

Animal Welfare (Broiler Chickens) Code 2001

A code of welfare issued under the Animal Welfare Act 1999

Editorial Note: A final decision has not been made on code titles but it will be something like the above.

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Preface

The Animal Welfare Act 1999 came into force on 1 January 2000. It establishes the fundamental obligations relating to the care of animals. These obligations are written in general terms however. The detail is found in codes of welfare. Codes set out minimum standards and recommendations relating to all aspects of the care of animals. They are developed following an extensive process of public consultation and reviewed every 10 years, or sooner if necessary. As such, I am confident that they reflect the views and values held by New Zealanders with respect to the care of animals.

I recommend that all those who care for animals become familiar with the relevant codes. This is important because failure to meet a minimum standard in a code could lead to legal action being taken.

Codes are issued by me on the recommendation of the National Animal Welfare Advisory Committee. This Committee comprises persons who have expertise in particular areas such as animal welfare, veterinary science, animals in research, agricultural science, the commercial use of animals and the ethical standards and conduct in respect of animals.

Insert Comments by the Minister pertinent to this code.

This Code of Welfare for ... was issued by me, by a notice published in the *Gazette* on2000, under section 75 of the Animal Welfare Act 1999. This Code came into force on.....2000.

This code is deemed to be a regulation for the purposes of the Regulations (Disallowance) Act 1989 and is subject to the scrutiny of Parliament's Regulations Review Committee

Hon Jim Sutton
Minister of Agriculture

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1. Introduction, Purpose and Interpretation of Code

1.1 History

The original Codes of Recommendations and Minimum Standards for the Welfare of Broiler Chickens was prepared by the Animal Welfare Advisory Committee (AWAC), which was established in 1989 by the then Minister of Agriculture to advise him on matters concerning animal welfare. The code was of a voluntary nature and has no legal standing under the Animals Protection Act 1960.

The Animal Welfare Act 1999 established the National Animal Welfare Advisory Committee (NAWAC) which replaced AWAC, and provided for the issue of codes of welfare with legal effect. One of the responsibilities of NAWAC is to advise the Minister on the content of codes of welfare following a process of public consultation.

1.2 Legal Status of Codes of Welfare

Codes of welfare are deemed to be regulations for the purposes of the Regulations (Disallowance) Act 1989. This means that they are subject to the scrutiny of the Regulations Review Committee¹

Codes of welfare contain minimum standards and may also contain recommended best practices. Only minimum standards have legal effect and this is in two possible ways:

- Minimum standards can be used to support a prosecution for an offence against the Act.
- A person who is charged with an offence against the Act can defend himself/herself by showing that he/she has equalled or exceeded the minimum standards.

Recommendations for best practice set out standards of care and conduct over and above the minimum required to meet the obligations in the Act. They are included for educational and information purposes. Failure to meet a recommended best practice will not lead to legal action being taken.

Any person or organisation aggrieved at the operation of a code of welfare has a right to make a complaint to the Regulations Review Committee, Parliament Buildings Wellington.

1.3 Obligations on Owners or People in Charge of Animals

The Act sets out three fundamental obligations relating to the care of animals. All those who own or are in charge of animals must:

¹ This is a Parliamentary select committee charged with examining regulations against a set of criteria and drawing to the attention of the House of Representatives any regulation that does not meet the criteria. Grounds for reporting to the House include: the regulation trespasses unduly on personal rights and freedoms, is not made in accordance with the general objects and intentions of the statutes under which it is made, or that it was not made in compliance with the particular notice and consultation procedures prescribed by statute.

- Ensure that the physical, health, and behavioural needs of animals are met in a manner that is in accordance with both good practice and scientific knowledge (section 10);
- Where practicable, ensure that when an animal is injured that it receives treatment that alleviates any unreasonable or unnecessary pain or distress being suffered by the animal (section 11); and
- Ensure that animals are killed in such a manner that the animals do not suffer unreasonable or unnecessary pain or distress (section 12(c)).

