

JULY 2022

# ANIMALS AOTEAROA PIGS CODE OF WELFARE CONSULTATION FEEDBACK



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[Animals Aotearoa](#) is a registered charity, whose mission is to end the suffering of farmed animals. We currently focus on improving the lives of chickens bred for meat, by securing welfare commitments from food businesses and raising public awareness of the suffering caused by the way chickens are bred and farmed.

Animals Aotearoa would like to thank NAWAC and MPI for the opportunity to comment on the proposed code and changes to regulations. Animals Aotearoa considers the proposed code to be a step in the right direction for pig welfare in Aotearoa New Zealand, although there remains considerable room for improvement.

Consumer attitudes towards animal products are constantly changing, with increasingly high expectations of quality of life for farmed animals and transparency through the supply chain. In Aotearoa New Zealand in 2017, The Ministry for Primary Industries issued a report on New Zealanders' views on farmed animals. Over 95% of respondents agreed, "it is important that the welfare of farmed animals in New Zealand is protected" (MPI, 2017). Highly intensive indoor farming systems are becoming more scrutinised and criticised by members of the public who exercise their powers as citizens and consumers to pressure industries to improve conditions. Codes of Welfare must not just set minimum standards for this moment in time, but also avoid locking in actions that are unlikely to be considered by consumers in the future to be consistent with the Animal Welfare Act (the Act). This is especially true where significant infrastructure investments are undertaken, such as enriched cages for layer hens, or temporary crating facilities for sows.

Animals Aotearoa considers the requirements of the Act are not met by intensive farming systems that limit space through high stocking densities or, in the case of pigs, through confinement to very small crates or pens. As such, Animals Aotearoa considers that most fish farming, chicken meat and egg farming, rabbit meat farming, and pig farming breaches the Act. These systems severely limit the ability of animals to undertake normal behaviours that are important to them, significantly impairing their ability to experience positive welfare.

Animals Aotearoa, alongside incremental improvements, would like to see a better representation of a good life for farmed animals in the Codes of Welfare recommended best practices. These provide an opportunity to communicate to the farming sector, animal advocates, and the citizens of Aotearoa New Zealand the direction of travel for animal welfare.

A significant issue that animal welfare regulation needs to grapple with is the impact of genetics on welfare. This is seen with pigs, where selection for the production traits of larger litters and larger body sizes have both resulted in negative welfare impacts, but it is also an issue for other farmed and companion animals. Banning breeds or strains of animals, or banning interactions of certain breeds with specific farming systems (for example not allowing super high fecundity sows in pen systems), are reasonable animal welfare decisions to make. Where an animal's genetics, or interaction of those genetics with the environment that animal occupies, causes welfare compromises, regulating the poor welfare genetics is an appropriate step.

As a final introductory comment, one thing notable in its absence from much animal welfare discourse is a Māori perspective. Indigenous world views and Mātauranga Māori enrich our understanding of the world around us, including the world occupied by animals. As tangata whenua, Māori have an important relationship with this land and all the human and non-human animals that exist upon it. Māori voices are important in all rooms where decisions are made, and that includes decisions about animal welfare. These perspectives should be actively sought out. Māori should be able to use Kaupapa Māori frameworks to allow iwi and hapu to

collectively inform the welfare of animals in Aotearoa. Animals Aotearoa recognises Te Tiriti and as such considers co-governance, the equal sharing of power between Māori and tauwiwi, the appropriate mechanism of governance of Aotearoa, including governance of animal welfare.

The remainder of this document will address the specific questions that were posed in the consultation document. Please note that the entirety of this document applies to both NAWAC and MPI consultations and should therefore be considered by both organisations.

**Animals Aotearoa is happy to take part in further discussions or consultation around the contents of this submission.**

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## CODE UPDATE: FARROWING

**Q1. Do you support Option A (Free Farrowing) or Option B (Temporary Crating)? Why / why not?**

Animals Aotearoa supports Option A (Free Farrowing) but doesn't think the proposal goes far enough. More space (7.5m<sup>2</sup>) should be provided and a minimum standard and regulation introduced to address breeding unfit piglets through the breeding of very large litters.

Animals Aotearoa does not support Option B.

There is no scientific consensus that farrow crates reduce piglet mortality. In their 2015 review, Pederson, Malamkvist, & Anderson state, 'Despite the fact the crate system has been considered to reduce piglet mortality mainly through a reduction in crushing, there is not much scientific evidence for this' (pp. 97). The authors review seven studies comparing piglet mortality in different farrowing systems, including two very large studies.

An Aotearoa New Zealand based study, (Chidgey et al., 2015), found a higher piglet mortality rate in pens versus farrowing crates, however the mortality rate in both systems was below the Aotearoa New Zealand average. In addition, this study found higher weaning weights in piglets raised in pens versus farrowing crates. This study also found higher mortality rates to day 4 in farrowing crates versus pens (69.57% vs 61.2% P<0.0001) (table 1. pp 90).

The negative impacts of crating on maternal behaviours has been documented by several authors (Goumon et al., 2022; Hales et al., 2016; Yun & Valros, 2015). Crated sows have less nose to nose interactions with piglets, show less careful behaviour towards piglets, and have poorer milk production.

There are a large number of studies investigating the impact of housing on piglet mortality, with significant variation in outcomes. It is very difficult to make good comparisons between studies as methodologies vary and some management factors, such as cross fostering, are poorly reported. However, Goumon et al. (2022) make the important observation that studies with low numbers of litters are underpowered to detect variations in piglet mortality. The authors suggest that over 150 litters per treatment are required to detect a difference in mortality of 0.2%.

