The Food Label as Governance Space: Free-range eggs and the fallacy of consumer choice

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Abstract

In a neoliberal age governments, NGOs, food producers and retailers all state that the food system can be governed via consumer choice aka voting with your fork. This makes the retail food label an important space for contests between different actors who each seek to govern the food system according to their own interests and priorities. The paper argues that this makes it crucial to “backwards map” the regulatory governance networks behind the governance claims staked on food labels. The paper uses the example of the contested meaning of “free-range” claims on animal products in Australia to propose and illustrate a methodology for this backwards mapping.

Four key words:

Food label; Free-range eggs; Animal welfare; Regulatory governance

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1. Introduction

It is deeply inured in contemporary neoliberal societies that people can use the market to govern capitalism through consumer choice. This is especially true for food. Michael Pollan for example, famously encourages consumers to “vote with their fork” and “say no” to food produced using intensive, industrial, chemical-based methods.\(^1\) The marketing and information claims on retail food packaging have become a focus of conflict and contestation over a range of issues in the governance of the food system from the risks of genetic modification to the protection of locally distinctive small scale production and the advancement of ecological sustainability.\(^2\) Neoliberal ideology assumes that people have freedom to choose what they consume supported by the claims staked on the food label. This paper questions this assumption by investigating how the choices presented to consumers on the label have been constructed.

The first part uses regulatory studies and sociopolitics of food literature to show how the food label has become a key governance space for the food system. I argue that democratic accountability of the food system is now often mediated by what is included and not included on the retail labeling and display of food. The assumption that people can be sufficiently informed and educated via labeling to exercise freedom of choice is, however, highly problematic. I therefore propose a methodology for critically investigating the way the consumer choices represented by the various claims on food labels have been constructed. This methodology “backwards maps” the claims staked on food labels to broaden the governance gaze beyond the often narrow limits of consumer choice to the production and distribution practices behind the label, and the governance arrangements that support these practices.

The second part illustrates the fruitfulness of the proposed methodology by applying it to the ongoing and high profile controversy over the meaning of the claim that eggs are “free-range” in Australia. This methodology reveals the limits of consumers’ freedom to choose a carton of eggs that is truly an alternative to industrial, intense animal factory farming by showing how four different meanings of “free-range” (see Table 3 below) have each been created by a separate supply chain supported and influenced by regulatory governance networks in which producers, brand-owners, retailers and various government and NGO actors all interact and conflict. Three of the four meanings of eggs labeled “free-range” (the first three rows in Table 3) are created largely by intense factory farming, while the fourth category (“cottage industry free-range”) is often available only at specialist alternative retail outlets and if the shopper does not visit the farm him or herself there is often no guarantee of the standards met.

2. The food label as governance space

The expanding governance space on the food label

Familiar themes from studies of the impact of industrialisation and later neoliberalisation on social cohesion and meaning\(^3\) are summarised in the idea of “distance” in the food chain.

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\(^1\) Pollan 2006.
\(^2\) Albert 2009a; Ilbery and Maye 2006; Morgan et al. 2006.
\(^3\) Cf. Douglas and Wildavsky 1983; Haines 2011.
Activism and sociopolitical literature critiquing the dominant industrial food system point out that food consumers have become more “distant” (in terms of geography, knowledge and culture) from food producers (farmers, animals and ecosystems). As more actors become part of the chain of storing, processing, transporting, distributing, branding, preparing and retailing food, people feel a sense of threat to culture, risk, alienation and distrust in food.

The retail label – and its food quality claims – is a predominant method by which producers and retailers seek to overcome this distance and restore consumers’ connection with food for sale. Suppliers and retailers use the label in creating new products (or rebranding old ones) to (re)build trust and confidence in the food system amid social movement contestation around green politics, animal welfare and healthy eating habits. Stories, pictures, logos and claims made on the label seek to impart meaning, trust and loyalty to the supermarket grocery by giving consumers a back story about the food’s provenance, process or special qualities and the sense of social, ethical or personal identity it will give them.

