chicken.¹¹⁸ Although they represent the 'smaller players', the numbers of chickens they slaughter is anything but small. Red Lea and Hazeldene, for example, kill hundreds of thousands of chickens per week.¹¹⁹

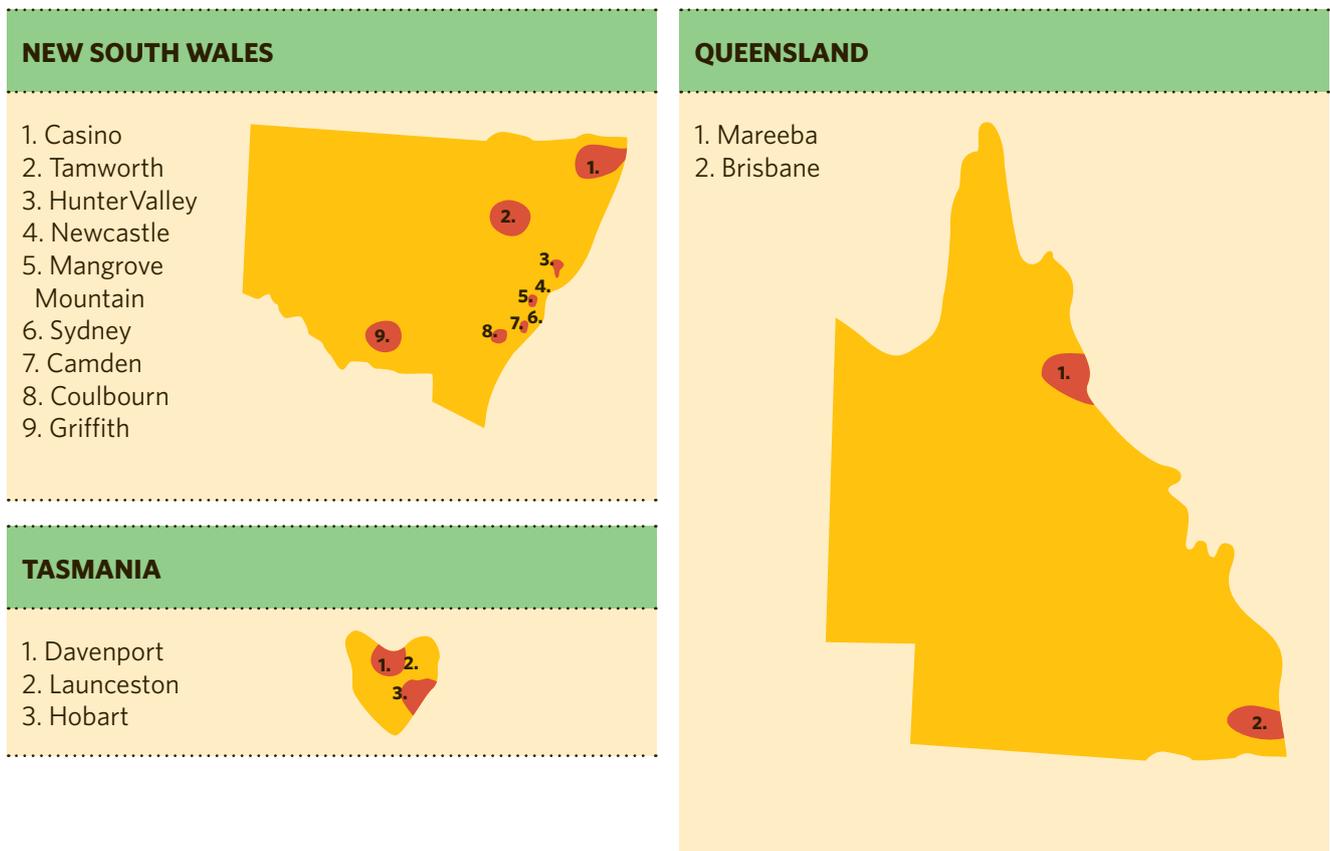
4.3 FACTORY FARMERS

- (a) Although the major chicken meat players tend to own all stages of the factory farming process (hatching, growing and slaughter), the process of growing chickens is generally contracted out.¹²⁰ The major players provide day-old chicks, together with feed, medication and veterinary services to contract growers (factory farmers)¹²¹ who contribute the equipment, sheds, management and labour necessary to grow the chickens.¹²² The factory farmers' role is to get chickens to their target weights as quickly as possible and return them to the processors so they can collect a growing fee.
- (b) Since factory farmers do not own the chickens they raise, they are subject to the dictates of the major players in the industry.¹²³ For example, there is little scope for farmers to negotiate growing fees due to the small number of processors in the market.¹²⁴ In NSW, grower fees declined by 46% between 1999 and 2003 (failing to keep pace with inflation) while processor profits increased by 47% in the years between 1995 and 2003.¹²⁵ At present, the average price that a farmer makes from each chicken is 52-55 cents.¹²⁶ In order to survive, this leaves farmers

with little recourse but to run big operations with fewer employees and a high turnover of chickens.

4.4 CHICKEN COUNTRY

- (a) Chickens are raised for meat on factory farms across Australia with the exception of the Australian Capital Territory and the Northern Territory. The major areas tend to be located in rural regions and on the outskirts of medium to large cities. Factory farms are usually located within 100 kilometres of processing (slaughter) plants to minimise transportation costs.¹²⁷ Processing plants also tend to be located near capital cities or large metropolitan areas to reduce costs associated with distributing chicken meat, labour and other services.¹²⁸
- (b) New South Wales is the industry 'leader' in chicken meat. Its main production centres are on the outskirts of Sydney, Mangrove Mountain on the Central Coast, Newcastle, Tamworth, Griffith and Byron Bay.¹²⁹ Approximately 36 million chickens were slaughtered in NSW in the March 2008 quarter.¹³⁰
- (c) Victoria's chicken meat market has recently expanded rapidly.¹³¹ Its main production centres are in the Mornington Peninsula, east of Melbourne, Geelong and Bendigo. Victoria is now the second largest player in the chicken meat market, having slaughtered 29 million chickens in the March 2008 quarter.¹³²
- (d) The chart below sets out the approximate share of Australia's chicken meat production held by each State.¹³³ The map depicts the main chicken growing areas in each State:



VICTORIA

1. Bendigo
2. Nagambie
3. Pakenham
4. Lethbridge
5. Colac
6. Geelong
7. Melbourne
8. Mornington Peninsula



WESTERN AUSTRALIA

1. Perth



SOUTH AUSTRALIA

1. Gawler
2. Adelaide
3. Murray Bridge



4.5 HOME-GROWN LEGALISED CRUELTY

- (a) While other meat industries have fairly substantial export markets, the majority of chicken meat produced in Australia goes to feed the domestic market.¹³⁴ In 2005/06, poultry meat exports were 22,000 tonnes¹³⁵, or just under 3% of total production.¹³⁶ That means that approximately 97% of chicken meat produced in Australia is consumed by Australians.
- (b) Some of the major export markets for poultry (which includes chicken, turkey, pheasant and duck) are South Africa (which constitutes 39% of the export market for poultry), the Pacific Region, China, Hong Kong, Sri Lanka, Indonesia and Singapore.¹³⁷ Of the poultry exported from Australia in 2005-2006, which generated about \$3.9 billion revenue,¹³⁸ chicken meat accounted for 78% of the total revenue generated.
- (c) While Australia has been importing chicken meat from New Zealand for a number of years,¹³⁹ imports from other countries are restricted for biosecurity reasons.¹⁴⁰ Some pre-cooked chicken meat is imported into Australia (such as in pet food or processed food); however it can only be imported if the chicken meat is processed according to strict guidelines.¹⁴¹

THE REAL MEAL DEAL

KEY POINTS

- Supermarkets, Producers of Chicken Meat and Fast Food Chains use clever marketing techniques such as confusing images and ambiguous language that encourage consumers to disassociate animals from food.
- The lack of mandatory labelling of chicken meat products (by production system) can be confusing for consumers.
- The majority of chicken meat is sourced from factory farms which means that if a label does not state the farming method used, it is likely that the chicken has been raised in a factory farm.
- Chickens labelled 'barn-fresh', 'grain fed', 'hormone free', and '100% natural' are likely to be sourced from factory farms.
- Alternatives to factory farmed chicken exist including certified free-range and organic.
- Commercials made by fast food companies rarely mention the actual animals used to create the end product and instead divert consumers' attention with prize giveaways, meal deals or cartoon characters.
- If consumers want to make ethical decisions about what they eat, they need to be given adequate information about how the chicken they eat has been raised.



5.1 (NOT SO) SUPER MARKETS

- (a) In recent years, Australians have joined the global community of consumers who want to make ethical choices when they visit the supermarket.¹⁴² In order to do this, truth-in-labelling of products, including chicken products, must be provided. While the law ensures that companies do not technically deceive or mislead consumers,¹⁴³ the labels on chicken products that fill our supermarket shelves do not always tell the 'whole truth'. This is hardly surprising as it is not in the interests of factory farmers to disclose to their customers what a chicken has endured in order to end up in a box of 'mouth-watering chicken wings'¹⁴⁴ or as deep-fried pieces of 'dinosaur-shaped chicken.'¹⁴⁵ Rather than showing the reality of how chickens are raised and slaughtered, modern marketing methods encourage consumers to disassociate animals from the food they become.¹⁴⁶
- (b) Under current Australian laws, suppliers of chicken do not need to disclose their production methods. This means that where a label or a website is 'silent' on the farming production methods used, there is a strong likelihood that the chicken has been raised in a factory farm. Despite this, many forms of chicken packaging use cartoon images of happy chickens and pictures of green fields and farmhouses to distract the consumer from the reality of factory farming. For example, the Chickadee brand (now a division of Inghams Enterprises) uses a logo of a cartoon chicken dressed up in shoes and an apron.¹⁴⁷ The cartoon chicken is carrying a grocery basket as if to say 'buy me and eat me'. The idea of a chicken enticing shoppers to eat it may appear unsettling; however it is a common marketing tool amongst chicken processing companies, most of which do not use images of actual chickens on their packaging.¹⁴⁸
- (c) While the vast majority of chickens in Australia will never see the light of day except on their way to the slaughterhouse, current marketing methods reinforce the age-old notion that chickens are raised outdoors in big, open fields. The Bartter logo, for example, depicts a field of grain with a country barn house in the background. There are no signs of the long, steel sheds which house up to 60,000 chickens for their entire lives.
- (d) In addition to using imagery that supports the veil of secrecy surrounding factory farming, the chicken meat industry also uses subjective and ambiguous language as a marketing tool.¹⁴⁹ Industry is able to do this because many terms used to sell chicken are not defined in legislation. The following are examples of phrases and terms currently used to describe chicken meat in Australia which are subject to widely different interpretation by producers and consumers:
- (i) **CAGE-FREE:** The majority of companies that sell chicken meat claim that their chickens are not raised in cages¹⁵⁰ and that they are 'free to roam around in substantial poultry houses with no restrictions for accessing water and feed'.¹⁵¹ By inference, we are led to believe that welfare standards for meat chickens are high. Despite the fact that chickens are not raised in cages like battery hens, due to high stocking densities meat-chickens may still struggle to find space in which to rest.¹⁵²
 - (ii) **HORMONE-FREE:** Many chicken processors advertise their products as being 'hormone free'.¹⁵³ However, chicken meat producers in Australia stopped giving chickens growth hormones in the 1960s, making this claim somewhat redundant.¹⁵⁴ By using the term 'hormone-free', consumers may be led to believe that factory farmed meat chickens are 'natural', when in actual fact, the selective breeding of chickens has resulted in a grave distortion of the natural growth process. While industry is quick to point out that they don't use hormones, they are far less vocal about their routine use of antibiotics and the potential effect of this on human health.¹⁵⁵
 - (iii) **GRAIN-FED:** Another marketing tool used by the chicken meat industry to sell their product is use of the term 'grain-fed'. While this may conjure up images of chickens happily pecking grain scattered around a barnyard, most chickens are fed in pellet form, where the grain is mixed together with other ingredients then condensed into small pellets.¹⁵⁶ As the term 'grain fed' is not defined in legislation, it is not necessary for industry to disclose that grain-fed chickens may also be fed additives such as meat and bone meal from other animals.¹⁵⁷
 - (iv) **CORN-FED:** A corn-rich diet makes the skin and flesh of a chicken turn yellow in colour.¹⁵⁸ While many people believe corn-fed chicken to be of a higher quality than grain-fed chicken, this is not because chickens have had access to fields of sun-drenched corn. To the contrary, corn-fed chickens, like millions of others in Australia, spend their lives indoors in factory farms, unless otherwise specified.
 - (v) **FREE-RANGE:**
 - (A) Although chickens in well-managed free-