A summary of studies investigating piglet mortality differences between crates and pens is presented in table 1 and figure 1. In table 1 underpowered studies (with fewer than 150 litters per treatment) are highlighted. Although this analysis is simplistic, it assists to demonstrate the diversity of findings and the lack of consensus on the impact of housing on piglet mortality.

| Study                      | Piglet mortality farrowing crate (%) | Number of litters farrowing crate | Piglet mortality pen (%) | Number of litters pen | Difference (%). Positive numbers are lower piglet mortality in pens than farrowing crates |
|----------------------------|--------------------------------------|-----------------------------------|--------------------------|-----------------------|---|
| Pedersen & Ingwersen, 1981 | 10.2                                 | 1085                              | 10.5                     | 697                   | -0.3  |
| Gustafsson, 1983           | 18.7                                 | 15607                             | 18.7                     | 56900                 | 0   |
| Cronin & Smith, 1992       | 10.5                                 | 32                                | 16.5                     | 32                    | -6  |
| Backstrom et al., 1994     | 18.7                                 | 765                               | 16.9                     | 3219                  | 1.8   |
| Arey & Sancha, 1996        | 25.2                                 | 24                                | 28.5                     | 24                    | -3.3  |
| Cronin et al., 2000        | 17.5                                 | 80                                | 15.5                     | 66                    | 2   |
| Marchant et al., 2000      | 15.2                                 | 66                                | 24.8                     | 66                    | -9.6  |
| Jarvis et al., 2005        | 5.6                                  | 71                                | 12.2                     | 51                    | -6.6  |
| Weber et al., 2007         | 12.1                                 | 44837                             | 12.1                     | 8824                  | 0   |
| Edwards et al., 2010       | 12.8                                 | 152                               | 14.9                     | 152                   | -2.1  |
| KilBride et al., 2012      | 11.7                                 | 1000                              | 10.9                     | 1000                  | 0.8   |
| Hales et al., 2014         | 11.8                                 | 633                               | 13.7                     | 735                   | -1.9  |
| Melisova et al., 2014      | 11.3                                 | 18                                | 11.9                     | 20                    | -0.6  |
| Morrison & Baxter, 2013    | 13.5                                 | 142                               | 14.9                     | 145                   | -1.4  |
| Chidgey et al., 2015       | 6.1                                  | 338                               | 10.2                     | 394                   | -4.1  |

Table 1. Summary of studies comparing piglet mortality in farrowing crates and pens. Highlighted studies are underpowered.

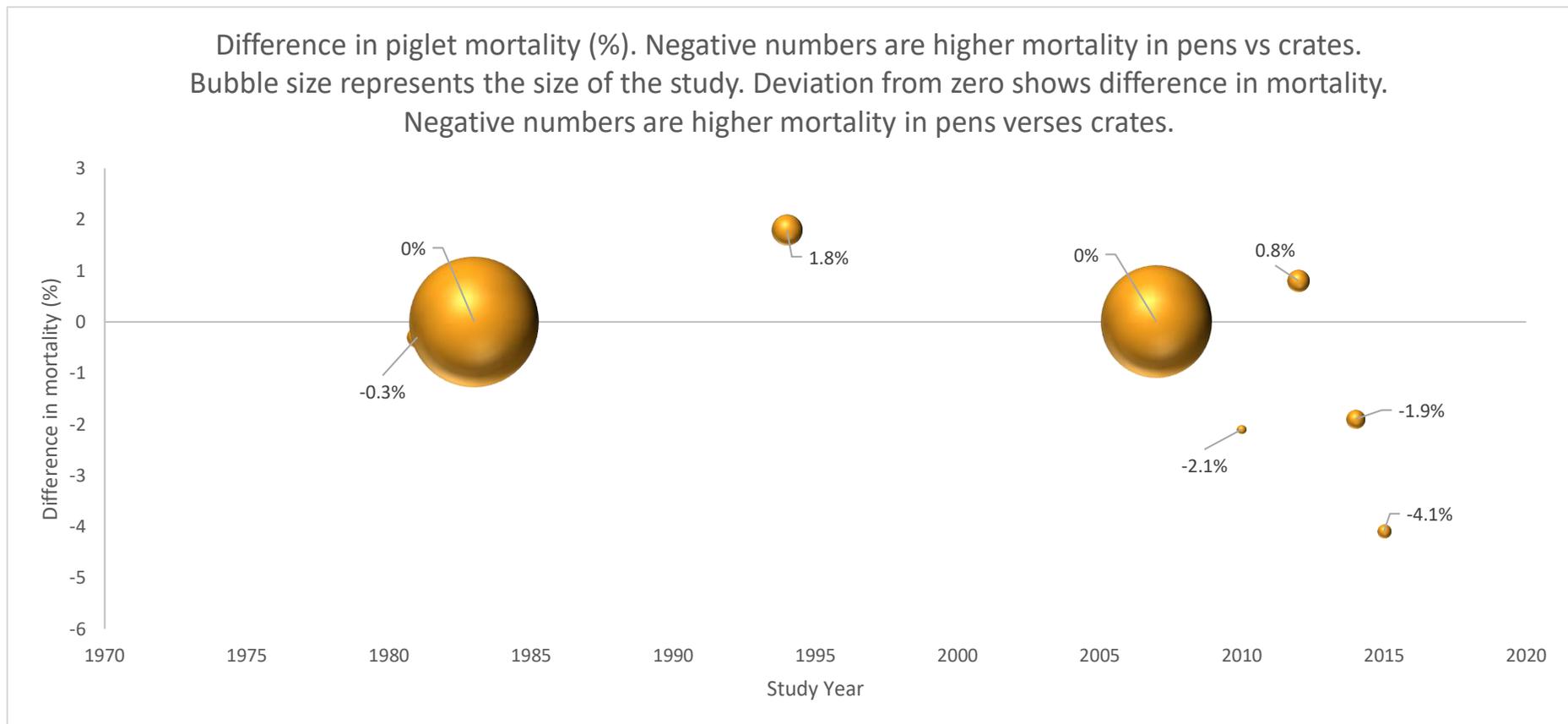


Figure 1. Summary of studies comparing piglet mortality in farrowing crates versus pens with underpowered studies removed. Bubble size represents the size of the study (number of litters), deviation from zero demonstrates impact on mortality. Studies above zero found lower mortality rates in pens versus farrowing crates, studies below zero found lower mortality rates in farrowing crates versus pens.