The Act defines the term “physical, health and behavioural needs” in relation to an animal as —“including:

- (a) Proper and sufficient food and water;
- (b) Adequate shelter;
- (c) Opportunity to display normal patterns of behaviour;
- (d) Physical handling in a manner which minimises the likelihood of unreasonable or unnecessary pain or distress;
- (e) Protection from, and rapid diagnosis of, any significant injury or disease,

being a need, which, in each case, is appropriate to the species, environment, and circumstances of the animal” (Section 4).

The minimum standards in a code set out the detailed actions that will enable the above obligations to be met.

1.4 Process for Code Development

A draft code may be developed by anyone including NAWAC or the Minister. It is then submitted to NAWAC. Provided the draft meets criteria in the Act for clarity, compliance with the purposes of the Act, and prior consultation, NAWAC publicly notifies the code and calls for submissions. NAWAC is then responsible for recommending the form and content of the code to the Minister after having regard to the submissions received, good practice and scientific knowledge, available technology and any other relevant matters.

NAWAC may recommend draft standards that do not fully meet the obligations in the Act if certain criteria specified in the Act are met.

The Minister issues the code by notice in the *Gazette*.

1.5 Interpretation

Minimum standards are identified in the text by a heading and use the word “must” or similar words. They are highlighted in boxes within the text. They represent the minimum standards of care that are acceptable to New Zealand society.

Recommended best practice is identified by a heading and, generally, are “should” statements.

Food and Feed

The words “food” and “feed” are used interchangeably.

Animal

“Animal”—

- (a) Means any live member of the animal kingdom that is
 - (i) A mammal; or
 - (ii) A bird; or
 - (iii) A reptile; or
 - (iv) An amphibian; or
 - (v) A fish (bony or cartilaginous); or
 - (vi) Any octopus, squid, crab, lobster, or crayfish (including freshwater crayfish); or
 - (vii) Any other member of the animal kingdom which is declared from time to time by the Governor-General, by Order in Council, to be an animal for the purposes of this Act; and
- (b) Includes any mammalian foetus, or any avian or reptilian pre-hatched young, that is in the last half of its period of gestation or development; and
- (c) Includes any marsupial pouch young, but
- (d) Does not include
 - (i) A human being; or
 - (ii) Except as provided in paragraph (b) or paragraph (c) of this definition, any animal in the pre-natal, pre-hatched, larval, or other such developmental stage.

—section 2.

Broiler chickens, being chickens, are animals for the purposes of the Animal Welfare Act 1999.

1.6 Who Does the Code Apply To?

This Code is intended for all persons responsible for the welfare of broiler chickens. The pre-hatched chick that is in the last half of development is also covered by this code. In New Zealand, broiler chickens are kept under conditions ranging from large commercial enterprises where the birds are kept in enclosed housing and are reliant on human management for all their daily requirements to free-ranging chickens which have access to outdoor runs or pasture which provides a very small proportion of their food. These free-ranging chickens are also reliant on human management for all their daily requirements.

Under the Animal Welfare Act 1999 the “owner” of an animal or the “person in charge” is responsible for meeting the legal obligations to animal welfare. In the case of broiler chickens the owner of the animal(s) may place the chickens in the care of others for the purpose of rearing, transport and slaughter.

In practice, the identification of the person in charge will depend on the minimum standard in question.

Responsibility for meeting minimum standards relating to the provision, design and maintenance of the facilities and equipment, the allocation of operational responsibilities and the competence and supervision of performance of employees will lie with the person in charge of the chickens.

Responsibility for meeting minimum standards during the operation of particular tasks will lie with the person responsible for carrying out that particular task. That person is "in charge" of the animals at that particular point in time.

This code complements the Animal Welfare Act 1999 by outlining the minimum standards which are currently acceptable to the informed New Zealand public, and by providing advice aimed at promoting good broiler chicken welfare and productivity.

A good attitude to the care and handling of animals is essential to animal welfare. This Code is intended to encourage all those responsible for its implementation to adopt the highest standard of husbandry, care and handling, and to equal or exceed the minimum standards.

This Code provides for the general principles of the care and use of broiler chickens. The incorporation of the Code in quality assurance programmes will ensure its success. (see Part 6—Quality Assurance).