range farms generally have a better quality of life than factory farmed chickens, there is currently no regulatory definition of the term 'free-range'¹⁵⁹ which creates the potential for substantial variation in their quality of life. The Poultry Code gives some indication of how free-range chickens should be kept by specifying that:

- (1) they are required to be kept in sheds and have access to an outdoor range during daylight for a minimum of eight hours per day;¹⁶⁰
- (2) they must have access to shaded areas and shelter from rain and wind;¹⁶¹ and
- (3) 'every reasonable effort must be made' to protect them from predators.¹⁶²

(B) Despite this, the Poultry Code does not have the status of law in all jurisdictions. In the absence of enforceable definitions, the term 'free-range' has been subject to different interpretation by both producers and consumers. This has led some industry bodies to establish free-range accreditation schemes to promote consumer confidence in chicken meat. For example, Free Range Egg and Poultry Australia Limited (FREPA) has created a set of Standards for free-range meat birds. These Standards must be met in order for chicken meat to be accredited as 'free-range'.¹⁶³

(C) Given that free-range is one of few farming systems that enable chickens to perform many of their normal behaviours, free-range systems can be seen to be a more 'natural' way to produce chicken meat. However free-range chickens are generally sourced from the same hatcheries as factory farmed chickens which means they may still grow at unnaturally high growth rates.

(vi) **ORGANIC:** In recent years, an increasing number of consumers have turned to organic producers because they claim to treat animal welfare as a priority.¹⁶⁴ Although organic chickens are sourced from the same large hatcheries as factory farmed and free-range chickens, in order to obtain 'certified organic' status, they are raised pursuant to

organic farming methods. These methods include providing chickens with 95% organic feed which cannot contain any antibiotics or substances that promote growth.¹⁶⁵ Significantly, in Australia, organic standards require that chickens are raised in free-range conditions.¹⁶⁶ They also require that organic chickens live longer than factory farmed chickens, though they are still killed well before their natural life cycle would permit.¹⁶⁷

(e) With an increasing number of consumers demonstrating an interest in making animal-friendly choices at the supermarket or choosing to abstain from animal-derived food products,¹⁶⁸ it is imperative that food labels empower consumers to make informed choices about the chicken they buy. The Table to the right sets out some of the main differences in the quality of life of factory farmed, free-range and organic chickens.

CASE STUDY

In 2002, a New Zealand Green Party MP, Sue Kedgley, lodged a formal complaint with the Advertising Standards Complaints Board ('the Board') and the Commerce Commission alleging misleading and deceptive conduct. The complaint concerned an advertising campaign run by Tegel Foods Ltd about the chickens raised on their farms. The complaint included an allegation that a brochure that promoted Tegel chickens as 'pure, natural and healthy' was misleading and deceptive insofar as the word 'pure' was used, because it implied that the chickens were untainted by anything unnatural, including drugs or antibiotics.¹⁷⁸

In reality, the chickens raised by Tegel were routinely fed antibiotics and the chicken contained residue antibiotics when sold. The Complaints Board held that use of the word 'pure' was not misleading or deceptive because the chickens contained only one 'ingredient', that being the chicken itself. However there was a minority view by the Board that believed the term was misleading because the chicken contained an incidental constituent, namely a residue antibiotic which would not have been understood by a modern consumer.¹⁷⁹ As the minority appears to have recognised, use of the word 'pure' in this circumstance can be seen to illustrate how industry uses ambiguous language in its marketing.

	FACTORY FARMED, INCLUDING CAGE-FREE, HORMONE-FREE, GRAIN-FED AND CORN-FED	FREE-RANGE AND ORGANIC
ACCESS TO OUTDOORS	No	Yes ¹⁶⁹
% OF LIFE OUTDOORS	0%	Approximately 50% for free-range chickens and approximately 85% for organic chickens ¹⁷⁰
ACCESS TO NATURAL LIGHT	No	Yes
STOCKING DENSITY	Up to 20 chickens may lawfully be kept per square metre ¹⁷¹	8-16 chickens per square metre when indoors (free-range) ¹⁷² 12 chickens per square metre when indoors (organic) ¹⁷³
USE OF HORMONES	No	No
USE OF ANTIBIOTICS	Yes	No ¹⁷⁴
AGE WHEN SLAUGHTERED	35-55 days ¹⁷⁵	35-55 days (free-range) ¹⁷⁶ 65-80days (organic) ¹⁷⁷

5.2 FAST FOOD FALLACY

- (a) Fast food chains employ clever marketing strategies to discourage consumers from linking their products to the millions of chickens in factory farms.¹⁸⁰ Advertisements for fast food companies often use techniques aimed at distracting consumers from issues of animal suffering and ethical eating. For example, messages about food are conveyed through cartoon characters or through commercials designed to create an emotional ambience that leaves the viewer with a sense of well-being.¹⁸¹ Rather than addressing concerns about animal suffering, advertising tends to appeal to customers' self interest by focusing on taste and freshness or other food qualities. For example, the focus of KFC's recent advertising campaigns has been on persuading consumers that KFC uses chicken that is 'fresh, not frozen.'¹⁸²
- (b) Other popular methods used by fast food chains to disassociate their products from factory farms include:
- (i) disguising chicken meat so that it does not resemble chicken and becomes a different

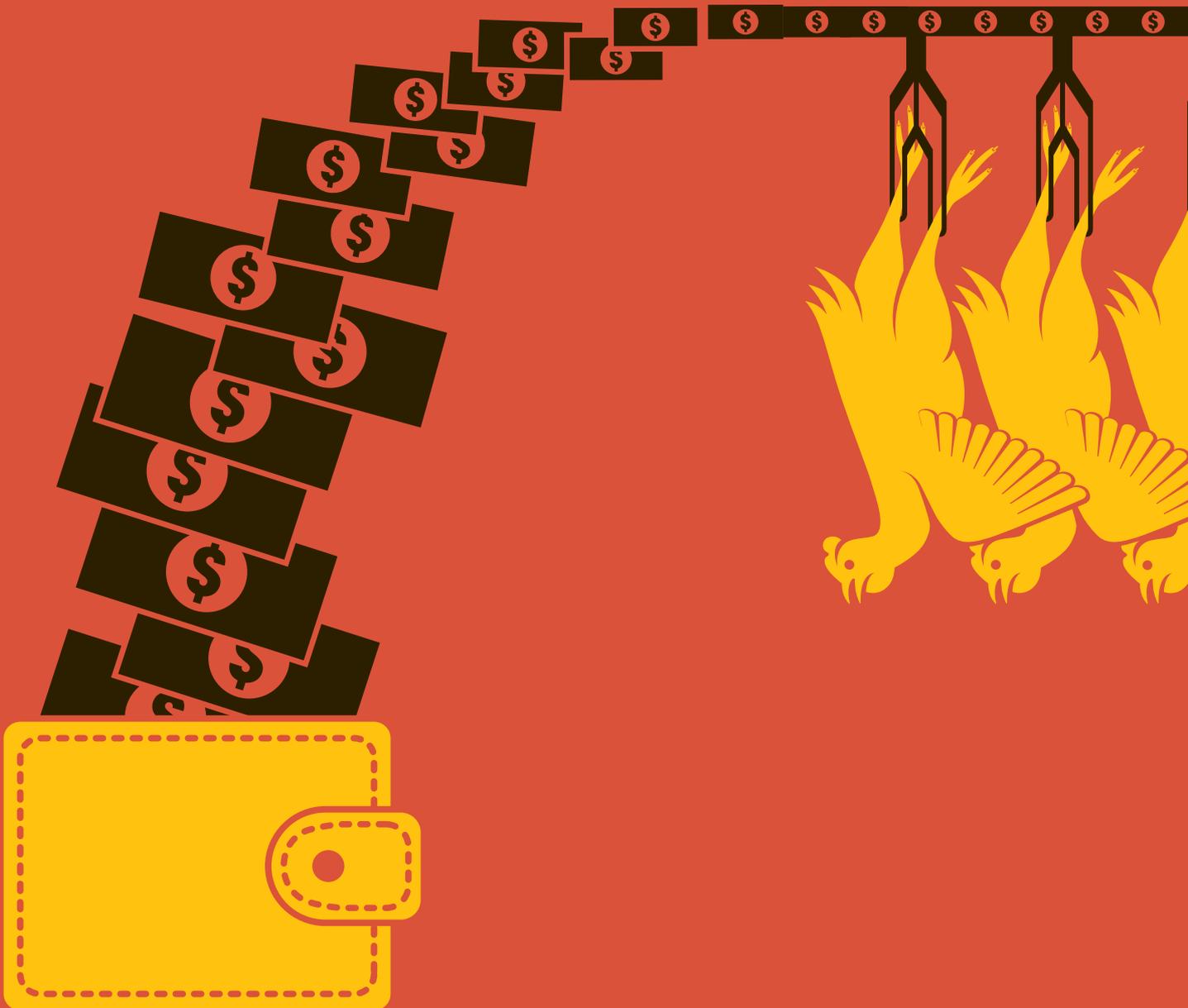
product altogether. Examples include: 'Popcorn Chicken'¹⁸³, 'Chicken McNuggets'¹⁸⁴ and 'Chicken Pops'¹⁸⁵; and

- (ii) complementing food sales with giveaways as evidenced by the 'Happy Meal'.¹⁸⁶
- (c) While some fast food restaurants have begun to adapt their product lines in response to increased opposition to pork and eggs sourced from factory farms, the major fast food retailers have yet to heed consumer concerns about cruelty to chickens in a meaningful way. Despite this, it appears that the rising tide of opposition to factory farming can only be averted with 'feel-good' marketing strategies for so long. As awareness grows, the demand-led consumer revolution will soon affect decisions made at the boardroom tables of our nation's fast food chains as well.