Animals Aotearoa does not support longer periods of time for farmers to transition than those provided in the Act. Since 2005, NAWAC has presented the opinion that farrowing crates do not meet the purposes of the Act due to the behavioural restrictions placed on sows. There has been a clear signal for 17 years that farrowing crates do not meet the Act, and farmers should have planned for changes to housing.

Farrowing pen systems need to be fit for purpose to meet the needs of sows **and** piglets. NAWAC lists several important attributes, including enough space, that are important for sows to undertake nest building behaviour and for safe sow and piglet interactions.

The proposed minimum standard has a minimum space area of 5m<sup>2</sup> Animals Aotearoa recommends this is increased to 7.5m<sup>2</sup> in line with the optimal size that overseas experts have recommended. The 5m<sup>2</sup> size is significantly smaller than the minimum standards in pen systems in Sweden of 6m<sup>2</sup> and Norway of 6.7m<sup>2</sup>. When given the option, some sows will travel several kilometres to find a suitable nest site and NAWAC reports that sows housed indoors have been observed to walk very long distances around their pens prior to nest building (reported average of 30km). Confining sows to pens clearly restricts their normal nest building behaviour, including the ability to travel to choose a nest site. So, any significant confinement during the nest building process impacts the welfare of sows. Providing significant space is therefore vitally important for welfare and minimum pen sizes should reflect this.

The viability of option B is concerning given the comment by NAWAC that industry veterinarians do not consider crating after nesting as a practicable solution due to difficulty recognising the onset of parturition. If Option B became the minimum standard there is a risk that sows would be confined to the crate for longer than intended due to more prolonged confinement pre-parturition. As NAWAC has also pointed out ensuring compliance with this standard is challenging. **If temporary crates exist on farms there is a risk of misuse.**

The comments reported in NAWAC's evaluation of the code by overseas experts from Sweden and Norway where 'semi-confinement' systems resulted in increased piglet mortality due to positive maternal behaviours not being realised, are important. These should be considered in the transition. New infrastructure needs to be future-proof. Installation of expensive temporary crating infrastructure should be avoided, as this is unlikely to be acceptable to consumers in the future and will likely not stand-up against the requirements of the Act. Clearly communicating this to farmers makes the pathway forward much clearer.

Currently, at least 45% of pigs in Aotearoa New Zealand are not bred using a farrowing crate system. This demonstrates that there is an existing successful industry that does not find the need to utilise highly restrictive farrowing crates. Opportunities for existing farmers to diversify into different systems exist and are well established domestically.

Animals Aotearoa shares the concerns expressed by NAWAC about the relationship between litter size and piglet mortality. This has been well documented by many authors in the literature. Ongoing selection for larger litters is in direct opposition to concerns about piglet mortality. Genetic selection for production traits that compromise animal welfare is a very significant issue in intensive modern farming and one that in Animals Aotearoa's view, has not been well addressed by the current animal welfare system. Creating minimum standards and regulations to tackle these issues across farming sectors should be a priority issue for NAWAC. For example, selecting for litter sizes that do not exceed the average number of teats available.

Animals Aotearoa supports the proposal by NAWAC to amend Regulation 26 to provide manipulatable material to all sows in Aotearoa New Zealand regardless of housing type or year of manufacture.

**Q2. Would Option B (Temporary Crating) meet the minimum animal welfare requirements of the Act? Why / why not?**

No. Temporary crating still very profoundly inhibits normal behaviour and as such breaches the Act. There are also challenges with implementation. Due to difficulty identifying the onset of parturition in sows, this would likely result in animals being confined for longer periods than intended. Compliance with this option would be hard to monitor and there is a risk of misuse. Crates in any form are unlikely to be acceptable to modern consumers as there is significant public opposition to their use. Allowing farmers to install new infrastructure that includes the use of farrowing crates does not future-proof the industry.

**Q3. Is there another option that could be considered? Please provide your reasoning and evidence that this alternative option would meet the minimum requirements of the Act.**

Not confining pigs during farrowing is the best way to meet the health and behaviour needs of sows during the farrowing process. All farrowing sows in Aotearoa New Zealand should have the opportunity to undertake their normal behaviours of choosing a nest site, building a nest, and raising their piglets as they choose.

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**CODE UPDATE: MATING STALLS**

**Q4. Do you support this proposal to limit the use of mating stalls? Why / why not?**

No. Mating stalls should be removed entirely.

It will be almost impossible to ensure compliance with this minimum standard. Misuse is a significant risk. Removing mating stalls entirely removes this risk.

Given that NZ Pork has reported that half of NZ indoor pig farmers do not use mating stalls, these are currently only used by around 27.5% of Aotearoa New Zealand pig farmers. As the majority of pig farmers, and half of indoor pig farmers, do not use these stalls it is clearly possible to produce pork without their use. Animals Aotearoa would therefore support the banning of mating stalls and considers this to be better aligned with the Act than the limited use proposed here.

If sow stalls are not to be removed entirely, then Animals Aotearoa supports a minimum standard that limits the amount of time and number of times per oestrus a sow can be confined to a stall. Animals Aotearoa recommends reducing this to a one-hour period twice during each oestrus. One hour is easily enough time to perform artificial insemination (AI). Even though (vaginal) AI does not meet the criteria for a significant surgical procedure it is still an invasive and potentially aversive procedure and should be minimised wherever possible.

**Q5. Is there a different approach to managing mating that could be considered? Please provide your reasoning and evidence that this different approach would meet the minimum requirements of the Act.**

Mating stalls should be banned. Pig farms in Aotearoa New Zealand that do not currently use mating stalls could be used as models for how to farm without these.

