



Date: 18 November 2024

Re: SAPA Egg Organisation Response to Animal Law Reform South Africa Report Titled: “Scrambling for Truth” of September 2024.

We understand that the aforementioned report compiled by Animal Law Reform SA is the supplementary report to the initial report titled “Laying Down the Facts: Animal Welfare Standards of the Standards of the Companies Providing Your Favourite Foods” (Published in August 2023).

We wish to inform you that SAPA rejects this so-called research done by Animal Law Reform SA about the South African Egg Industry and the value chain. In our opinion, this is a very misleading literature review aimed only at forcing the agenda of cage-free egg production systems in South Africa, attempting to use Environmental Legislation to create panic in the public. Secondly, the attempted use of the Promotion of Access to Information Act No. 2 of 2000 (“PAIA”) to intimidate, abuse, and cause vexatiousness to the producers, Retailers, Food manufacturers, animal feed manufacturers, consumers and the Government State-owned entities. This disruptive strategy employed by Animal Law Reform is similar to the one that was done in the United States of America by welfare lobbyists for the push for cage-free systems. This is not to mention the fact that in various attempts by Animal Law Reform SA to utilise PAIA to gain access to information from SAPA, they have failed to establish sound legal grounds permitting them to obtain the requested information which is evident of the fact that there is no sound legal basis for the claims which Animal Law Reform SA has made. This is further evident by the fact that to date, Animal Law Reform SA has been unsuccessful in all attempts to invoke the provisions of PAIA against SAPA.

We strongly reject this non-factual literature review in its entirety based on, amongst others, the following grounds:

- The report is not factual, is based on incorrect information, is written in a sensational manner, and it aims to create public panic to gather support for the move to cage-free systems in South Africa, similar to some of the few developed wealthy Western countries that have voluntarily considered or have been forced to move to cage-free systems based on time commitments and certain state legislation (such as only 10 states out of 50 in the USA).
- The report paints eggs as an unhealthy animal protein source that is related to serious diseases like cancer (This claim is disturbing and surely if it was factual, the National Department of Health would have long imposed a ban on the consumption of Eggs in RSA).
- The report fails to acknowledge the Global facts that, according to the World Organisation for Animal Health, the chapter on the welfare of layer hens is not yet concluded. This means cage-free egg production is not Globally mandated. Each country can make its own decision on its egg production methods. The report conveniently ignores the leading authority, the World Organisation for Animal Health, on this topic.

- The report fails to acknowledge that Highly Pathogenic Avian Influenza is now endemic and is the most concerning issue that is Globally devastating to the Egg Industry.
- South Africa alone in 2023 was hit by two strains of the Avian influenza, the H5 and H7 variants, resulting in about 30% of the National layer Flock size by law being mandatorily destroyed (culled) with no compensation.
- Animal Law Reform SA fails to acknowledge some of the technical aspects that in South Africa we do not remove “spurs” and or "De-toe" any layer chickens.
- Day old female layer chicks are beak treated using laser infra-red which removes only the sharp point from the end of the beak and prevents cannibalisation and vent pecking.
- Layer breed fertile Eggs hatched are approximately 50% male and 50% female. The egg industry has no use for the male layer breed chicks which are immediately macerated rather than the old method of disposal by gassing. The practice of using a macerator is the internationally accepted method of disposing of male day-old layer chicks where it is not economically viable to raise these layer breed male chicks to 18 weeks slaughter mass versus a broiler breed chick which reaches slaughter weight at 6 weeks.
- The report further fails to acknowledge that more than 60% of the Global Eggs are produced by the BRICS countries and the stance within this block is that food security is the priority without compromising the welfare of the chickens. Less than ten percent of eggs produced in the BRICS countries are cage-free.
- South Africa is also a member of the BRICS block, and hence we believe that all the 3 existing production systems Barn, Free Range, and Caged systems in our approved regulations should remain in South Africa allowing the consumer to purchase eggs based on their affordability.
- Should the demand for cage-free (called “Free Range” and “Barn”) produced eggs increase, producers are at liberty to start producing these eggs if economically worth their while.
- It is scientifically proven that the bio security risks of the spread of diseases of cage-free hens and eggs produced from these systems are considerably higher than eggs produced by hens in cages, which are cleaner and less likely to convey salmonella than cage-free produced eggs.

We would like to give comfort to the South African consumer that we are not against cage-free production systems, however, demand will drive the production of these products. Unfortunately, at this stage, we do not see that demand due to several factors including our majority populations poor economic situation. The objective of Animal Law Reform SA to attempt to downplay the need for food security in South Africa is particularly concerning. The fact that the report by Animal Law Reform SA fails to address the concerns around food security and the fact that Animal Law Reform SA fails to factor this in to the one-sided conclusion which the report reaches is evident of the agenda which Animal Law Reform SA and their funders are seeking to achieve.

We further now also know the risks associated with Avian influenza (Bird flu) and regret have no vaccines at this stage. Bird flu infection is mainly caused by migratory wild birds as the initial vector, causing free range hens to be immediately confined in their barns legally for periods up to 24 weeks, continue to be sold as free range, and thereafter forced by law to change labelling to Barn eggs.

Our independent research lays a solid foundation about the facts of the South African Egg Industry if we consider a 100% move to cage-free:

- i. In 2021 it was revealed that a direct investment of **R4,93 billion** is necessary to switch South Africa to a cage-free system. If the cost, (spread over 5 years) can be passed on to the

consumer, then it will mean an additional cost above cage produced cost of eggs of between **R5,70 and R6,00** per dozen of eggs for the 5 years. It is estimated that the GDP of the Egg Industry will decline by 21%, whereas the impact on the use of capital will decline by 27%, while the impact on employment will be a 12% decline.

- ii. The industry will further decline by 36%, now in a country like South Africa with a dual agricultural sector, one of the most underlying questions is where do you then talk about transformation if the industry will decline by 36%? Instead of increasing and encouraging the growth of the industry to allow fair participation of the historically disadvantaged individuals, welfare NPO's similar to Animal Law Reform SA disregard historic imbalances of the industry and the strategic approaches detailed in the Egg Master Plan and the Agriculture and Agro-processing Master Plan.

We again reiterate that the report compiled by Animal Law Reform SA fails to factor in all of the abovementioned points. This, unfortunately, results in the report from Animal Law Reform SA reaching a very one-sided and biased conclusion. One needs to question the authenticity of a report which fails to consider a matter from all angles. The fact that the report fails to adequately address and factor in these points speaks louder than words.

In conclusion, we urge Animal Law Reform SA to immediately refrain from portraying the Egg Industry as a reckless and self-regulatory industry that operates outside the scope of the Laws of the Republic of South Africa. If there was anything practiced outside the Laws and gazetted Govt. Regulations of the Republic of South Africa, surely by now the Government would have long ago seized many of our production units. The fact that all attempts by Animal Law Reform SA to invoke the provisions of PAIA to date have failed further reiterates this point.

The South African Egg producers wish to assure the consumers that we will continue to adhere to the laws and regulations of the country and continue to produce quality eggs at affordable prices based on purchasing power. Regular inspections by a Government appointed assignee occur at farm, at the egg pack station and at points of sale in the market, ensuring label, weight and quality compliance, with strict adherence to the Government regulations applicable.

We hope to see the industry fully recover in the second half of 2025 to the previous layer flock numbers after the devastation of the 2023 HPAI (bird flu), and to be allowed to vaccinate as expeditiously as possible once the science proves the efficacy and safety of the HPAI Vaccinations to the State authorities.

For any clarity and comments on the matter please contact:

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