TAX-PAYER DOLLARS FUNDING THE CHICKEN INDUSTRY

KEY POINTS

- Each year, millions of Australian tax-payers' dollars flow to the chicken meat industry to subsidise the practices that go on in factory farms.
- Funds come from joint Government and industry programs, direct grants and via agricultural assistance programs.



- 6.1 Every year, millions of dollars flow from the public purse to the chicken meat industry. This is somewhat surprising given that the industry accounts for less than 0.01% of gross domestic product in Australia.¹⁸⁷ Many Australians would be alarmed to discover that their tax dollars are being used to subsidise the suffering of animals in factory farms. Funds are transferred:
- (a) through joint Government and Industry programs, in which the Government agrees to match certain industry contributions;
 - (b) as direct grants to industry; and
 - (c) via general agricultural assistance programs.
- 6.2 While the precise extent and nature of public funding cannot be easily ascertained, it is clear that millions of tax-payer dollars are used to fund the chicken meat industry every year. The following are some examples:
- (a) The Australian Poultry Co-operative Research Centre (Poultry CRC) received more than \$23 million from the Australian Government for its establishment in 2003. Its aims include enhancing the competitiveness of the chicken meat industry by undertaking research in the areas of nutrition, health, bird welfare and environmental management. The Poultry CRC is supported by the Federal Government's Rural Industries Research Development Corporation (RIRDC) and is part of a \$78.8 million joint investment with industry and research participants.¹⁸⁸
 - (b) While chicken breeding companies, chicken meat companies and other industry participants undertake research aimed at securing and safeguarding their profit margins, the RIRDC Chicken Meat Program, which partners with the Poultry CRC, aims to undertake more 'generic' research for the chicken meat industry. It is funded jointly by industry, which pays a levy on meat chickens hatched and a 'matching contribution' from Government. In 2007/08 its budget exceeded \$3 million.¹⁸⁹
 - (c) As primary producers, factory farmers who produce chicken meat are eligible for a number of tax deductions. For example, they are permitted to claim tax deductions for depreciation of plant and equipment. They are also stand to benefit from the Averaging Scheme and Income Equalisation Deposits Scheme which enables them to calculate their tax liabilities based on a five year average.¹⁹⁰
 - (d) Certain chicken meat operations have been the subject of State specific funding grants. Examples include:
 - (i) a \$7 million grant to a chicken meat processing plant in Northern Adelaide (funded under the Federal Government's Structural Adjustment Fund for South Australia which was established in 2004);¹⁹¹
 - (ii) a \$400,000 grant to Sunnybrand Chickens Pty Ltd for the expansion of its hatchery at Lismore (funded by the Federal Government in 2003 under its Sustainable Regions program);¹⁹²
 - (iii) a \$180,000 grant to Davis Poultry, Marylborough,¹⁹³ to expand its chicken manufacturing operations (funded by the Victorian Government through its Community Regional Industry Skills Program in 2008).
 - (e) Grants are also awarded by the Government for formal vocational and educational training in the chicken meat industry. These include training heavily subsidised by the national FarmBis and Australian Apprenticeships program.¹⁹⁴

07

AUSTRALIA - SHAMEFULLY BEHIND INTERNATIONAL REFORMS

KEY POINTS

- **Internationally, consumers are learning about the suffering of animals in factory farms. This has led to a consumer outcry and calls for farm animal law reform.**
- **Europe is leading the way with the United Kingdom, Sweden, Denmark and Norway all taking steps to ensure better conditions for chickens raised for meat in factory farms.**
- **In 2007, the European Union agreed to a Council Directive which set minimum standards for the protection of meat chickens. This Directive constitutes an attempt to address some of the worst aspects of factory farming which continue unabated in Australia.**
- **Consumers can be a powerful force for change, as evidenced by the United Kingdom, where consumers are increasingly choosing to purchase certified free-range or organic chicken as opposed to factory farmed chicken.**
- **Globally, supermarkets are expanding their product lines to include free-range chicken options. This demand-led revolution is beginning to take effect in Australia.**

7.1 While the global production of chicken meat is expanding at a staggering pace, awareness about factory farming is also increasing. This has led to calls for more meaningful legal protections for chickens in certain countries and to a consumer outcry in those countries where the veil of secrecy has been lifted.

7.2 EUROPE LEADS THE WAY:

- (a) As in other areas of farm animal law reform, a number of European countries have taken a leadership role in the area of chicken meat production. This may well be because, according to one survey, more than four in ten Europeans believe that meat chickens are amongst the three species most in need of greater welfare and protection.¹⁹⁵ For example:
- (i) The United Kingdom ('UK') has banned the cruel practice of 'skip-a-day feeding'.¹⁹⁶
 - (ii) The Norwegian *Animal Welfare Act 1995* provides that all animals including farm animals such as chickens be provided with sufficient room, warmth, light and access to fresh air to meet their needs.¹⁹⁷ This Act also forbids genetic engineering and selective breeding if it adversely affects the animals' normal behaviour or physiological functions, causes unnecessary suffering, or gives rise to general ethical concerns.¹⁹⁸
 - (iii) Sweden¹⁹⁹ and Denmark²⁰⁰, where survey evidence suggests that three out of four citizens prioritise chicken welfare²⁰¹, have also taken specific legislative steps to regulate factory farming of chickens raised for meat.²⁰²
- (b) In 2007 the European Union ('EU') agreed to a Council Directive laying down minimum rules for the protection of chickens kept for meat production.²⁰³ The Directive has been criticised because it fails to address the core problems associated with the factory farming of chickens and effectively ensures the continuation of production by current methods.²⁰⁴ Despite this, it should be acknowledged that the Directive constitutes an attempt to address some of the worst aspects of factory farming which continue unabated in Australia. The table below demonstrates how Australia is lagging shamefully behind the EU when it comes to providing the most basic protections for meat chickens:²⁰⁵

EUROPEAN UNION REQUIREMENT	AUSTRALIAN POULTRY CODE
All chickens must have permanent access to litter which is dry and friable on the surface. ²⁰⁶	'Attempts' must be made to ensure litter does not become wet, caked or excessively dusty. ²⁰⁷
Sets minimum training requirements for persons dealing with chickens in relation to areas such as animal physiology, behaviour, stress, and careful handling of chickens. ²⁰⁸	Notes that stockpersons should be 'encouraged' to undertake 'appropriate' training. ²⁰⁹
Requires member states to implement penalties for breach of the Directive that are effective, proportionate and dissuasive. ²¹⁰	Makes no reference to penalties or enforcement, resulting in an ad hoc State and Territory approach to non-compliance with the Code's animal welfare standards. ²¹¹

7.3 CONSUMERS VOTE 'NO!':

- (a) The plight of chickens in the meat industry has been recently revealed and shocked consumers into markedly different shopping patterns. The most obvious evidence was seen in the UK. For example following a series of high profile campaigns by the RSPCA and celebrity chefs Hugh Fearnley-Whittingstall and Jamie Oliver²¹², it was reported that:
 - (i) 38% of UK consumers had switched to free-range poultry;²¹³
 - (ii) sales of factory farmed chicken decreased by estimates of 10 million;²¹⁴ and
 - (iii) free-range producers were unable to meet demand with major supermarkets such as Sainsbury's importing free-range birds to accommodate the unprecedented growth in demand.²¹⁵ Many customers chose not to eat factory farmed chicken in the absence of free-range options or decided to abstain from chicken altogether.²¹⁶
- (b) In recognition of consumer concerns about the conditions in chicken factory farms, a number of leading UK supermarkets are adjusting their retail lines. Marks & Spencer has phased 'standard' fast-growing factory farmed chicken out of its range²¹⁷ while Tesco and Co-Op are steadily expanding their free-range and organic product lines.²¹⁸
- (c) While the most vigorous objections to factory farmed chicken have been demonstrated by UK shoppers, the ramifications of a demand-led revolution for animal-friendly products are being felt by suppliers of chicken on a global basis. For example:
 - (i) Streams of supermarkets across the US have expanded their production lines to include free-range chicken options.²¹⁹ Examples include: Price Chopper;²²⁰ Wholefoods;²²¹ Jimbo's Naturally...;²²² Wild Oats;²²³ Wegmans²²⁴ and Wild by Nature.²²⁵ This purchasing behaviour appears consistent with recent survey findings in which 59% of participants indicated they consider animal welfare to be a very important or somewhat important consideration when buying food.²²⁶
 - (ii) Earlier this year, KFC Canada responded to consumer concerns about factory farming and agreed to make a number of changes aimed at improving chicken welfare. These included urging suppliers to adopt lower stocking densities and phasing out selective breeding practices associated with lameness and other painful disorders. KFC Canada also agreed to add a vegan faux chicken item to its nationwide restaurants, to cater for the growing number of consumers who are abstaining from chicken products altogether.²²⁷
- (d) In addition to growing at an international level, consumer concerns about the factory farming of chickens are also being felt on Australian shores. For example, in recent times, major players in the chicken meat market as well as industry bodies have begun to focus on the issue of animal welfare.²²⁸ This may lead to changes in the lives of chickens such as slightly lower stocking densities or adjustments in dietary requirements; however the ability of these incremental changes to ultimately improve the lives of chickens is questionable and the subject of increasing debate.²²⁹
- (e) An analysis of recent growth in Australia's free-range and organic markets shows that:
 - (i) In late 2007, free-range farms were emerging on average, every two months

in the Sydney area. While this was in part due to production shifting from other States, the growth in free-range chicken sales generally suggests that this should be seen as part of a larger trend away from factory farmed production;²³⁰

- (ii) The largest free-range chicken operation in Australia has been growing at 20% per year and is on course to achieve 20% of the retail market in Western Australia.²³¹
- (iii) Two of the three major players, who sell to Australia's biggest supermarkets, have diversified into free-range production in recognition of growing consumer concerns about the plight of chickens on factory farms;²³² and
- (iv) A recent Newspoll Survey of 1,200 Australians aged 18 years or over found that:
 - (A) one in five people are eating more free-range chicken than they were two years ago; and
 - (B) two-thirds of people buying free-range chicken are concerned about the conditions in which 'regular' chickens are raised.²³³

CONCLUSION: GET ACTIVE!