**Q6. Do you support this proposal to provide access to materials that can be manipulated? Why / why not?**

Animals Aotearoa supports this proposal but does not think it goes far enough. In addition to the provision of manipulatable objects, pigs must be given opportunities to root and forage which necessitates the provision of manipulatable objects on the floor and therefore a move away from 100% slatted floor systems.

NAWAC cites research that shows that domestic pigs spend more than half their time rooting and grazing when given the opportunity. These behaviours are therefore important to pigs and not giving them opportunities to perform these is not aligned with the intention of the Act. The provision of some manipulatable material does not meet the same need as providing material on the floor for pigs to root and forage in.

The concerns raised about hygiene with manipulatable material appear to not be supported by the literature. Wallgren et al. (2020) found that providing straw actually improved pig cleanliness. The main barrier to adoption, therefore, appears to be the costs of moving away from fully slatted floor systems. The provisions under the Act for phasing in changes exist exactly for impacts such as these and can be utilised by the industry to implement changes. Pig farmers need to be given a clear signal that fully slatted systems are problematic so they can plan upgrades appropriately. Additionally, as increased space provisions are being introduced with this code review requiring new infrastructure to be built, this presents a good opportunity for farmers to upgrade as they will be building infrastructure anyway. Installing new systems now that are known to be welfare compromising and are likely to need to be changed in the future, should be avoided wherever possible.

Fully slatted floors have been associated with negative welfare impacts in addition to lack of provision for expression of normal behaviours. These include increased incidence of adventitious bursae (Herget et al., 2018), elevated cortisol levels (Mateos et al., 2018), and increased incidence of tail biting (Kallio et al, 2018).

The example of nose ringing being given as a rationale for not providing intensively farmed indoor pigs with material on the floor, is inconsistent. Pigs with nose rings may not be able to root in the same manner as a pig without a nose ring, however they can still forage and nose around in material on the ground. Additionally, local council subordinate legislation needs to be consistent with the (Animal Welfare) Act and if it is not consistent, the reach of local councils to create this bylaw needs to be challenged.

As well as not allowing opportunities for rooting and foraging, the proposed standard as it exists may not allow pigs to express a full range of other behaviours, as the standard as written could be met by providing a few toys. To be meaningful, the standard needs to specify how many different items are required to meet the definition of 'variety' and how many items are needed per pig. In addition, the standard is challenging to monitor or enforce. A move to systems that provide a solid floor area and bedding is easier to monitor.

Animals Aotearoa supports improving the opportunities for positive experiences for farmed animals due to the well-documented welfare benefits of this. Although this standard is a step in the right direction, it does not go far enough.

**Q7. Is there a different approach to providing for the expression of normal behaviours that could be considered? Please provide your reasoning and evidence that this different approach would meet the minimum requirements of the Act.**

Recommended best practice should include access to diverse environments including outdoor access for all pigs.

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## CODE UPDATE: SPACE FOR WEANER AND GROWER PIGS

### **Q8. Do you support Option A (k value of 0.047) or Option B (k value of 0.072)? Why / why not?**

Animals Aotearoa supports providing significantly more space to weaner and grower pigs and considers that neither option provides enough space for pigs to perform a full range of natural behaviours. When options are restricted to those above, Animals Aotearoa supports Option B (k value 0.072). In addition to the increased space, fully slatted systems should be replaced with systems that include at least partially solid floors. Animals Aotearoa supports excluding feeding, watering, dunging, and hospital pen areas from the calculation.

Pigs require enough space to rest, eat, dung, have social interactions, and evade other pigs if desired. The expert summary of 'below 0.072 pigs on solid floors will lay down less' means that k values below this are clearly not consistent with the Act, as pigs will not be able to perform normal lying behaviour without touching other pigs.

Animals Aotearoa supports presenting pig space requirements in tables rather than using k values, as the latter are not intuitive and make it harder for people to visualise the space requirements.

Animals Aotearoa considers the space requirements with a k value of 0.072 to still be significantly restrictive and to have marked impacts on the ability of pigs to perform normal behaviours such as play, forming social groups, and exploring the environment. Animals Aotearoa would like to see a recommended best practice that encourages much higher welfare housing systems that allow for more space and have access to the outdoors.

### **Q10. Is there another option (around spacing for grower and weaner pigs) that could be considered? Please provide your reasoning and evidence that this alternative option would meet the minimum requirements of the Act.**

Recommend best practice should include access to diverse, interesting, and spacious environments that include access to the outdoors for all pigs.

The recommended best practices of indoor lighting following normal day and night cycles, and the provision of adequate bedding material should become minimum standards.

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## CODE UPDATE: WEANING AGE

### **Q11. Do you support this proposal (weaning at 28 days)? Why / why not? Q12. Is there a different approach to weaning age that could be considered? Please provide your reasoning and evidence that this different approach would meet the minimum requirements of the Act.**

Animals Aotearoa supports increasing the minimum weaning but proposes it is set at 33 rather than 28 days.

The literature cited by NAWAC provides strong evidence that the weaning age should not be lower than 28 days due to lower weaning ages having significant negative welfare impacts on piglets. However, the fact that Norway and Sweden, two countries with conditional bans on farrowing crates, have a weaning age of 33 days provides some evidence that this is a better option for piglets in these systems.

These ages are all significantly less than piglets would wean naturally (recognising this is very old data). Consideration should be given to significantly increasing the recommended best practice minimum weaning age, for example increasing to 50 days. Artificial early weaning is not allowing for normal maternal-piglet interactions and is therefore negatively impacting the ability of pigs to undertake their normal behaviours.

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#### CODE UPDATE: STOCKPERSONSHIP

**Q13. Do you support this proposal (on stockpersonship)? Why / why not? Q14. Is there a different approach to stockpersonship that could be considered? Please provide your reasoning and evidence that this different approach would meet the minimum requirements of the Act.**

Yes. Animals Aotearoa supports that persons involved in the care of pigs should receive training from accredited providers.