Activists and concerned citizens also demand that food labels provide information to help them avoid foods and ingredients they find repugnant for reasons of health, ethics, or sociopolitical concern. Government-based regulation mandating information on the food label has focused on safety such as “use by” dates, traceability mechanisms (to identify causes and those affected by contamination) and ingredients labelling (to manage allergic reaction) at national and international levels. Regulation also ensures food labels are accurate and fair descriptions of the contents and not misleading and deceptive; in some cases this includes regulation of permitted inclusions in certain foods such as bread. In the last twenty years attention has turned to labelling encouraging healthy eating – fat, sugar and salt content, nutrients, and holistic “star” and “traffic light” schemes. Health-oriented labelling is aimed both at changing consumers’ buying and eating behaviour, and at encouraging suppliers and retailers to make healthier choices available. Most recently the governance role of the label has expanded to include claims, counterclaims and calls for mandatory disclosures on a broad range of social, environmental and ethical practices that activists would like to see prohibited or regulated in some way. These include the presence of genetically modified organisms in food, production practices associated with deforestation and loss of wildlife habitat and ecosystem sustainability more generally, fair trade for farmers, and various animal welfare concerns including battery caged egg production.

The governance role of the label is expanding in terms of the parties, issues, regulatory mechanisms and space taken on the label. From a situation where mandated information on labels governed consumer behaviour to ensure safe eating practice, and producers were held responsible to ensure labels accurately described contents, the label is now a space in which producers, retailers and activists seek to regulate and influence one another in relation to health, safety and a whole range of sociopolitical issues. Governance space on the label

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4 Clapp 2012; Pollan 2006.
5 Fischler 1980; Schneider and Davies 2010.
7 Klintman 2002.
8 Randell 2009.
9 Braithwaite and Drahos 2000, p. 399.
10 Hawkes 2009.
12 Klintman 2002.
13 Pye and Battacharya 2013.
14 Gulbradsen 2012.
15 Parker and Scrinis 2014.
includes not only a use-by date, ingredients and nutrition details, but also branding, images, stories and graphics to back claims about the food production chain and its governance.

**Governance of food chains via consumer choice?**

Neoliberal policy discourse proposes that a large range of collective problems in health, environment, labour, finance and social inclusion can be solved by direct market action in preference to mandatory government regulation.\(^{16}\) Government, industry and activists alike tend to accept this “market based political action” mentality.\(^{17}\) This approach is based on the assumption that the consumer is the competent regulatory authority making food policy choices in the food system.\(^{18}\) This in turn implicitly assumes that labelling can sufficiently represent or mediate the food chain to the consumer to ensure accurate, meaningful choice about which foods to ingest and what social, political and economic values to prioritise.\(^{19}\)

This means that the consumer retail market place – particularly the claims on the label, broadly defined -- have taken on the role of traditional news sources in mediating democracy to citizens. Traditional news media and social media remain important, including in helping consumers choose where to shop and what to look for. But the items that the consumer actually sees in the market place at the point where he or she can “vote” with their shopping dollar is also likely to be of tremendous importance. Indeed they define and limit the very choices that can be made. Yet the consumer often lacks the opportunity to see and engage with the regulatory and production decisions made earlier in the food chain that limit and define the political choices available at the point of purchase. Retail display and labelling may indeed hide these various regulatory governance arrangements – and the values and interests that they institutionalise. This paper therefore suggests and demonstrates a methodology for “backwards mapping”\(^{20}\) how supply chains and networks of industry, government and NGO actors construct consumer choices on retail food packaging.

**Backwards mapping the food label**

A major concern of sociopolitics of food literature is to reveal the complex and changing nature of the chains of food production, distribution and exchange and their emergent cultural meanings and power constellations.\(^{21}\) Alternative food movements seek to alter these chains to change the way food is produced, distributed and consumed to represent different values, and hence potentially privilege different players and interests in the network of relations that bring food from the farm to the table. The traces of the competing worlds of meaning and their contests for power will be evident on the label.\(^{22}\) The label cannot tell the full story of the actors, processes and products that have constructed what the consumer sees at retail. Nevertheless the retail label might often be the most visible and accessible space in which citizen-consumers can engage with the networks of public and private actors that govern chains of food production and distribution. It is the mechanism by which the governance systems further back the chain are represented to consumer-citizens, and the mechanism by which citizen-consumer interpolate their views and values back into the governance of that system.

Before we can understand what potential, if any, there might be for consumer choice to

\(^{16}\) Hartlieb and Jones 2009; Roff 2007.