This Report has shown that the deprivation experienced by chickens is widespread and institutionalised; however each of us, both personally and professionally, has the power to improve the lives of chickens. The following are some of our suggestions as to how you can be a voice for the voiceless. WHY NOT START NOW?

IF YOU ARE AN INDIVIDUAL

- Write a letter to your local paper, go on talk-back radio or contact your local council. Share your concerns about the treatment of chickens and become more informed about the issue.
- Write a letter to your local Member of Parliament and to the Minister responsible for Animal Welfare in your State or Territory. Ask them to outlaw the factory farming of chickens or at the very least, to introduce a proper labelling system that enables consumers to make animal-friendly choices at the supermarket.
- Every time you go to a supermarket, fast-food outlet, restaurant or café, encourage them to consider the welfare of chickens by asking questions about where they purchase their chicken.
- Replace chicken with other delicious and healthy ingredients such as lentils, potatoes, chick peas or tofu.
- If you eat chicken, cut down on the amount you eat and consider not purchasing factory farmed products.
- Support an animal protection group financially or by volunteering your time, services or skills.

IF YOU OWN A RESTAURANT OR FOOD OUTLET

- Expand your restaurant's menu to include vegetarian and vegan options.
- Consider not serving factory farmed products.
- Provide information to your customers about where your chickens are sourced from.
- Build strategic partnerships with other organisations (including your restaurant's suppliers) that have a strong commitment to animal protection.
- Support an animal protection group by becoming a sponsor or donating goods or services.

IF YOU MAKE DECISIONS FOR A SUPERMARKET

- Incorporate animal protection (including a commitment to humane farming) into your business goals and direction by:
 - Including a reference to animal protection and humane farming as part of your company's social responsibility commitments;
 - Incorporating the concept of animal protection into your company's business practices.
 - Avoiding misleading marketing and advertising and promoting transparency when communicating with customers about meat products.
 - Assuming a leadership role in relation to animal-derived food labelling by offering consumers humane alternatives to factory farmed chicken and providing labelling standards which clearly indicate the type of production system a chicken is derived from.
 - Expanding your company's product ranges to include clearly and accurately labelled vegetarian and vegan product lines to facilitate consumer choice.
 - Building strategic partnerships with other organisations (including your company's suppliers) that have a strong commitment to animal protection.
- Conduct a survey of your customers to see whether they would be willing to pay extra for ethical products and what consumer expectations are of your policies affecting animals.
- Arrange for your company to sponsor any of a wide range of events run by animal protection charities.

IF YOU ARE A POLITICIAN

- Invite animal advocates to meet with you and some of your colleagues to learn more about the production of meat chickens and factory farming in general.
- Gather a group of colleagues and request a tour of a factory farm to see for yourself how chickens are treated. The visit may enable you to make more informed decisions about whether the intensive farming of meat chickens is acceptable.
- Distribute information such as reports or brochures to your colleagues in order to increase awareness about these key issues.
- Encourage political debate on factory farming, wherever possible.
- Consider introducing a Private Member's Bill regarding the intensive farming of chickens into your Parliament. Legislative efforts such as this will raise the profile of the farming practices involved in raising chickens. This may also reveal the extent to which your colleagues share your views, as animal protection has the potential to transcend both political parties and ideologies.
- Move a motion in your Parliament calling on the Government to introduce legislation that protects chickens from factory farming practices.
- Consider recommending non-factory farmed products for all Parliamentary events. As a politician, you have even greater powers of persuasion than ordinary consumers.
- Raise the issue of chicken meat production with the media, wherever possible. The Australian community has little awareness about the plight of factory farmed animals and you can play an important educational role, simply by lifting the veil of secrecy.

- Arrange for an editorial piece on meat chickens to be prepared for inclusion in a newsletter or other publication – encourage people to explore alternatives to eating factory farmed chicken.
- Highlight the issue of factory farming on your website and include links to resources and animal protection groups.

To read more about the plight of chickens, please visit Voiceless's Recommended Reading List and Resources at www.voiceless.org.au

To find out more about how you can take action for animals, visit www.voiceless.org.au

APPENDIX

THE LEGAL STATUS OF THE POULTRY CODE

STATE	ENACTED INTO LAW	EFFECT
NEW SOUTH WALES	Yes ²³⁴	Not a complete defence to an act of cruelty but evidence of compliance may be admitted in a prosecution under the Act. ²³⁵
QUEENSLAND	Yes ²³⁶	As above. ²³⁷
WESTERN AUSTRALIA	This jurisdiction has enacted its own Code which draws heavily on the Model Code. ²³⁸	Compliance with the WA Code is a complete defence to an act of cruelty. ²³⁹
VICTORIA	This jurisdiction has enacted its own Code which draws heavily on the Model Code. ²⁴⁰	Compliance with the Code is a complete defence to an act of cruelty. ²⁴¹
SOUTH AUSTRALIA	No ²⁴²	Not enforceable. The Code serves as a 'best practice' Guideline.
TASMANIA	Yes ²⁴³	Not enforceable. The Code has advisory status only. ²⁴⁴
NORTHERN TERRITORY	Yes ²⁴⁵	Compliance with the Code is a complete defence to an act of cruelty. ²⁴⁶
AUSTRALIAN CAPITAL TERRITORY	Yes ²⁴⁷	Compliance with the Code is a complete defence to an act of cruelty. ²⁴⁸

ENDNOTES

- Unless otherwise stated, the figures quoted in the Executive Summary relate to Australia. For a complete list of references relating to the Executive Summary, refer to the Endnotes below.
- Broom, DM and Johnson, KG, *Stress and Animal Welfare*, Chapman & Hall, (1993), ch 2 quoted in Turner, J, *Stop - Look - Listen: Recognising The Sentience of Farm Animals*, Compassion in World Farming Trust, Hampshire, UK, (2006), p. 13.
- Morton, DB, "Does Broiler Welfare Matter, and to Whom?" in Weeks, CA and Butterworth, A (eds), *Measuring and Auditing Broiler Welfare*, CABI Publishing, Oxfordshire, UK, (2004), pp. 242, 246-247.
- Mench, J and Keeling, LJ, "The Social Behaviour of Domestic Birds" in Keeling, LJ and Gonyou, HW (eds), *Social Behaviour in Farm Animals*, CABI Publishing, Wallingford, UK, (2001), p. 178; Keeling, L, 'Behaviour of Fowl and Other Domesticated Birds' in Jensen, P (ed), *The Ethology of Domestic Animals: An Introductory Text*, CABI Publishing, Cambridge, USA, (2002), p. 104.
- Appleby, MC, Mench, JA and Hughes, BO, *Poultry Behaviour and Welfare*, CABI Publishing, Oxfordshire, UK, (2004), p. 48.
- Rogers, LJ, *The Development of Brain and Behaviour in the Chicken*, CAB International, Oxfordshire, UK, (1995), p. 213.
- Rogers, LJ, above n 6, p. 118.
- RSPCA Australia, E-News, May 2007 <<http://www.rspca.org.au/enews/issue5.asp>> at 2 October 2008; Mench, J in Specter M, "The Extremist", *The New Yorker* (New York), 14 April 2003, p. 64.
- Evans, S and Evans, L, "Representational signalling in birds", *Biol. Lett.*(2007) 3, pp. 8-11 <http://galliform.bhs.mq.edu.au/Reprints/Evans&Evans_2006.pdf> at 8 October 2008; Appleby, MC, Mench, JA and Hughes, BO, above n 5, p. 72.
- Turner, J, above n 2, p. 21.
- Keeling, L, (2002), "Behaviour of Fowl and Other Domesticated Birds" in Jensen, P (ed), *The Ethology of Domestic Animals: An Introductory Text*, CABI Publishing, Cambridge, USA, (2002), p. 113.
- Broome, D, Keynote Address (Speech delivered at the Australian Animal Welfare Strategy International Animal Welfare Conference, Gold Coast, 2 September 2008).
- Turner, J, above n 2, p. 22.
- Turner, J, above n 2, p. 21.
- Jensen, P, above n 4, pp. 111-112.