Ensuring that all persons working with pigs have a thorough understanding of good quality stockpersonship has the potential to significantly improve welfare, as interactions with carers can have important negative or positive impacts on day to day welfare and on significant measurable traits such as piglet mortality. Animals Aotearoa is also pleased to see the change to gender-neutral language with this minimum standard.

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#### CODE UPDATE: TYPES OF FEED

**Q15. Do you support this proposal on feed? Why / why not? Q16. Is there a different approach to feed that could be considered? Please provide your reasoning and evidence that this different approach would meet the minimum requirements of the Act.**

Yes. Animals Aotearoa supports the provision of adequate feed bulk to provide satiety, however Animals Aotearoa considers that the evidence for use of fats rather than fibre does not meet the same standard of evidence and therefore the minimum standard should relate to fibre only. In addition, this standard should require a minimum of twice-daily feeding.

Chronic hunger and frustration are significant welfare issues. As well as the provision becoming a minimum standard, Animals Aotearoa supports this becoming a regulation to ensure compliance. Given that one of the cited studies specifically reported on hunger in hyperprolific sows, selecting for smaller litter sizes may also have the additional welfare benefit of reducing some of the hunger issues. Selectively breeding for pigs that do not suffer chronic hunger and stomach ulcers should be an important welfare goal. Additionally, this minimum standard should require the daily ration to be given in a minimum of two feeds a day rather than one feed, to reduce the amount of time between feeds.

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#### CODE UPDATE: AIR QUALITY

**Q17. Do you support this proposal on air quality? Why / why not? Q18. Is there a different approach to air quality that could be considered? Please provide your reasoning and evidence that this different approach would meet the minimum requirements of the Act.**

Animals Aotearoa supports this proposal but thinks it should go further.

Animals Aotearoa supports improving air quality for pigs, however, would prefer the lower ammonia limit of 10ppm to be the minimum standard as per the current recommended best practice. In addition to setting a lower tolerance for ammonia, an ammonia meter should be available on all indoor farms as per the current recommended best practice. Detecting ammonia by smell alone is an unreliable indicator of ammonia levels. Regular recording of ammonia levels at pig height should form part of the Welfare Assurance Scheme monitoring and record keeping.

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#### CODE UPDATE: MIXING PIGS

**Q19. Do you support this proposal on mixing pigs? Why / why not? Q20. Is there a different approach to mixing pigs that could be considered? Please provide your reasoning and evidence that this different approach would meet the minimum requirements of the Act.**

Yes. Animals Aotearoa supports this proposal but considers the minimum standard should also include the recommended best practice of providing extra resources.

Mixing of unfamiliar groups of animals of many species results in negative interactions and the provision of adequate space and/or barriers is vitally important to allow animals to escape. In addition, the recommended best practice of providing extra resources when mixing pigs should be included as a minimum standard.

Animals Aotearoa would support this minimum standard becoming a regulation as this is unlikely to be dealt with under the Act if there is non-compliance.

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#### CODE UPDATE: TAIL DOCKING

**Q21. Do you support this proposal on tail docking? Why / why not? Q22. Is there a different approach to tail docking that could be considered? Please provide your reasoning and evidence that this different approach would meet the minimum requirements of the Act.**

No. Tail docking should not be required with appropriate space, feeding, and enrichment provisions. Tail docking should be banned with a regulated phased out period.

Banning tail docking clearly sets out the expectations for the future of the industry and the expectations of consumers that do not want unnecessary painful surgical procedures performed as mitigation for not meeting the environmental and behavioural needs of an animal. The current recommended best practice of docking using pain relief at less than 72 hours of age and removing only one third of the tail, should immediately become a minimum standard. This should be able to be implemented with minimal disruption to the industry. Phasing in of a complete ban can then happen as per the provisions of the Act, along with the other new regulations.

The regulation would need to be amended to reflect the above for the phase-out period. Then the regulation needs to be further amended so that pig tail docking becomes tail amputation that can only be performed by a veterinarian (or veterinary student under direct supervision) on a case by case basis, with adequate pain relief, only if indicated for the individual animal's welfare.

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#### CODE UPDATE: WELFARE ASSURANCE SYSTEMS

**Q23. Do you support this proposal on a Welfare Assurance System for pigs? Why / why not? Q24. Is there a different approach to welfare assurance for pigs that could be considered? Please provide your reasoning and evidence that this different approach would meet the minimum requirements of the Act.**

Yes. Animals Aotearoa strongly supports the use of a Welfare Assurance System that documents compliance with minimum standards. However, this needs to be administered through a third party to ensure compliance.

A regulation should also be created to ensure compliance with the Welfare Assurance System as this is unlikely to be dealt with under the Act if there is non-compliance.

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## CODE UPDATE: GENERAL QUESTIONS

**Q25. Do you agree that the minimum standards in this Code are the minimum necessary to ensure that the physical, health, and behavioural needs of pigs will be met? For example, do the minimum standards reflect good practice (not just current practice), current scientific knowledge and available technology? If not, what alternative(s) do you suggest? Please state your reasons.**

Minimum standard 5 will need to be amended to remove the references to farrowing crates and mating stalls when these are banned.

Outside of those that have been dealt with earlier in this document the following recommended best practices should become minimum standards.

Consider lifting the following best practices into minimum standards:

- Adjusting transport stocking densities to minimise heat stress – transport heat stress has the potential to cause serious welfare issues. This should also have an associated regulation so that enforcement is simple.
- No more than two tattoos – by not having this as a minimum standard there is no limit on the number of tattoos, tattoos are known to be painful. This should have an associated regulation so that enforcement is simple.
- Providing enrichment for boars, including the opportunity to root and forage.

**Q26. Do you agree the example indicators given are appropriate to describe how to measure or assess the achievement of the intended outcome of the minimum standards? If not, what alternative(s) do you suggest? Please state your reasons.**

Example indicators are generally good. The presence of positive welfare state indicators is a welcome inclusion.