\(^{17}\) Shaw and Black 2010 but cf Szasz 2007.

\(^{18}\) Dixon 2002 p. 15, 74.

\(^{19}\) See Guthman 2011; Miele and Evans 2010.


\(^{21}\) E.g. Dixon 2002.

\(^{22}\) Morgan, Marsden and Murdoch 2006.
regulate and reform food systems, it is therefore useful to backwards map\textsuperscript{23} how supply chains and networks of regulatory actors have constructed the choices available to the consumer. The dominance of the consumer choice approach to food system governance policy means that there is much analysis and research focused on forward mapping the impact of food labels on consumer attitudes, willingness to pay for healthier and more ethical goods, and actual consumption behaviours.\textsuperscript{24} This paper turns this around and problematizes the very assumptions behind a policy of consumer choice. It suggests that it is important to ask the prior empirical questions: What choices are actually put to the consumer? Who has participated in constructing those choices? And, what values and interests do those choices represent?

Just as media studies suggests that in order to understand democracy in contemporary sociopolities, it is important to analyse how mass media frame news and social issues,\textsuperscript{25} we must also understand how retail food packaging frames food system issues before we can evaluate the potential for democratic governance of the food system. The remainder of this paper briefly describes and illustrates a methodology for critically analysing food labels and the governance arrangements behind them using the example of free range egg labelling in Australia.

This backwards mapping methodology involves three steps:

- **Step One: The label in its retail context**
  
The researcher notices the told and untold stories on the label in its retail context via a “visual sociology” of the packaging and display of retail food products.\textsuperscript{26} This entails observation of food choices in the retail spaces, how they are displayed and sold, branding and labelling on packaging and associated websites, and claims made explicitly (written or spoken) and implicitly (pictures, signs and symbols and by context) about the ethical values instantiated in the product and its production.\textsuperscript{27} Particular attention is paid to whether the consumer is presented with any visual appeals to regulatory support (e.g. credence claim accreditation logos, mandatory labels) in the retail space. The researcher may also engage in systematic participant observation-style conversations with food sellers from the perspective of an eater looking for information about available choices.

- **Step Two: Backwards mapping food chains and governance arrangements**
  
The researcher investigates each appeal to values and regulation on the label using critical supply chain analysis\textsuperscript{28} and regulatory network analysis.\textsuperscript{29} Documentary research (including producer and retail websites and other literature, policy debates, social media, activist campaigns), interviews and, where appropriate, participant observation (e.g. on farms) are used to backwards map the chains that bring the products to market. The researcher uncovers the various formal and informal governance arrangements that support and stabilise the relationships along the food chain and the representations made to the consumer. The researcher also investigates

\textsuperscript{23} Cf Elmore 1979–1980.
\textsuperscript{24} Eg. Davies et al 2010; Hodgkins et al 2012; Shepherd and Raat 2006; Lagerkvist and Hess 2011.
\textsuperscript{25} Eg. Nisbet, Brossard and Kroepsch 2003:38.
\textsuperscript{26} Richards et al. 2011:38–39.
\textsuperscript{27} See Weber et al. 2008.
\textsuperscript{28} Eg. Dixon 2002; Guthman 2004.
\textsuperscript{29} Eberlein et al. 2013; see also Parker and Nielsen 2011.
how this chain (and its regulatory governance) has been contested and alternatives developed.

The questions about regulatory arrangements are well summarised by Heimer’s (2012) suggested set of questions (What? Who? Where? How? When? Compare) for uncovering variation in regulatory “success” and “failure”: What is the good being regulated? Has it been constructed in a way that it is seen as a public good or an individual good? Who is regulating what within this domain (and who could be regulating but is not)? To what extent are independent government agencies involved in regulation, industry and corporate actors self-regulating, NGOs? Are regulators embedded in international regulatory processes or do national or local agencies act alone? When and where among the relationships, times and places in the chain of production, distribution and exchange does different regulation apply? When and where does it not apply so that other social processes are used to maintain the relationships? How does regulation occur at each of these points? How is regulation designed, implemented, monitored and enforced? Which regulatory techniques are used and how are they experienced, interpreted and made to work in people’s everyday lives? We can go on to compare how these things vary in different jurisdictions (e.g. different states within Australia and internationally) across different regulatory domains (e.g. environmental, food safety, animal welfare) or between different foods or products (e.g. eggs, strawberries, cake mix)?