- 16 Ibid.
- 17 Jensen, P, "Parental Behaviour" in Keeling, LJ and Gonyou, HW (eds), above n 4, p. 64.
- 18 Jensen, P, above n 4, p. 108.
- 19 Ibid p. 113.
- 20 Keeling, LJ and Gonyou, HW (eds), above n 4, p. 186.
- 21 Jensen, P, above n 4, pp. 107.
- 22 Turner, J, above n 2, p. 21.
- 23 Hirsch, V, *Legal Protections of the Domestic Chicken in the United States and Europe*, Animal Legal & Historical Web Centre, (2003) <www.animallaw.info/articles/dduschick.htm> at 2 October 2008.
- 24 Turner, J, above n 2, p. 21.
- 25 It has been suggested that wild populations have been genetically 'contaminated' by breeding with domestic species; however the species continues to be found in parts of Northern, Central and North eastern India. See: Baruah, S, *Harbinger of Dawn: The Red Jungle Fowl*, Wildlife Trust of India <www.wildlifetrustofindia.org/html/news/features/060203_jungle_fowl.html> at 2 October 2008.
- 26 Santora, GS and Weeks, CA, 'Abnormal Behaviour and Fear' in Weeks, CA and Butterworth, A (eds), above n 3, p. 71.
- 27 Rogers, LJ, above n 6, p. 221.
- 28 Rogers, LJ, above n 6, p. 213.
- 29 Rogers, LJ, above n 6, p. 221.
- 30 Milestone, E and Lang, T, *The Penguin Atlas of Food*, Penguin Books, London, (2003), pp. 36-37; quoted in Nierenberg, D and Garcés, L, *Industrial Animal Agriculture - the next global health crisis?*, World Society for the Protection of Animals (WSPA), (2005), p. 11.
- 31 Morton, DB, "Does Broiler Welfare Matter, and to Whom?" in Weeks, CA and Butterworth, A (eds), above n 3, p. 247.
- 32 This table applies to chickens used to produce meat and eggs respectively. It is not intended to apply to birds used to breed meat chickens and layer hens.
- 33 Approximately 12 million male chicks are slaughtered in this way every year. This figure is based on the assumption that approximately half of all chickens hatched are male and that about 12 million female hens are required to be 'added' to Australia's laying flock each year. Culling usually takes place when the chicks are a day old. See: Queensland Egg Farmers Association Inc, *Our response*, (28 July 1999) <www.egfarmers.org.au/response/default.html> at 2 October 2008.
- 34 Australian Chicken Meat Federation Inc (ACMF), *Growing Meat Chickens: Broiler Farm* <www.chicken.org.au/page.php?id=6> at 2 October 2008.
- 35 Witcombe, D, "Layer hen welfare: a challenging and complex issue" (Speech delivered at Animal Welfare Science Centre, Department of Primary Industries, Atwood, Victoria, 8 June 2007).
- 36 ACMF, *Comparison Table of the Main Chicken Meat Farming Systems* <www.chicken.org.au/page.php?id=6> at 15 October 2008.
- 37 Department of Primary Industries and Fisheries, 'Moulting - how, when and why chickens moult', Queensland Government (2004) <www.dpi.qld.gov.au/cps/rde/xchg/dpi/hs.xsl/27_2709_ENA_Print.htm> at 2 October 2008; Browne, A, 'Ten weeks to Live', *The Observer* (London), 10 March 2002. <<http://www.guardian.co.uk/lifeandstyle/2002/mar/10/foodanddrink.features1>> at 14 October 2008.
- 38 Department of Agriculture, Fisheries and Forestry (DAFF), *Chicken Meat* <www.daff.gov.au/agriculture-food/meat-wool-dairy/ilg/industries/chicken_meat> at 10 October 2008.
- 39 Based on June 2006 figures. See: Australian Egg Corporation Limited, 2007 Annual Report, p. 3.
- 40 DAFF, above n 38.
- 41 According to the Australian Bureau of Agricultural and Resource Economics (ABARE) forecasts, Australians will eat 39.2kg of chicken meat in 2007/08, compared with 36.3kg of beef and veal, 12.3kg of lamb and mutton and 26.2kg of pig meat. See: Dr Vivien Kite, *Chicken Meat (Broiler) Industry*, Poultry Hub <[www.poultryhub.org/index.php/Chicken_meat_\(broiler\)_industry#Industry_statistics](http://www.poultryhub.org/index.php/Chicken_meat_(broiler)_industry#Industry_statistics)> at 2 October 2008.
- 42 ACMF, *Industry Facts and Figures*, ACMF, <www.chicken.org.au/page.php?id=4> at 2 October 2008.
- 43 ACMF, *Bird Welfare*, ACMF, <www.chicken.org.au/page.php?id=44> at 2 October 2008.
- 44 Primary Industries Ministerial Council, *Model Code of Practice for the Welfare of Animals-Poultry*, (4th edition) (2002) (the Poultry Code), ss 2, 3 and Appendix 2.
- 45 Webster, J, *A Cool Eye Towards Eden*, Blackwell Science, Oxford, (1995), p. 156 quoted in Singer, P and Mason, J, *The Way We Eat: Why Our Food Choices Matter*, Rodale, New York, (2006), p. 24.
- 46 ACMF, above n 34.
- 47 Space allowance varies based on the weight of the chicken and the State/Territory in which the bird is being raised. The figure cited assumes a slaughter weight of just under 2kg per bird. Modern facilities with 'tunnel ventilation systems' are permitted to keep more chickens per square metre than systems without tunnel or mechanical ventilation systems. See: the Poultry Code, above n 44, Appendix 2; *Animal Care & Protection Regulation 2002* (Qld), reg 15; *Prevention of Cruelty to Animals Regulation 2000* (SA), reg 130(b); *Prevention of Cruelty to Animals (Domestic Fowl) Regulations 2006* (Vic), reg 12.
- 48 This statement is based on the assumption of 20 two kilogram birds being kept per m², averaging at 500cm² per bird for meat chickens. An A4 page, with sides of 21.0cm x 29.7cm, has an area of 623.7cm².
- 49 Mellor, D, "Quality of life: a valuable concept or an unnecessary embellishment when considering animal welfare" (Speech delivered at the Australian Animal Welfare Strategy International Animal Welfare Conference, Gold Coast, 2 September 2008).
- 50 de Fraga, C, Regional Representative, Compassion in World Farming, *pers comm*, 19 September 2008 and 14 October 2008.
- 51 Ibid.
- 52 Uner, K, Buchenauer, D, Schmidt, T and Simon, D, Untersuchungen zum Verhalten von Broilern in Praxisbetrieben, *Aktuelle Arten zur artgemäßen Tierhaltung*, KTBL-schrift, 373, 1996, 58-68; and Hall, AL, 'The effect of stocking density on the welfare and behaviour of broiler chickens reared commercially', *Animal Welfare* 10, 2001, pp. 23-40 cited in *RSPCA UK, Paying The Price: The Facts About Chickens Raised For Their Meat*, p. 7 <http://wspafarmwelfare.org/resources/RSPCA_Paying_The_Price.pdf?blobcol=urloblob&blobheader=application/pdf&blobkey=id&blobtable=RSPCABlob&blobwhere=1121758144281&ssbinary=true> at 13 October 2008.
- 53 Ammonia emissions in Australia arising from the farming of poultry are 8.2 million kg/yr, see: Department of the Environment, Water, Heritage and the Arts, "Substance Emissions - Poultry Farming [017]: Australia 2006-07" <<http://www.npi.gov.au/overview/reports/national-location-report.html>> at 2 October 2008; Estevez, I, 'Ammonia and Poultry Welfare', *Poultry Perspectives*, University of Maryland, Spring 2002 <<http://terpconnect.umd.edu/~iesteve/extension/ppv4.pdf>> at 16 October 2008.
- 54 Ammonia emissions are regulated in Australia as they have previously been associated with odour complaints from persons residing near meat chicken farms. See generally: Jiang, J and Sands, J, *Odour and Ammonia Emission from Broiler Farms*, RIRDC, February 2000 <www.wam.umd.edu/~iesteve/extension/ppv4.pdf> at 2 October 2008.
- 55 Wathes, CM, 'Air Hygiene' in Weeks, C and Butterworth, A, above n 3, pp. 118, 124-127; European Commission, *The Welfare of Chickens Kept for Meat Production (Broilers)*, Report of the Scientific Committee on Animal Health and Welfare (2000), pp. 38-40 <http://ec.europa.eu/food/fs/sc/scah/out39_en.pdf> at 14 October 2008.
- 56 Hock burn is extremely widespread in the UK chicken meat industry but appears to be less widely reported in Australia. Despite this, Australian research projects have foreshadowed the conditions in which it can occur. See: UK Home Office, *Abstracts from July 07: Animals in Scientific Procedures*, 'Causation and Welfare Consequences of Foot Pad Dermatitis and Hock Burn', (29 Aug 2006) <<http://scienceandresearch.homeoffice.gov.uk/animal-research/publications-and-reference/>> at 14 October 2008; Farrell, D and Peterson, S, 'The Metabolisable Energy of 'Viscous' and Problem Grains Measured at Two Sites And Methods Of Prediction Of Grain Samples Likely To Respond To Enzyme Additions', Rural Industries Research & Development Corporation Project No: UQ-64A, 1997-98 <www.rirdc.gov.au/comp98/cm1.htm> at 2 October 2008.
- 57 Jones, TA, Donnelly, CA and Dawkins, M, 'Environmental and Management Factors Affecting the Welfare of Chickens on Commercial Farms in the United Kingdom and Denmark Stocked At Five Densities', *Poultry Science* 85, 2004, pp. 155-1165. Australian statistics were unable to be located at the time of writing.
- 58 Blokhuis, HJ and Van Der Haar, JW, 'The effect of stocking density on the behaviour of broilers', *Arch. Geflügelk* 54, 1990, pp. 74-77 and Hall, AL, both cited in *RSPCA UK*, above n 52, p. 8.
- 59 Compassion in World Farming Trust, *The Welfare of Broiler Chickens in the European Union*, 2005, p. 19 <http://www.ciwf.org.uk/includes/documents/cm_docs/2008/w/welfare_of_broilers_in_the_eu_2005.pdf> at 16 October 2008; The Poultry Site, *Heat Stress in Poultry - Solving the Problem*, (July 2003) <www.thepoultrysite.com/articles/12/heat-stress-in-poultry-solving-the-problem> at 2 October 2008; McLean, JA, Savory, CJ and Sparks, NHC, 'Welfare of male and female broiler chickens in relation to stocking density, as indicated by performance, health and behaviour', *Animal Welfare* 11, (2002), pp. 55-73 cited in *RSPCA Australia, Animal Welfare Science Update*, Issue No 3, August 2002, p. 3.
- 60 Santora, GS and Weeks, CA, 'Abnormal Behaviour and Fear' in Weeks, CA and Butterworth, A (eds), above n 3, pp. 74-75; Lauren Edwards, *Fear in Poultry*, Poultry Hub <www.poultryhub.org/index.php/Fear_in_poultry> at 2 October 2008.
- 61 Animal Welfare Centre, 'A Workshop to identify Animal Welfare Issues within Animal Industries', Victorian Institute of Animal Science, (2002), p. 19.
- 62 Poultry Meat Update, March 2008 <www.nswfarmers.org.au/ag_update/poultry_meat> at 2 October 2008.
- 63 Olanrewaju, HA et al, 'A Review of Lighting Programs for Broiler Production' *International Journal of Poultry Science* 5 (4), 301-308, 22 June 2006; Bolla, G, 'Lighting of Poultry', Prime Facts, NSW DPI, April 2007.
- 64 Ibid.
- 65 Ibid; The Poultry Code, above n 44, cl. 5 and 12.5.
- 66 Zulkifli, I, Raseded, A, Sayaadah, OH, Morma, MTC, 'Daylength Effects on Stress and Fear Responses in Broiler Chickens', *Asian-Australian Journal of Animal Science* 11, 1998 cited in *RSPCA UK*, above n 52, p. 11.
- 67 *RSPCA UK*, above n 52, p. 10.