**Q27. Do you agree that the recommendations for best practice in this Code are appropriate? If not, what alternatives do you suggest? Please state your reasons.**

In general, these are too restrictive and often simply add tweaks on top of minimum standards. Best practice should genuinely reflect what is best from an animal welfare perspective. For example, with regards to housing and equipment, providing access to plenty of space for pigs to play and explore complex and diverse environments including access to the outdoors would be much better from an animal welfare perspective than the current recommendations. This would be a significant shift in how these are currently written but I think it would be a good reflection of the general direction of travel in the view of animal welfare socially in Aotearoa New Zealand.

**Q28. Do you have anything further you wish to say on the Code from an animal welfare perspective?**

The importance of trade is very apparent in the discourse around pig welfare. Animals Aotearoa supports country of origin labelling for all agricultural and horticultural products. In addition, animal welfare minimum standards should be included in free trade agreements.

There is likely to be an increase in the cost of pork due to these regulations, although Animals Aotearoa does not consider the findings of the Sapere report to be relevant (in part because they considered the consumer to bear the entire increased cost of production and therefore did not consider substitution effects or elasticity of demand). Although this may be met by increased consumption of imported pork, consumers may also substitute with domestically produced chicken as this is generally a cheaper and well-accepted option. This has potential negative animal welfare impacts. NAWAC is well aware of the significant animal welfare challenges of chicken meat production. The chicken meat sector is currently expanding due to increased international demand with the domestic market arguably oversupplied, so it is unclear if an increased demand for domestic chicken would actually have any meaningful impact on the number of chickens farmed. However, it is worth considering the number of individual animals required to provide the same amount of meat for human consumption. Comparing the suffering involved in the life of one pig to that of a number of meat chickens is an impossible exercise with no valuable payoff, however, considering the complex animal welfare impacts from market dynamics is worthwhile to test for unintended consequences. Despite the concerns about possible increases in the number of meat chickens produced, Animals Aotearoa supports improvements in the welfare of pigs in Aotearoa New Zealand. However, this does make the need for improvement in the meat chicken industry, including breeder birds, more urgent.

### PROPOSED REGULATIONS: CRITERIA

**Q29. Do you agree with our choice of criteria (practicality, efficiency and economic impact)? Why or why not? Q30. Has MPI we missed any other criteria that could help meet the overall objectives?**

Animals Aotearoa does not agree with the criteria. Regulations are written as subordinate legislation under the Animal Welfare Act (the Act) and therefore the primary criterion is that they align with the intention of the Act. Animal welfare regulations therefore should put front and centre features of the long title of the Act that specify its intention, namely that animals are sentient and that persons in charge of animals need to attend properly to their welfare. Other criteria such as practicality and effectiveness need to be viewed through this lens. Primarily criteria need to be considered from the (sentient) animals' perspective (in as much as possible).

When using this sort of approach several affected parties should be considered including at least the animals themselves, animal advocacy organisations, consumers of animal products, farmers, and tangata whenua. Animals Aotearoa would support MPI developing a standardised set of criteria and audiences that are assessed when new regulation development is undertaken.

### PROPOSED REGULATIONS: FARROWING STALLS

**Q31. Do you agree with NAWAC that a regulation is needed to implement either Option A or Option B? Why / why not?**

Animals Aotearoa is opposed to Option B as we do not consider it to meet the requirements of the Act so do not support a regulation for Option B. Animals Aotearoa supports regulating Option A, however, see comments to questions one through three above that outline recommended increasing the minimum space provisions from 5m<sup>2</sup> to 7.5m<sup>2</sup>.

**Q32. Do you agree with MPI's initial analysis on farrowing stalls in Appendix Three? Why/why not?**

No, Animals Aotearoa does not agree with MPI's analysis.

First, animal welfare is not included in this analysis. Therefore, who is made better or worse off is not defined, the analysis appears to have considered the perspective of a single affected party but it is unclear who this is. Animals Aotearoa considers there to be significantly more affected parties than considered by this analysis and that attempting to perform a universal analysis of impacts is too simplistic to be useful. Given none of the criteria include animal welfare the outcomes on animals are not considered by the analysis. Secondly, Animals Aotearoa considers the Sapere report to have made several questionable assumptions that have affected the analysis to the extent that it is not useful.

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#### PROPOSED REGULATIONS: MATING STALLS

**Q33. Do you agree with NAWAC, that a regulation is needed to implement this proposed change to the Code? Why / why not?**

Animals Aotearoa is opposed to the ongoing use of mating stalls in any form and as such would support a regulation banning them with a phase-out period as per the Act. See answers to questions four and five above.

If a ban is not enacted Animals Aotearoa supports regulating the use of mating stalls with additional restrictions of use for one hour twice per oestrus cycle. See answers to questions four and five above.

**Q34. Do you agree with MPI's initial analysis on mating stalls in Appendix Three? Why/why not?**

No, see comments above regarding the criteria and approach used in questions 29 and 32 above.

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#### PROPOSED REGULATIONS: NESTING MATERIALS

**Q35. Do you agree with NAWAC, that a regulation is needed to implement this proposed change to the Code? Why / why not?**

Yes. Animals Aotearoa supports the provision of nesting material for all sows farrowing in Aotearoa New Zealand today regardless of housing system. Regulation is required as non-compliance with minimum standards, especially this one, has been demonstrated in the past.

Animals Aotearoa also notes that this minimum standard relates to all classes of pigs, not just nesting sows. Including this under the heading of nesting materials has distracted from its impact on other groups of pigs. Animals Aotearoa supports including changes to the minimum standard that specify that manipulatable material is provided on the ground for grower pigs to enable them to undertake rooting and foraging behaviours (see answers to questions six and seven above). An impact of this change would be the ban of fully slatted floor systems. Therefore, an additional regulation banning fully slatted flooring would be required. This change could be phased in over 5-10 years as per provisions in the Act. See answers to questions six and seven above.

