

Competition and Consumer (Free Range Eggs) Amendment Bill 2019

No. , 2019

The Hon. dyljam MP

**A Bill for an Act to amend the Competition and Consumer
Act 2010, and for related purposes.**

Explanatory Memorandum

The Bill will amend the Competition and Consumer Act to ensure that eggs marketed as 'free range' are eggs laid by hens that are able to, and do in fact, move freely on an open range during daylight hours on most days.

The Bill will ensure that eggs marketed as 'free range' are laid from hens subject to a stocking density of no more than 1,500 hens per hectare, and that the stocking density information is displayed on egg labels prominently in a 'hens per hectare' format.

The Bill enables eggs that are not cage eggs but do not meet the definition of free range to be marketed as 'access to range.'

Second Reading Speech

The Competition and Consumer (Free Range Eggs) Amendment Bill 2019 will clarify existing regulations in regards to the marketing of free range eggs.

Firstly, this bill will ensure that eggs which are marketed as 'free range' are produced by hens which are able to, and do in fact, move freely on an open range during daylight hours on most days. Secondly, it will ensure that eggs marketed as 'free range' are produced by hens which are subject to a stocking density of no more than 1,500 hens per hectare and that information is displayed prominently on egg cartons in a hens per hectare format. And finally, this bill enables eggs that are not cage eggs but do not meet the definition of free range to be marketed as 'access to range' eggs.

Currently, the Australian definition of 'free range' eggs is more than four times greater than the European Union and the United Kingdom. This bill seeks to bring the definition of 'free range' eggs in line with the model code recommended by the CSIRO, and is also in line with recommendations by the RSPCA and consumer advocacy group CHOICE.

Consumers have a right to know whether the carton of eggs that they are purchasing are in fact 'free range'. This bill seeks to bring the Australian definition of 'free range' in line with international standards, and ensure that egg producers are transparent in their marketing, ensuring that consumers are well aware of the hen density of the farm where the eggs were produced at.

I commend this bill to the House, and highly encourage all Members to vote in support of it.

The Parliament of Australia enacts the following

1. Short Title

This Act may be referred to as the Competition and Consumer (Free Range Eggs) Amendment Act 2019.

2. Commencement

This Act is to commence on the First (1st) day of July 2019.

3. Objects of this Act

The objects of this act are:

- (a) Ensure that eggs which are marketed as being 'free range' are produced by hens which are able to move freely on an open range during daylight hours on most days.
- (b) Ensure that eggs which are marketed as being 'free range' are produced by hens which are stocked at a density of no more than 1,500 birds per hectare.
- (c) Clarify existing rules to ensure that the stocking density of hens is displayed on egg cartons in a 'hens per hectare' format.

Schedule 1—Amendments

Part 1—Amendment of the Competition and Consumer Act 2010

Competition and Consumer Act 2010

1. At the end of section 134 of Schedule 2

Add:

(3) An information standard under subsection (1) for eggs has no effect to the extent that:

(a) the standard permits eggs that do not satisfy all of the following conditions to be represented (whether on labelling or otherwise) as free range eggs:

- (i) the eggs are laid by hens that are able to move about freely on an open range during daylight hours on most days;
- (ii) a majority of those hens do in fact move about freely on the open range during daylight hours on most days;
- (iii) the hens are subject to a stocking density of no more than 1,500 hens per hectare; or

- (b) the standard permits information about the stocking density of the hens that laid free range eggs to be displayed (whether on labelling or otherwise) otherwise than as hens per hectare; or
- (c) the standard permits eggs that are cage-free eggs but that do not satisfy all of the conditions in paragraph (a) to be represented (whether on labelling or otherwise) as anything other than access to range eggs.