- 68 Berg, C, 'Pododermatitis and Hock Burn in Broiler Chickens' in Weeks, CA and Butterworth, A, above n 3, p 44; Bilgii, S, 'Contact Dermatitis in Poultry', *Watt Poultry USA*, June 2004, p. 42 (discussing the prevalence of contact dermatitis in UK Poultry).
- 69 Australian Government Rural Industries Research and Development Corporation, *R & D Plan for the Chicken Meat Program 2004 - 2009* <www.rirdc.gov.au/pub/chick5yr.htm> at 2 October 2008.
- 70 Department of Primary Industries, *Industries in the Pipeline: Poultry* <www.dpi.vic.gov.au/dpi/nrenfa.nsf/LinkView/OC11C55091741525CA256CDF001BC83E2CE5FE7F6CB2DA5ECA256C85007F0D5B> at 14 October 2008.
- 71 Ross, Ross Tech Notes, 'The Ross Broiler- First for Performance, Quality and Welfare', (May 2004) <www.aviagen.com/docs/Tech%20Notes%20-%20The%20Ross%20Broiler%20First%20for%20Performance%20and%20We%2E%80%A6.pdf> at 2 October 2008; Cobb-Vantress Inc, 'Cobb 500 Product Profile' <www.cobb-vantress.com/Products/ProductProfile/Cobb_500_PP.Pdf> at 2 October 2008.
- 72 WSPA, *Broiler Chickens* <www.wspafarmwelfare.org/downffchickens.html> at 2 October 2008; Animal Welfare Centre, above n 61, p. 19.
- 73 Mench, J, 'Lameness' in Weeks, C and Butterworth, A, above n 3, pp 1-17; Keeling, L, in Jensen, P, above n 4, p. 116.
- 74 Ibid; Animal Welfare Centre, above n 61, pp. 19-20.
- 75 RSPCA UK, above n 52, p. 6.
- 76 Ross, above n 71.
- 77 Ross, above n 71 (referring to 'skeletal integrity' of chickens).
- 78 For example, between 1992-97, an annual average of 56% of all antibiotics by weight was used in stockfeed. See: Turnidge, J, 'Antibiotics in animals - much ado about something', *Australian Prescriber Vol 24*, 2001, pp. 26-27.
- 79 Macro Wholefoods Market, *Certified Organic Chicken* <www.macrowholefoods.com.au/content.php/100.html> at 3 October 2008; ACMF, above n 34; ACMF, *Antibiotics Policy of the Australian Chicken Meat Industry*, ACMF, <http://www.chicken.org.au/files/ACMF_Antibiotics_Policy.pdf> at 3 October 2008 (discussing ACMF's antibiotics policy).
- 80 See: Compassion in World Farming, *Free the Chickens*, <www.ciwf.org.uk/what_we_do/meat_chickens/default.aspx> at 3 October 2008; ACMF, above n 79.
- 81 Turnidge, J, above n 78.
- 82 Macro Wholefoods Market, above n 79.
- 83 Stanton, R, 'Ask the nutritionist: Organic and Grain-fed Chicken by Dr. Rosemary Stanton, Woolworths Homeshop 13/04/2006' <www.homeshop.com.au/info/news.asp?article=156&cookie%5Ftest=1> at 13 October 2008.
- 84 Poultry Hub, 'SARDI Researcher Joins Project on Chicken Health', EChook News (19 October 2006) <www.poultryhub.org/index.php/EChook_News/SARDI_researcher_joins_project_on_chicken_health> at 3 October 2008.
- 85 Joint Expert Advisory Committee on Antibiotic Resistance (JETACAR), *The use of antibiotics in food-producing animals: antibiotic-resistant bacteria in animals and humans* (1999), p. xxii.
- 86 ACMF, *Breeding Meat Chickens: Broiler Farm* <<http://www.chicken.org.au/page.php?id=5>> at 14 October 2008.
- 87 Appleby, MC, Mench, JA and Hughes, BO, above n 5, p. 138; Mench, JA, 'Problems Associated With Broiler Breeder Management', *Fourth European Symposium on Poultry Welfare*, Proceedings , UFA, (1993), p. 196.
- 88 Mench, JA, above n 87, p. 197; Bafundo, K, 'Understanding Coccidiosis: Prevention Strategies for the Breeder Pullet,' Reprint of The Use of Live Coccidial Vaccines in Broiler Breeder Pullets, Phibro Animal Health, New Jersey, USA <<http://www.canadianpoultry.ca/understandingcoccidiosis.htm>> at 13 October 2008.
- 89 Mench, JA, above n 87, pp. 196-197; Hocking, PM, 'Measuring and Auditing the Welfare of Broiler Breeders' in Weeks, C and Butterworth, A, above n 3, pp. 28-29; Mench, JA, 'Broiler Breeders: feed restriction and welfare', *World's Poultry Science Journal* 58, March 2002, pp. 23-29; de Jong, IC, van Voorst, S, Ehlhardt DA and Blokhuis, HJ, 'Effects of restricted feeding on physiological stress parameters in growing broiler breeders' *British Poultry Science* 43 (2002) pp. 157-168 cited in Turner, J, above n 2, p. 18.
- 90 Rogers, LJ, above n 6, p. 213.
- 91 De Jong, IC and Jones, B, 'Feed Restriction and Welfare in Domestic Birds' in Beis, V (ed), *Feeding In Domestic Vertebrates*, CABI Publishing, Wallingford, UK, (2006), p. 123.
- 92 Many sheds are 'thinned out' after 35 days in response to consumer demand for chicken breasts of a certain size. Tensen, M, Scientific Officer (Farm Animals), RSPCA Australia, *pers comm*, 18 August 2008.
- 93 WSPA, *Handle with Care: Long distance transport of Australian animals for slaughter*, (2008), p. 39.
- 94 Primary Industries Ministerial Council, *Model Code of Practice for the Welfare of Animals-Land Transport of Poultry*, PISC Report 91, (2006), (Poultry Transport Code), cl 4.5.2.
- 95 Kilman, S, 'Poultry in Motion, With Invention - chicken catching goes high tech', *Wall Street Journal*, 4 June 2003; Poultry Transport Code, above n 94, cl 4.1.4.
- 96 The number of chickens permitted to be transported per square metre varies, depending on their weight. See: Poultry Transport Code, above n 94, cl 4.2.3.
- 97 Tensen, M, Scientific Officer (Farm Animals), RSPCA Australia, *pers comm*, 18 August 2008.
- 98 WSPA, above n 93, p 39.
- 99 Sharman, K, 'Animal Law: An Emerging Field', *Alternative Law Journal*, Vol 31(4), December 2006, pp. 227-229.
- 100 The Poultry Code, above n 44. The Poultry Code is not enforceable in all jurisdictions. Refer to Appendix 1 of this Report for a table depicting the status of the Code in each jurisdiction.
- 101 The Poultry Code, above n 44, cl 5, 6, 9, 10, 15 and Appendix 2.1.3. Also see the Poultry Transport Code, above n 94.
- 102 *Prevention of Cruelty to Animals Act 1979* (NSW), s 4(2); *Animal Care And Protection Act 2001* (Qld), s 18; *Animal Welfare Act 1985* (SA), s 13; *Animal Welfare Act 1993* (Tas), s 8; *Prevention of Cruelty to Animals Act 1986* (Vic), s 9; *Animal Welfare Act 2002* (WA), s 19; *Animal Welfare Act 1992* (ACT), ss 7-8; *Animal Welfare Act 1999* (NT), s 6.
- 103 South Australia, *Parliamentary Debates*, House of Assembly, 4 June 2008, the Hon Bob Such MP, p. 3594.
- 104 New South Wales, *Parliamentary Debates*, Legislative Council, 26 June 1997, Richard Jones MLC citing Chief Justice Bell in *McDonald's Corporation (First Plaintiff) and McDonald's Restaurants Limited (Second Plaintiff) v Helen Marie Steel (First Defendant) and David Morris (Second Defendant)* ('the McLibel case'), p. 11159. See: Chief Justice Bell, *Summary of the Judgment*, Introduction, June 19, 1997 (Eng. C.A.) [7 July 2005] <www.mcspotlight.org/case/trial/verdict/summary.html> at 13 August 2008.
- 105 ACMF, *Structure and Ownership* <www.chicken.org.au/page.php?id=2> at 15 October 2008.
- 106 Ibid.
- 107 IBISWorld, *Poultry Farming (Meat) in Australia*, A0141, (13 August 2007), p. 20.
- 108 Ibid.
- 109 Inghams Enterprises, *Inghams Enterprises National Packaging Covenant Annual Report 2007*, pp. 2-3.
- 110 Inghams Enterprises, *Assets & Turnover* <www.inghams.com.au/consumer/aboutus.aspx?docId=254> at 3 October 2008.
- 111 Inghams Enterprises, above n 109, p. 3.
- 112 Steggle's Limited was acquired by Bartter Enterprises in August 1999 for \$131.5 million. It is co-owned with OSI Foods. See: IBISWorld, above n 107, p. 21.
- 113 IBISWorld, above n 107, p. 20.
- 114 IBISWorld, above n 107, p. 22; Bartter Enterprises, 'Our Facilities' <<http://www.bartter.com.au/AboutUs/BartterEnterprisestoday/Facilities.htm>> at 16 October 2008.
- 115 Baiada Poultry, *National Packaging Covenant Action Plan, 2005-2007*, p. 5 <www.packagingcovenant.org.au/documents/File/AP_Baiada_Poultry_05_07_PUBLIC.pdf> at 14 October 2008.
- 116 Baiada Poultry <www.baiada.com.au> and <www.freerangechicken.com.au/> at 3 October 2008.
- 117 IBISWorld, above n 107, p. 24.
- 118 ACMF, above n 105; Victorian Department of Primary Industries, *Chicken Meat Production* <www.dpi.vic.gov.au/dpi/nrenfa.nsf/LinkView/OC11C55091741525CA256CDF001BC83E2CE5FE7F6CB2DA5ECA256C85007F0D5B> at 31 July 2008; IBISWorld, above n 107, p. 24; Red Lea Chickens, 'About Red Lea' <<http://www.redlea.com.au/about.php>>; Golden Cockerel Chicken, 'Company Profile' <<http://www.goldencockerel.com.au/Profile.htm>>; Clementine Johnson, 'North coast company stays in local hands,' ABC Rural Report, 14 July 2008 <<http://www.abc.net.au/rural/regions/content/2007/s2302858.htm>> all at 16 October 2008; New South Wales, *Parliamentary Debates*, Legislative Assembly, 6 June 2002, Ian Armstrong, p. 2822.
- 119 Hazeldene's Chicken Farms, *Production*, <www.hazeldenes.com.au/production/p_facilities.htm>; Red Lea, above n 118.
- 120 Approximately 80% of chickens raised in the chicken meat industry are done so using the 'processor/contract grower relationship'. There are approximately 800 independent growers in Australia. See: Kite, V, above n 41.
- 121 New South Wales, *Parliamentary Debates*, Legislative Assembly, 6 June 2002, Marie Andrews, p. 2847.
- 122 Kite, V, above n 41.
- 123 NSW Farmers Association, *NSW Poultry Meat Industry*, (December 2006).
- 124 Ibid.
- 125 Ibid.
- 126 Australian Government Rural Industries Research & Development Corporation, above n 69.
- 127 Murraylands Regional Development Board, *Chicken Meat Industry*, (2007), p. 3 <www.investmurraylands.com.au/fileadmin/user_upload/MRDB/Docs/Intensive_Animal_Industries/THE_CHICKEN_MEAT_INDUSTRY.pdf> at 15 October 2008.
- 128 New South Wales, *Parliamentary Debates*, above n 121.
- 129 ACMF, *Location of Farms and Processing Plants*, <www.chicken.org.au/page.php?id=3> at 15 October 2008.
- 130 Australian Bureau of Statistics, *Livestock Products*, ABS Catalogue No. 7215.0 (March 2008).
- 131 Victorian Department of Primary Industries, above n 118.
- 132 Australian Bureau of Statistics, above n 130.