**Q36. Do you agree with MPI's initial analysis on nesting material in Appendix Three? Why/why not?**

No, see comments above regarding the criteria and approach used in questions 29 and 32 above.

Animals Aotearoa does not consider the status quo to be neutral when considered through an animal welfare lens. Additionally, options for nesting material that do not require changes to cleaning and drainage systems exist as outlined by NAWAC in their code evaluation document.

**Q37. How long a transition period would you need to implement this proposed change to the Code? Please provide the reasons for your answer.**

Not relevant to Animals Aotearoa.

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#### PROPOSED REGULATIONS: SPACE FOR WEANER AND GROWER PIGS

**Q38. Do you agree with NAWAC, that a regulation is needed to implement either Option A or Option B? Why / why not?**

Yes, regulation is required. Animals Aotearoa does not support Option A and considers Option B to still be highly restrictive on pig behaviour. Animals Aotearoa recommends giving pigs significantly more space and providing access to complex environments and ideally the outdoors as required to meet the behavioural needs of pigs. See answers to questions eight through ten above.

**Q39. Do you agree with MPI's initial analysis on minimum space for weaner and grower pigs in Appendix Three? Why / why not?**

No, see comments above regarding the criteria and approach used in questions 29 and 32 above.

**Q40. How long a transition period would you need to implement Option A or Option B? Please provide the reasons for your answer.**

Not relevant to Animals Aotearoa.

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#### PROPOSED REGULATIONS: WEANING AGE

**Q41. Do you agree with NAWAC, that a regulation is needed to implement this proposed change to the Code? Why / why not?**

Yes, regulation is required to ensure compliance. Animals Aotearoa would support increasing this weaning age to 33 days and considering significantly increasing weaning age to a more natural age. See answers to questions 11 and 12 above.

**Q42. Do you agree with MPI's initial analysis on weaning at 28 days in Appendix Three? Why / why not?**

No, see comments above regarding the criteria and approach used in questions 29 and 32 above.

The status quo is clearly not neutral on piglets.

**Q43. How long a transition period would you need to implement this proposed change to the Code? Please provide the reasons for your answer.**

Not relevant to Animals Aotearoa.

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## PROPOSED REGULATIONS: TRANSITIONAL PERIOD

### **Q44. What is the timeframe that would be required for farmers in order to meet higher standards of animal welfare proposed for an amended Code of Welfare?**

Time frames are set out in the Act. The proposed changes in the code have been signalled for a very long time, at least 17 years with regards to farrowing crates. The pigs suffering poor welfare should not have an extended change timeline applied to them because some members of the industry have dragged their feet in making changes.

Animals Aotearoa does not consider the findings of the Sapere report to be relevant in determining transition times due to several assumptions made in the report. See answer to question 50.

### **Q45. Is there an alternative option available to enable farmers to better transition to the new regulatory requirements?**

### **Q46. What transition support would be useful for ensuring farmers can meet higher standards of animal welfare proposed for an amended Code of Welfare**

These two questions are not relevant to Animals Aotearoa.

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## PROPOSED REGULATIONS: GENERAL QUESTIONS

### **Q47. Do you consider that any of the other minimum standards require regulations? Please provide reasons for any proposals. If possible, please also include a comparison of your proposals against the practicality, efficiency and economic criteria outlined in section 4.4.3.**

Yes. Almost all proposed minimum standards need to become regulations so they can be enforced. Non-compliance with minimum standards has been demonstrated in the past by some members of the industry with no action taken. If minimum standards have not been historically adhered to and these offences have not been prosecuted under the Act, then regulation is clearly needed as an enforcement tool.

Specific minimum standards requiring regulation are:

- Stockpersonship – having a minimum training standard for stockpersons is supported by Animals Aotearoa, however, this needs to be regulated or there is no way to enforce the standard. Having unqualified stockpersons is unlikely to be prosecuted under the Act so a regulatory tool is required. See answers to questions 13 and 14 above.
- Air Quality – Animals Aotearoa supports improving air quality but supports a lower tolerated ammonia level of 10ppm. In addition, all indoor farms should be required to have an ammonia meter available as a minimum standard. A regulation is required as this is unlikely to be prosecuted under the Act. See answers to questions 17 and 18 above.
- Feed – the inclusion of fibre in diets fed to create sufficient bulk to ensure satiety, is supported by Animals Aotearoa. Animals Aotearoa does not support the inclusion of fats rather than fibre as the standard of evidence for this is significantly lower. A regulation is required as this is unlikely to be prosecuted under the Act. See answers to questions 15 and 16 above.
- Mixing pigs – Animals Aotearoa supports providing enough space and places to hide when mixing groups of pigs. In addition, the current recommended best practice of providing additional resources

should become a minimum standard. A regulation is required as this is unlikely to be prosecuted under the Act. See answers to questions 19 and 20 above.

- Tail docking – Animals Aotearoa does not support ongoing tail docking and recommends this is banned with a phase-out period as per the Act. An interim regulation restricting tail docking to within 72 hours of birth, using pain relief, and only removing one-third of the tail (as per the current recommended best practice) should be developed. A regulation is required as this is a significant surgical procedure. However, once the phase-out period has expired castration should be performed by a veterinarian or supervised veterinary student only, and the regulation should be amended to reflect this. See answers to questions 21 and 22 above.
- Welfare Assurance Systems – Animals Aotearoa supports third-party auditing of Welfare Assurance Systems and does not support self-auditing by the industry. A regulation is required as this is unlikely to be prosecuted under the Act. See answers to questions 23 and 24 above.

Of key importance is regulating genetic selection. This is an issue across many animal use sectors including intensive and extensive farming, and companion animals. The selection of production traits at the expense of animal welfare is a very significant issue in farming. It is clearly seen here with pigs through the impacts of increased litter sizes contributing to higher piglet mortality and larger sows not being accommodated by existing infrastructure. See introductory comments.