Other codes that are relevant, and that are either being produced for the first time, or are in the process of being reviewed, include codes concerned with the Transport of Animals, Slaughter at Licensed and Approved Premises, Emergency Slaughter, Welfare at Saleyards, and the Use of Animals for Scientific Purposes. Where relevant these other codes should be consulted. (see Appendix II).

Six voluntary codes including the Broiler Chicken Code were deemed to be codes of welfare, under the Animal Welfare Act 1999. They were endorsed by AWAC prior to the commencement of the Animal Welfare Act 1999, are listed in Appendix II. The deemed codes of welfare are valid until 31 December 2002 unless revoked prior to that date.

1.7 Contents of this Code

Section 69 of the Animal Welfare Act 1999 provides that a code of welfare may relate to one or more of the following—

- a species of animal.
- animals used for purposes specified in the code.
- animal establishments of a kind specified in the code.
- types of entertainment specified in the code (being types of entertainment in which animals are used).
- the transport of animals.
- the procedures and equipment used in the management, care, or killing of animals or in the carrying out of surgical procedures on animals.

The Animal Welfare Act 1999 further allows a code to establish minimum standards and recommendations for best practice that do not fully meet the obligations of:

- sections 10 and 11—obligations in relation to physical, health and behavioural needs of animals.
- section 12 (1) (c)—killing an animal.
- sections 21 (1) (b)—restriction on performance of surgical procedures.
- section 22 (2)—providing comfortable and secure accommodation for the transport of animals.
- sections 23 (1) and 23 (2)—transport of animals.
- section 29 (a)—ill-treating an animal.

—section 73 (3)

This Code provides for the physical, health, and behavioural needs of animals. These needs include:

- proper and sufficient food and water
 - adequate shelter
 - opportunity to display normal patterns of behaviour
 - physical handling in a manner which minimises the likelihood of unreasonable or unnecessary pain or distress
 - protection from, and rapid diagnosis of, any significant injury or disease.
- being a need, which, in each case, is appropriate to the species, environment, and circumstances of the animal” — section 4

This Code also takes account of:

- good practice,
- scientific knowledge, and
- available technology.

1.8 Preparation and Revision of the Code

This Code is a comprehensive revision of the *Code of Recommendations and Minimum Standards for the Welfare of Broiler Chickens* published in 1999. It has been written by a working group established by the Poultry Industry Association of New Zealand Inc and has been reviewed by representatives of the industries, veterinarians, advisors, animal scientists, welfarists and members of the general public.

This Code is based on the knowledge and technology available at the time of publication, and may be varied in the light of future advances and knowledge. Consequently, NAWAC will review this Code when deemed necessary. In any event this Code will be reviewed no later than xx xxx 2010 (being 10 years from the date on which this Code was issued by the Minister).

Comments on the content are always welcome and should be addressed to:

The Secretary,
National Animal Welfare Advisory Committee,
PO Box 2526,
Wellington.

Further information can be obtained from the MAF website:
<http://www.maf.govt.nz/animalwelfare/index.htm>

1.9 Glossary

Bleeding cone-	stainless steel cone used to contain individual chickens for slaughter and bleeding
Broiler chicken-	a male or female meat breed of chicken
Brooding-	day-old to 7 days
Caking-	undesirable compaction of surface of litter possibly due to excess moisture
Caponisation-	surgical or chemical castration of cockerels
Chicken-	broiler chicken
Chicks-	newly hatched broiler chickens
Finisher-	final feed ration type prior to slaughter
Fogging-	fine misting within a broiler house
Grow-out-	day-old chick to harvest/catching
Instantaneous fragmentation-	mechanical method of humane destruction of eggs/day-old chicks
Load-out-	catching and loading for transport at harvest
Placement-	placing of day-old chicks in broiler barn
Starter-	first of feed rations offered in grow-out period
Thinning-	partial harvest of a population in a shed

2. Legal Obligations of Owners of Animals

The owner or other person in charge of the chickens has overall responsibility for the welfare of the animals held in the facility.

