

**Legislative Council—No 60**

As introduced and read a first time, 23 September 2015

South Australia

**Eggs (Display for Retail Sale) Bill 2015**

A BILL FOR

An Act to regulate the display of eggs for sale by retail.

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### The Parliament of South Australia enacts as follows:

#### 1—Short title

This Act may be cited as the *Eggs (Display for Retail Sale) Act 2015*.

#### 2—Commencement

5 This Act will come into operation 6 months after assent.

#### 3—Interpretation

In this Act, unless the contrary intention appears—

**barn eggs** means eggs laid by hens that are kept—

- 10
- (a) with the freedom and capacity to socialise, to move freely within the shed, to stretch, perch, nest, dust bathe, flap wings and fly; and
  - (b) with adequate perching facilities and nests available to birds within the shed to accommodate the needs of all hens; and
  - (c) with half the housing kept under litter; and
  - (d) in accordance with the stocking level and other requirements for deep litter systems on a single level under the Model Code of Practice for the Welfare of Animals: Domestic Poultry;
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**cage eggs** means eggs laid by hens that are kept in cages—

- 20
- (a) without access to litter, perch or nest; and
  - (b) in accordance with the stocking level and other requirements for cage systems under the Model Code of Practice for the Welfare of Animals: Domestic Poultry;

**free-range eggs** means eggs laid by hens that are kept—

- 25
- (a) with continuous daytime access to outdoor runs; and
  - (b) with access at all times to indoor litter, perches and nests; and
  - (c) with adequate protection at all times from predators and the elements; and
  - (d) in accordance with the stocking level and other requirements for range systems under the Model Code of Practice for the Welfare of Animals: Domestic Poultry;

**hen** means a female fowl of the species *Gallus gallus domesticus*;

*Model Code of Practice for the Welfare of Animals: Domestic Poultry* means the document of that name published by CSIRO Publishing in 2002, as amended from time to time.

**Note—**

5                   The Model Code of Practice for the Welfare of Animals: Domestic Poultry is available at:  
<http://www.publish.csiro.au/pid/3451.htm>

**4—Display of eggs for sale by retail**

- (1) A person must not display eggs for sale by retail unless—
- (a) the display has a sign that contains the prescribed statement; and
  - 10       (b) the sign is placed prominently so that it can be seen and easily read by a person at or near the display; and
  - (c) the prescribed statement on the sign is printed—
    - (i) in a colour that contrasts with the background colour of the sign; and
    - (ii) in Arial bold typeface in a size of not less than 50 point.

15                   Maximum penalty: \$5 000.

- (2) A person who displays barn eggs and other hen eggs for sale by retail must ensure that the display of the barn eggs—
- (a) is separate from the display of the other eggs so that a person at or near the display can easily identify the eggs to which the sign referred to in
  - 20                   subsection (1) relates; and
  - (b) has a red marking on the edge of the shelf so that the marking can be seen easily by a person at or near the display of the barn eggs (unless the total length of shelf on which hen eggs of any kind are displayed for sale is less than 2 metres).

25                   Maximum penalty: \$5 000.

- (3) A person who displays cage eggs and other hen eggs for sale by retail must ensure that the display of the cage eggs—
- (a) is separate from the display of the other eggs so that a person at or near the display can easily identify the eggs to which the sign referred to in
  - 30                   subsection (1) relates; and
  - (b) has a red marking on the edge of the shelf so that the marking can be seen easily by a person at or near the display of the cage eggs (unless the total length of shelf on which hen eggs of any kind are displayed for sale is less than 2 metres).

35                   Maximum penalty: \$5 000.

- (4) A person who displays free-range eggs and other hen eggs for sale by retail must ensure that the display of free-range eggs—
- (a) is separate from the display of the other eggs so that a person at or near the display can easily identify the eggs to which the sign referred to in
  - 40                   subsection (1) relates; and

- (b) has a red marking on the edge of the shelf so that the marking can be seen easily by a person at or near the display of the free-range eggs (unless the total length of shelf on which hen eggs of any kind are displayed for sale is less than 2 metres).

5           Maximum penalty: \$5 000.

(5) This section applies to eggs whether produced within the State or elsewhere.

(6) In this section—

*prescribed statement* means—

- (a) in the case of barn eggs—the following statement:

10           **THESE ARE BARN EGGS.** Birds in barn systems are free to roam within a shed which may have more than 1 level. The floor may be based on litter and/or other material such as slats or wire mesh.;

- (b) in the case of cage eggs—the following statement:

15           **THESE ARE CAGE EGGS.** Birds are continuously housed in cages within a shed.;

- (c) in the case of free-range eggs—the following statement:

**THESE ARE FREE-RANGE EGGS.** Birds in free-range systems are housed in sheds and have access to an outdoor range.