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#### PROPOSED REGULATIONS: TYPES OF SYSTEMS

**Q48. Sapere undertook an assessment of the SWAP farrowing system. Are there any other systems available besides the one identified in the report? If so, what are they and can they fulfil the requirements of the Act?**

Yes. There are many other commercial systems for indoor farrowing pens. Animals Aotearoa does not consider that the SWAP system meets the requirements of the Act as crating does not allow sows to perform their natural behaviours. Restricting pigs to small indoor crates for farrowing is a significant restriction to their normal behaviours and does not meet the requirements of the Act when viewed from an animal welfare perspective. Intensive, fully indoor farming is only permitted for economic reasons. It has overt negative impacts on welfare as it significantly impacts the ability to perform a range of normal behaviours.

Focusing on this system, that is non-compliant with the Act and is unlikely to be acceptable to consumers, is doing a disservice to farmers looking for guidance on options for change. Similar experiences were reported by farmers who installed enriched cages for layer hens based on advice from NAWAC and PIANZ, and then found that cage free eggs were desired by consumers. Encouraging farmers to install expensive systems that are not acceptable under the Act and are not going to be acceptable to consumers, even implicitly, by focusing on one specific system over others, creates increased risk within the industry.

**Q49. How much would it cost you to install the SWAP system? What would the ongoing additional costs of using this system be for your enterprise?**

Not relevant to Animals Aotearoa.

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## TRANSITION PERIODS

**Q50. Does the Sapere report identify all relevant costs of transitioning to alternative farrowing and mating systems? If not, please describe any other relevant costs.**

The model created by Sapere is not useful due to the significant number of problematic assumptions included in the modelling. These include but are not limited to:

- Only the SWAP crate system was considered
- Piglet mortality changes are not in line with international experiences with indoor farrowing pens
- Nil CAPEX with status quo
- Half of the fall in income is attributed to higher piglet mortality
- Quarter of the fall in income is due to CAPEX which is being compared with a nil CAPEX as status quo
- Substitution with alternative protein (chicken, fish, plant) is not considered in impacts on FPI & CPI (i.e. no consideration of substitution effect)
- 100% of the increased cost of production is passed on to consumers (i.e., no consideration of substitution effect and pork demand considered to be totally inelastic)
- The assumption that pen 'furniture' in a farrowing pen (such as creep design and sloped panels) is equal cost to a temporary crate
- No reclaim value for recycled steel from old infrastructure
- No consideration of potential positive impacts of farrowing pens and later weaning such as increased average daily gain etc.

**Q51. The report identifies that an average 350 sow farmer would need 19 years to transition to the draft proposals. Do you think this is an accurate reflection of resource implications, viability, and costs that farmers would face?**

No, see comments above.

Transition time frames are laid out in the Act. Farmers have been signalled for at least 17 years that this transition was coming.

**Q52. How much of a transition period would you need to implement the proposed regulations on grower space, weaning age and changing slurry systems? Why?**

The new minimum standards should be implemented as per the transition periods outlined in the Act.

**Q53. What are the implications of the proposed regulations for your farm? What are the implications for the industry?**

Not relevant to Animals Aotearoa.

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## PROPOSED REGULATIONS: OTHER CHANGES TO THE CODE

**Q54. What are the implications of the remaining proposed changes to the Code? For example, what would the costs be to you of providing manipulable material? What would it cost you to address hunger in pigs fed a restricted diet?**

Not relevant to Animals Aotearoa.

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## PROPOSED REGULATIONS: GENERAL COMMENTS

**Q55. Do you see any barriers to the implementation of the proposed Code? If so, what are they and how might they be resolved?**

The main barrier to the implementation of the Code and regulations is willingness by some members of the industry. A large number of farmers already meet or exceed the proposed Code and regulations. However, the impact of trade should not be ignored. Animals Aotearoa supports country of origin labelling and would support initiatives to include animal welfare in trade agreements and limit imports to products that meet the Aotearoa New Zealand minimum standards for animal and human welfare, and environmental performance.

**Q56. What benefits do you see from having this proposed Code? Benefits may include, for example, increased certainty about animal welfare requirements.**

If the proposed minimum standards are genuinely undertaken at a farm level, there will be meaningful impacts for pigs within these farming systems and some degree of future-proofing of the domestic pork industry.

**Q57. What broader impacts do you think this proposed Code could have on New Zealand society, the economy, and the environment?**

Socially, the people of Aotearoa New Zealand are expanding their circle of compassion to be more mindful of the experiences of all animals. This code is a small step in the right direction.

Economic impacts will be mixed. The code presents an opportunity for the pig farming sector to tell a new story about domestic production. Some farmers will be poised to take on this challenge and meet a market demanding better production and more transparency, others will leave the industry. The government does have a role in creating pathways for people displaced from industries, by changing regulation. However, the farming sector is full of innovative projects and although work may change for some individuals, there remain many opportunities.

Environmentally there is mixed potential. New building works (totally new builds or retrofit), along with increased land area used, can both be negative, but this is highly dependent on approach. Upgrading to newer systems may mean better effluent capture and treatment. Sector contraction may happen in areas that are less environmentally appropriate for extensive pork production (for example longer feed and straw transport required, less free draining soil) and land use change in these areas may be a net benefit. How the market drivers impact pork imports and changes in domestic chicken production, or if there are significant substitutions with alternative proteins by consumers, will all feature in the environmental impacts.

Environmental impacts are complex and cannot be reliably predicted, however, a cursory read of new builds and more land being overtly negative need not necessarily be the case.

**Q58. How do you think consumers could be made aware of the benefits of purchasing pork produced under improved animal welfare conditions?**

Farmers need to tell better stories.

**Q59. Do you have any other comments you would like to make?**

See introductory comments.

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