- 133 This Chart is based on ACMF estimates for distribution across all States for 2004. See: ACMF, above n 129.
- 134 Australian Government, *Meat and Meat Products Overview*; Austrade <www.austrade.gov.au/Meat-and-meat-products/default.aspx> at 3 October 2008; Department of Agriculture, Fisheries and Forestry, *Australian Food Statistics 2005*, Commonwealth of Australia, 2005, p. 52.
- 135 DAFF, above n 38.
- 136 Ibid.
- 137 Australian Government, *Meat Capability Overview*, Australian Trade Commission <www.austrade.com/Overseas-Meat-capability-overview/default.aspx> at 31 July 2008.
- 138 Ibid.
- 139 DAFF, above n 38.
- 140 DAFF, above n 38.
- 141 ACMF, *General Questions*, ACMF, <www.chicken.org.au/page.php?id=150> at 31 July 2008.
- 142 Sharman, K, Sherman, B and Sherman, O (eds), *From Label to Liabile: Scams, Scandals & Secrecy- Lifting the Veil on Animal-Derived Food Product Labelling in Australia*, Voiceless, (May 2007); Harden, M, 'Hard to Swallow', *The Age* (Melbourne), 22 August 2006; Singer, P and Mason, J, *The Ethics of What We Eat: Why Our Food Choices Matter*, Rodale Books, (2006) and Pollan, M, *The Omnivore's Dilemma: A Natural History of Four Meals*, The Penguin Press, (2006); Australian Broadcasting Corporation, Ethical Eating Debate Heats Up, *Landline*, 9 September 2007. <<http://www.abc.net.au/landline/content/2006/s2024960.htm>> at 15 October 2008.
- 143 *Trade Practices Act 1974 (Cth)*, ss 52-53; *Fair Trading Act 1992 (ACT)*, s 12; *Consumer Affairs and Fair Trading Act 1990 (NT)*, s 42; *Fair Trading Act 1987 (NSW)*, s 42; *Fair Trading Act 1989 (Qld)*, s 38; *Fair Trading Act 1987 (SA)*, s 56; *Fair Trading Act 1990 (Tas)*, ss 14, 16, 20; *Fair Trading Act 1985 (Vic)*, s 10; *Fair Trading Act 1987 (WA)*, ss 10, 12.
- 144 Hazeldene's Chicken Farm, *Product of the Month* <www.hazeldenes.com.au/products/p_month.htm> at 3 October 2008.
- 145 Bartter Enterprises, New Products <www.bartter.com.au/Products/NewProducts.htm> at 3 October 2008.
- 146 For further discussion of this issue see: Arnhold, M, 'Meat ads leave a bad taste', *The Australian*, 25 July 2008.
- 147 Inghams Enterprises, *Chickadee Foods* <www.chickadee.com.au/> at 3 October 2008.
- 148 For a further example, see: Cordina Farms, *Quicken Chicken* <www.cordina.com.au/index.php?category=Products§ion=Quicken+Chicken+%A> at 3 October 2008.
- 149 For further reading, see: Sharman, K, Sherman B and Sherman, O, above n 142.
- 150 For example, see: Cordina Chickens, *Welcome to Cordina Farms* <www.cordina.com.au/index.php?category=Home§ion=Home> at 13 October 2008.
- 151 La Ionica Poultry, *Frequently Asked Questions* <<http://www.laionica.com.au/main.html>> at 13 October 2008.
- 152 This statement is based on a stocking density of 20 meat chickens (each weighing 2kg) per square metre. This stocking density allows each bird approximately 500 cm² of floor space which is less than the minimum floorspace requirement of 550 cm² per bird for laying hens. See: the Poultry Code, above n 44, Appendix 1.1.
- 153 For example, see the websites of Steggles <www.steggles.com.au> and Cordina <www.cordina.com.au/> both at 13 October 2008.
- 154 ACMF, 'Industry Policy Statement on Hormones in Chicken Meat', 16 February 2006, <http://www.chicken.org.au/files/_system/Document/ACMF%20Statement%20on%20Hormones.pdf> at 15 October 2008.
- 155 The use of antibiotics in animals has been linked to the development of antibiotic-resistant bacteria in humans. In some instances, such bacteria impairs the function of antibiotics used to fight life-threatening diseases in people. In 2002, the Australian Consumers' Association, 'Choice', called for an extensive review to be undertaken about the risks associated with certain antibiotics in food-producing animals. The British Medical Association (BMA) has also previously stated that, "the risk to human health from antibiotic resistance developing in micro-organisms is one of the major public health threats that will be faced in the 21st century" quoted in 'Certified Organic Chicken' Macro Wholefoods <<http://www.macrowholefoods.com.au/content.php/100.html>> at 23 July 2008. See also: Australian Consumers Association, 'Use of antibiotics as growth-promoters' (Campaigns archive) <<http://www.choice.com.au/viewArticle.aspx?id=103253&catId=100501&tid=100008>> at 13 October 2008; Collignon, P, 'Antibiotics in food production animals: cause of human health problems?'; *Australian Infection Control*, Vol 5 Issue 2, Winter 2000.
- 156 ACMF, above n 36.
- 157 ACMF, above n 36; Bryden, W, 'Broiler Feed Formulation Based on Digestible Amino Acids', *RIRDC Completed Projects in 1999-2000 & Research in Progress as at June 2000* <www.rirdc.gov.au/comp00/cm3.html> at 3 October 2008.
- 158 Australian Meat Industry Council, *Poultry and Game Birds* <www.amic.org.au/Content_Common/pg-poultrygamebirds.seo> at 3 October 2008.
- 159 Queensland's legislation imposes certain requirements for the keeping of free-range chickens; however it is not as extensive as the definition contained in the Poultry Code. See: *Animal Care and Protection Regulation 2002* (Qld), reg 17-18.
- 160 The Poultry Code, above n 44, cl 2.4.5.3.
- 161 The Poultry Code, above n 44, cl 2.4.5.4.
- 162 The Poultry Code, above n 44, cl 2.4.5.5.
- 163 Free Range Egg and Poultry Australia Limited (FREPA), *FREPA Free Range Meat Bird Standards as at 30 March 2008* <www.frepa.com.au/> at 3 October 2008.
- 164 Australian Organic Food Directory, *Organic Chicken Production* <www.organicfooddirectory.com.au/chickens.php> at 3 October 2008.
- 165 Ibid.
- 166 This contrasts with the situation in the United States where organic chickens have been permitted to be confined indoors for extended periods under some third party accreditation schemes. See: Farm Sanctuary, *The Facts About Animal Welfare Standards: A Summary of Farm Sanctuary's Research Report*, pp. 9 and 16 <www.upc-online.org/Welfare/standards_booklet_FINAL.pdf> at 9 October 2008.
- 167 Organic chickens are reared until they are between 65-80 days old (as opposed to factory farmed chickens who are slaughtered at 35-55 days old). See: Inglewood Farms, 'Chicken Comparisons' <www.inglewoodfarms.com/chicken.html> at 13 August 2008; ACMF, above n 36.
- 168 Public Service Lifestyle, *New Vegan/Veggie Labels* <www.publicservantlifestyle.co.uk/1743> at 3 October 2008; Food Navigator, *Animal Scares Create Demand for Vegetarian Ingredients*, 13 January 2006 <www.foodnavigator-usa.com/news/ng.asp?n=65085-dsm-vegetarian-food-safety-gelatin> at 30 July 2008; Humane Research Council, *Advocating Meat Reduction and Vegetarianism in the U.S.* (HRC, 2007), p 5; Health Focus International, *HealthFocus International Trend Study: United States*, (2006); Health Focus International, *HealthFocus International Trend Study: Australia*, (2005).
- 169 Free-range and organic chickens are required to have access to the outdoors. The quality of the outdoor areas provided and periods of access varies between third party certification schemes. See: Sharman, K, Sherman, B and Sherman, O (eds), above n 142.
- 170 These figures are based on a comparison of the Free Range Egg & Poultry Association's requirements and Australian Certified Organic Standards as set out on 'Inglewood Farms' website. The figures may vary between third party certification schemes. See: Sharman, K, Sherman, B and Sherman O (eds), above n 142; Inglewood Farms, above n 167.
- 171 Above n 47.
- 172 The figure cited assumes a slaughter weight of just under 2kg per bird. See: ACMF, above n 34.
- 173 Ibid.
- 174 Inglewood Farms, above n 167.
- 175 ACMF, above n 36.
- 176 Ibid.
- 177 Ibid.
- 178 The decision in this matter was subsequently appealed; however the Appeal was unsuccessful. See: Complaint 2002/32: *Sue Kedgley MP v Tegel Foods Limited: Advertising Standards Complaints Board* (New Zealand), Decision of Meeting 9 April 2002; Complaint 2002/14: *Sue Kedgley MP v Tegel Foods Limited: Advertising Standards Complaints Board* (New Zealand), Decision of Meeting 6 August 2002 <<http://203.152.114.11/decisions/02/O2032.rtf>> at 12 August 2008.
- 179 *Sue Kedgley MP v Tegel Foods Limited*, above n 178, p 31.
- 180 As the largest fast food retailers do not claim to use free-range chicken meat in their products, it seems fair to assume that the chickens used are sourced from factory farms. In support of this, KFC's website claims to use chicken "sourced exclusively from Australia's leading producers including Inghams, Steggles and Baiada". See: KFC <www.kfc.com.au/Default.asp?page=/home> at 14 August 2008.
- 181 Center for Media Literacy, *Common Advertising Strategies: Student Handout*, Media Awareness Network <www.media-awareness.ca/english/resources/educational/handouts/advertising_marketing/common_ad_strats.cfm> at 3 October 2008.
- 182 KFC, above n 180.
- 183 KFC, *Menu: Popcorn Chicken* <http://www.kfc.com.au/default.asp?page=/menu&menu_item=popcorn+chicken> at 3 October 2008.
- 184 McDonald's, *McDonald's Product Ingredients*, p. 2, Revision 54, 27 August 2008 <www.mcdonalds.com.au/PDFs/IngredientListing.pdf> at 16 October 2008.
- 185 Bartter Steggles, *Our Products* <www.bartter.com.au/products.htm> at 1 August 2008.
- 186 McDonald's, *Happy Meal* <www.happymeal.com/en_US/index.html#> at 3 October 2008.
- 187 IBISWorld, above n 107, p. 10.
- 188 DAFF, above n 38; Australian Government Rural Industries Research & Development Corporation, above n 69.
- 189 Australian Government Rural Industries Research and Development Corporation, *Chicken Meat Research Program*, (July 2007) <www.rirdc.gov.au/programs/cm.html> at 3 October 2008.
- 190 IBISWorld, above n 107, p. 13.
- 191 Brown, AJ and Bellamy, JA, *Federalism and Regionalism in Australia: New Approaches, New Institutions?* (ANU E Press 2006), ch 8 <<http://epress.anu.edu.au/anzsog/fra/html/ch08s03.html>> at 16 October 2008.
- 192 Australian Government Department of Infrastructure, Transport, Regional