Legal Obligations

- (1) The owner or person in charge of broiler chickens must—
- (a) Ensure that the physical, health, and behavioural needs of the chickens are met in a manner that is in accordance with both good practice and scientific knowledge.
 - (b) Where practicable, ensure that a chicken that is ill or injured receives treatment that will alleviate any unreasonable or unnecessary pain or distress being suffered by the chicken.
- (2) The owner or person in charge of a chicken must not—
- (a) Keep a chicken alive when it is in such a condition that it is suffering unreasonable or unnecessary pain or distress.
 - (b) Sell, attempt to sell, or offer for sale, other wise than for the express purpose of it being killed, a chicken, when the chicken is suffering unreasonable or unnecessary pain or distress.
 - (c) Desert a chicken in circumstances in which no provision is made to meet its physical, health and behavioural needs.
 - (d) Ill-treat a chicken.
 - (e) Release a chicken that has been kept in captivity, in circumstances in which the chicken is likely to suffer unreasonable or unnecessary pain or distress.
 - (f) Perform any significant surgical procedure on a chicken unless that person is a veterinarian.
 - (g) Perform on a chicken a surgical procedure that is not significant in such a manner that the chicken suffers unreasonable or unnecessary pain or distress.

Detailed legal provisions are set out in Appendix I.

3. Management of Broiler Chickens

3.1 Hatchery Management

Introduction

The key issues in hatchery management which affect the welfare of newly hatched chicks include hygiene, promptness of removing chicks after hatching, grading of day-old chicks, destruction of cull chicks and unhatched eggs, and holding room conditions.

The time interval from first chicks hatching to removal of chicks from the hatcher should be monitored. This is to ensure that chicks spend a minimum of time in the hatcher prior to take-off.

Minimum Standard No.1 — Hatchery Management

- (a) Cull chicks must be destroyed by instantaneous fragmentation or gassing.
- (b) All unhatched eggs must be destroyed by instantaneous fragmentation.
- (c) Holding room conditions for newly hatched chicks must provide for control of temperature and airflow so as to protect the welfare of the chicks.

3.2 Broiler Chicken Rearing and Growing

3.2.1 Food and Water

Introduction

Animals should receive a daily diet in adequate quantities and containing adequate nutrients to meet their requirements for good health and well being.

When considering the amount of food and nutrients animals require, a number of factors need to be taken into account:

- Physiological state: newborn/young animals, growth and maintenance.
- Extensive or intensive management systems (in the case of production animals)
- Nutritional composition of feed
- Age
- Sex
- Size
- State of health

- Quality of diet
- Growth rate
- Previous feeding levels
- Feeding frequency
- Terrain – in the case of production animals
- Genetic effects of strain or breed
- Level of activity and exercise
- Maximum periods of food deprivation (e.g. during transportation)
- Introduction of new feeds;
- Climatic factors (eg. inclement weather, droughts)

Due to the considerable variation that occurs between individual animals, food and nutrient requirements vary from one individual to another. Therefore it is not appropriate to include a complete range of the amounts of food and nutrients required as minimum standards.

Food and water supplied to the broiler chickens is an important part of maintaining good standards of chicken welfare. Nutrient composition, frequency and quantity of feed, contaminants within the feed, and water access to the feeders and drinkers are all important parameters.

Requirements for the composition of the feed supplied to the broiler chickens are set out in the Agricultural Compounds and Veterinary Medicines Act 1997.

Potable water standards are detailed in New Zealand Drinking Water Standards (Ministry of Health).

Monitoring of food and water consumption will provide an early warning system of sudden changes in the performance, health and condition of the broiler chickens.

The adequacy of the ration to meet the requirements of the flock can be assessed by monitoring the body weight of the chickens and measured against a recognised body weight standard for a particular breed, sex and production system.

Advice on body weight standards for your production systems can be obtained from the relevant breeding company in New Zealand (currently Golden Coast Commercial – Tegel Foods Ltd, and Bromley Park Hatcheries Ltd).

Minimum Standard No.2 — Food and Water

- (a) Feed must be provided each day, not necessarily continuously.