

Subordinate Law No. 18 of 1999

EXPLANATORY MEMORANDUM

Food Regulations Amendment 1999

1. Commencement

Clause 1 : provides for the amending regulation to commence on the day of gazettal.

2 Regulations amended

Clause 2 : provides that these regulations amend existing regulations and do not create new regulations. The regulations to which this amendment applies are the *Food Regulations*, Subordinate Law No. 4 of 1994, notified in the ACT Gazette on 28 February 1994.

3. Addition

Clause 3 : Details the amendment to be inserted in the *Food Regulations*. The insertion will follow after regulation 4 and be referred to as regulation 5.

The clause inserts a regulation which;

(a) at sub-regulation (1), references section 24B of the principal Act, the *Food Act 1992*, which requires the labelling of eggs which are sold in the Territory. Section 24B of the principle Act requires that labelling must indicate the conditions under which the hens that produced the eggs are kept and must indicate these conditions by means of prescribed expression. Clause 3 identifies itself as that prescribed expression.

(b) at sub-regulation (1), inserts a table into the regulations which sets out the prescribed expressions that are permitted to appear on the label of eggs sold in the Territory. Each prescribed expression must be followed by the word 'egg'. The use of the prescribed expressions are then qualified through the detailing of the conditions under which hens must be kept in order use each individual expression.

For each label category;

(i) the expression 'Battery cage' may only be used on the label of eggs which have been produced by hens which are kept in cages without access to litter, perches or nesting material and kept at cage stocking densities which comply to the requirements of the *Model Code of Practice for the Welfare of Animals: Domestic Poultry*.

(ii) the expression 'Barn' may only be used on the label of eggs which have been produced by hens which are kept under conditions which allow freedom of movement, including the freedom to socialise, perch, dust bathe, nest, flap wings and fly. Further requirements which must be met in order to use this expression include; the provision of litter to at least half the housing, the provision of adequate perching and nesting facilities in a shed which accommodates the hens properly. Stocking densities must comply with the deep litter, single level system provisions outlined in the *Model Code of Practice for the Welfare of Animals: Domestic Poultry*.

(iii) the expression 'Aviary' may only be used on the label of eggs which have been produced by hens which are kept under conditions which allow freedom of movement, including the freedom to socialise, nest, dust bathe, flap wings and fly. Further requirements which must be met in order to use this expression include; the provision of an adequate number of perches at

different levels so that all of the hens kept in the shed may be accommodated and the provision of litter to at least half the housing. Stocking densities must comply with the deep litter, single level system provisions with allowance for additional levels and perching / nesting space outlined in the *Model Code of Practice for the Welfare of Animals: Domestic Poultry*.

(iv) the expression 'Free range' may only be used on the label of eggs which have been produced by hens which are kept under conditions which allow for continuous day-time outdoor access, access to indoor litter, access to perches and nests at all times and adequate protection from predators and the elements at all times. Stocking densities must comply with the range system provisions outlined in the *Model Code of Practice for the Welfare of Animals: Domestic Poultry*.

(c) at sub-regulation (2), requires that the label must be conspicuous and have the prescribed expression printed at a minimum size of 6mm in a standard type style font.

(d) at sub-regulation (3), defines that all references to the code means the *Model Code of Practice for the Welfare of Animals: Domestic Poultry* published by the Animal Health Committee of the Standing Committee on Agriculture and Resource Management. Reference is not made to an edition of the code, but it is intended that the most recent edition be used as this will allow for adjustment of the standards without further need to amend the regulations.