- Development and Local Government, *Contracted Projects Far North East New South Wales*. (9 July 2008) <www.sustainableregions.gov.au/nsw/fne/projects.aspx> at 3 October 2008.
- 193 State Government of Victoria, '\$180,000 Grant to Davis Poultry Maryborough to Create 44 New Jobs' (Press Release from the Minister for Regional and Rural Development, 20 May 2008) <www.dpc.vic.gov.au/domino/Web_Notes/newmedia.nsf/798c8b072d117a01ca256c8c0019bb01/96e5d7a6dcbe0ef0ca25744f007f374b!OpenDocument> at 3 October 2008.
- 194 Poultry Hub, *Vocational Education and Training*, (5 June 2008) <www.poultryhub.org/index.php/Vocational_education_and_training> at 3 October 2008.
- 195 European Commission Special Eurobarometer, *Attitudes of Consumers Towards the Welfare of Farmed Animals*, June 2005, p22 <http://ec.europa.eu/food/animal/welfare/euro_barometer25_en.pdf> at 12 August 2008.
- 196 *Welfare of Farmed Animals (England) Regulations 2007*, Schedule 1, para 24.
- 197 Norwegian Animal Welfare Act 1995, (Code: 750.000 Issued: June 16, 1995) s 4, translated on: 'Animal Legal & Historical Web Centre <www.animallaw.info/nonus/statutes/stnoapa1995.htm> at 3 October 2008.
- 198 Norwegian Animal Welfare Act 1995, above n 197, s 5.
- 199 Fågel, S, Animal Welfare Program, <<http://svenskfaegel.agrimprim.com/?p=2215>> at 3 October 2008.
- 200 Smith, J, *New EU law promises chickens a better life*, Planet Ark, 1 June 2005, <www.planetark.com/dailynewsstory.cfm/newsid/31049/story.htm> at 3 October 2008.
- 201 European Commission Special Eurobarometer, above n 195, p 24.
- 202 European Commission, *Europa: Questions and Answers on the Welfare of Chickens Kept for Meat Production (Broilers)* <http://ec.europa.eu/food/animal/welfare/farm/QA_Broilers_en.pdf> at 1 August 2008.
- 203 Commission Directive 2007/43/EC of 28 June 2007 Laying Down Minimum Rules for the Protection of Chickens Kept for Meat Production, Official Journal L182/19, 12.7.2007 (Chicken Directive).
- 204 Stevenson, P, Political and Legal Director, Compassion in World Farming, *pers comm*, 20 August 2008.
- 205 The 'Australian Standard' in this table has been based on the Poultry Code which does not have legislative force in all States and Territories. See Appendix 1. Some jurisdictions may have minimum standards which are more stringent than those set out in the Poultry Code.
- 206 Chicken Directive, above n 203, Annex 1, s 3.
- 207 The Poultry Code, above n 44, cl 2.4.2.2.
- 208 Chicken Directive, above n 203, Annex 1, s 2.
- 209 The Poultry Code, above n 44, cl 9.1.
- 210 Chicken Directive, above n 203, para 15.
- 211 Refer to Appendix.
- 212 Moore, J, 'Jamie's Factory Farm Campaign', *The Sun*, (23 November 2007) <<http://www.thesun.co.uk/sol/homepage/showbiz/tv/article497725.ece>> at 3 October 2008.
- 213 World Poultry Net, *Latest News: UK 38% of Consumers Switched to Free Range Poultry* (19 February 2008) <http://www.worldpoultry.net/news/id2205-39441/uk_38_of_consumers_switched_to_free_range_poultry.html> at 13 October 2008.
- 214 Hickman, M, 'The Campaign that Changed the Eating Habits of a Nation', *The Independent* (28 February 2008) <<http://www.independent.co.uk/life-style/food-and-drink/news/the-campaign-that-changed-the-eating-habits-of-a-nation-788557.html>> at 3 October 2008.
- 215 Ibid.
- 216 Toluna, People, Opinions & Polls, *Opinions on Jamie's Fowl Dinners: Will You Buy Free Range Chicken and Eggs?*, <http://uk.toluna.com/opinions/33991/Jamie's_Fowl_Dinners_-_will_you_buy_free_range_chicken_and_eggs?so=RECENT&p=9> at 3 October 2008.
- 217 Fraser, A, *Supermarkets and Farm Animal Welfare: Raising The Standard 2007-08*; A Report by Compassion in World Farming 2007, Compassion in World Farming, p. 21.
- 218 World Poultry Net, *Latest News: Supermarket Doubles Availability of Free Range Chicken*, (13 February 2008) <www.thepoultrysite.com/poultrynews/14118/supermarket-doubles-availability-of-free-range-chicken> at 6 August 2008; Fraser, A, above n 217.
- 219 These should be distinguished from chickens labelled 'organic'. See above n 166. The supermarkets referred to in this section all claim to stock brands of 'free-range' chickens who are provided with outdoor access. Similarly to Australia, the term 'free-range' is not defined in law and one can expect a range of free-range management practices and interferences with the birds' natural behaviours to apply.
- 220 This chain stocks Alison's All-Natural Chicken which claims to be free-range and provide birds with outdoor access. See: 'Price Chopper Expands Natural and Organic Offerings', *Progressive Grocer* (15 March 2007) <www.allbusiness.com/retail-trade/food-stores/4263694-1.html>; Alison's Family Farms, *Q&A With Alison* <www.alisonsfamilyfarms.com/QAwithalison.htm#4> at 3 October 2008.
- 221 Herzog, A, 'Wholefoods Market; Upsale Grocer Touts Organics, Atmosphere', *Milwaukee Journal Sentinel*, (19 September 2006) <www.jsonline.com/story/index.asp?id=499071> at 3 October 2008.
- 222 This chain stocks Shelton's Poultry which claims to provide its birds with outdoor access in accordance with USDA requirements (but see n 166 above). See: Sheltons Poultry Inc <www.sheltons.com/aboutus.html>; Sheltons Poultry Inc, 'Find U.S. / Retail Store Locations' <http://www.sheltons.com/find_store.html> at 17 October 2008.
- 223 Ibid.
- 224 Ibid.
- 225 Ibid.
- 226 Humane Research Council, *Animal Tracker- Wave 1; An HRC Managed Research Study*, June 2008, p. 6 and p. 11.
- 227 World Poultry Net, *Latest News: KFC Canada Commit to 100% CAK Meat Purchase* (4 June 2008) <www.thepoultrysite.com/poultrynews/15051/kfc-canada-commit-to-100-cak-meat-purchase>; Kentucky Fried Cruelty, *Most KFC's in Canada give to PETA's demands*, PETA <http://getactive.peta.org/campaign/canada_kfc_victory> both at 3 October 2008.
- 228 See, for example, ACMF, 'Animal Welfare' <www.chicken.org.au/page.php?id=16>, Steggle, 'Policies' <www.bartter.com.au/AboutUs/Policies.htm>, Inghams, 'Animal Welfare' <www.inghams.com.au/consumer/aboutus.aspx?docId=182> all at 3 October 2008.
- 229 Satya, *Killing Us Softly? Debating Humane Meat*, September 2006; Satya, *Milking us Gently? Continuing The Debate on Humane Meat*, <www.satyamag.com/backissues.html> at 13 October 2008.
- 230 NSW Farmers Association, *Poultry Meat Update*, December 2007.
- 231 Parker, M, 'Mt Barker promotes free-range to Australian consumers', *Poultry International*, Watt Publishing, (17 July 2007) <<http://www.wattpoultry.com/freerange.aspx>> at 3 October 2008.
- 232 For example, see: Lilydale Select Free Range, above n 116; Inghams, *Free Range Chicken* <www.inghams.com.au/consumer/aboutus.aspx?docId=764> at 3 October 2008.
- 233 Food Magazine, 'Australian charge to free range chicken', *Food Magazine*, Reed Business Information, 29 October 2008 <<http://www.foodmag.com.au/Article/Australian-charge-to-free-range-chicken/429232.aspx>> at 7 November 2008.
- 234 *Prevention of Cruelty to Animals Act 1979* (NSW), s34A(1); *Prevention of Cruelty to Animals (General) Regulation 2006* (NSW), reg 24.
- 235 *Prevention of Cruelty to Animals Act 1979* (NSW), s34A(3).
- 236 *Animal Care and Protection Act 2001* (Qld), s16; *Animal Care and Protection Regulations 2002* (Qld), Schedule 1.
- 237 *Animal Care and Protection Act 2001* (Qld), s16.
- 238 Poultry - Code of Practice for Poultry in Western Australia 2003 enacted pursuant to *Animal Welfare Act 2002*, s 94(2)(d); *Animal Welfare (General) Regulations 2003*, reg 6 and Schedule 1.
- 239 *Animal Welfare Act 2002* (WA), s25.
- 240 Code of Accepted Farming Practice for the Welfare of Poultry (Revision 2) enacted pursuant to *Prevention of Cruelty to Animals Act 1986* (Vic), s7; State of Victoria, Victorian Government Gazette, No. G48, 27 November 2003.
- 241 *Prevention of Cruelty to Animals Act 1986* (Vic), s6(c).
- 242 *Prevention of Cruelty to Animals Act 1985* (SA), s 43; *Prevention of Cruelty to Animals Regulations 2000* (SA), Schedule 2. The Code is not specifically listed in the Schedule to the Regulations.
- 243 *Animal Welfare Act 1993* (Tas), s 44; See Department of Primary Industries and Water (Tasmania), *Animal Welfare* <<http://www.dpiw.tas.gov.au/inter.nsf/WebPages/EGIL-535VVF?open#Tasmania'sAnimalWelf>> at 15 October 2008.
- 244 Ibid.
- 245 *Animal Welfare Act*, (NT) ss 24; Northern Territory of Australia, Government Gazette, No. G18, 3 May 2006.
- 246 *Animal Welfare Act*, (NT) s 79.
- 247 *Animal Welfare Act 1992* (ACT), s22; Australian Capital Territory, *Disallowable Instrument DI2003-2*, 20 December 2002.
- 248 *Animal Welfare Act 1992* (ACT), s20.

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