**Step Three: Uncovering values and interests**

The researcher uncovers how consumer choice has been constructed, and to inquire into the values and interests represented by the label as a governance space. This is done by comparing the stories on the labels with the food chains behind the labels, relevant networks of governance arrangements and the degree of conflict, change and stability in these chains and arrangements.

Who bears the burdens and who the benefits of the various food chains and regulatory arrangements uncovered? What values and interest do the regulatory options chosen represent? What regulatory options and associated values and interests have been sidelined or occluded? How have regulatory choices already made along the food chain created and constricted the possibilities that consumers have to choose products in a way that changes the moral economy of the value chain? To what extent have choices already made constricted or co-opted potential for further critique and contestation, or how have they opened up possibilities for further dialogue and change? This might be done in consultation with stakeholders and citizens via reporting and discussion of research in various fora.

These three steps are explained in turn in further detail in the next section and applied to the issue of free range egg labelling in Australia. It is beyond the scope of this paper to go on to the next important question of evaluating how and in what circumstances the label can be useful to enhance democratic accountability in the food system.
3. Backwards mapping the social economy of governance on the food label

The Australian government has adopted a broadly neoliberal approach to food policy in which a range of controversial issues are all to be governed via consumer choice, and thus the information on the label.30 One example is the rapid rise of the market for “free-range” labelled eggs in Australia since 2000 when the Australian government decided not to ban battery cages,31 not to mandate higher animal welfare standards for hens (as the European Union had done32), and not even to set a mandatory labelling standard for “free-range”. An ongoing – and high profile - controversy between egg producers, retailers, animal welfare advocates and consumers in Australia about the meaning of “free-range” on the label has ensued. The conflict is about what range of choice consumers really have to protest factory farming by buying “free-range”. This analysis is therefore also confined to the range of choice represented within the “free-range” egg category itself. It would be a separate project to investigate the construction of claims about the value of buying “free-range” as opposed to cage or barn eggs.

The backwards mapping methodology seeks out what is the range of meanings of “free-range” on the labels of retail eggs in the Australian market places and what choice do each of those meanings represent in terms of the supply chain, governance arrangements and values and interests prioritized by each supply chain and its governance. The results are summarized in Table 3 below.33 This part of the paper demonstrates how the results were obtained. It proceeds in three subsections representing each of the three steps of the backwards mapping methodology.

Step One: The free-range egg label in its retail context

The free-range egg case study started with a broad sweep of what “free-range” eggs were available for retail sale in supermarkets and alternative retail outlets (small fresh produce stores, urban markets, organic and wholefoods stores, and farmers’ markets) in Melbourne in 2012 and 2013. We observed and noted the retail display and context of the eggs, photographed the shelf space, and purchased one carton of each of the “free-range” and “organic”34 labelled eggs. We noted the images, information and evidence visible to consumers about how the eggs were produced. Our observations were compared with data about the whole egg production and retail industry from industry reports35 and through media reporting.

Observations included matters both seen and unseen in the retail display and packaging of the eggs:

30 Labelling Logic, 2011.
33 See also Parker 2013; Parker, Brunswick and Kotey 2013; Parker and Scrinis 2014.
34 We include “organic” as well as “free-range” eggs because the major “organic” certifications in Australia (Australian Certified Organic and NASAA) and internationally require eggs to be free-range. In Australia many more eggs labeled “free-range” are sold than eggs labeled “organic”. This is probably because there has been some enforcement of the ideas that food labeled “organic” must in fact be certified “organic” (which is difficult and expensive) whereas until recently eggs could be labeled without being certified or meeting any particular requirements c.f. the recent case of Pirovic: Australian Competition and Consumer Commission (ACCC) v Pirovic Enterprises Pty Ltd (No 2) [2014] FCA 1028. The lack of development for the market for “organic” in Australia as compared with the US and Europe is a story for another paper. Throughout this paper both categories will be referred to as “free-range”.
35 See e.g. Outlaw 2012.
• Explicit “seen” claims on the label included information about production methods, and accreditation logos or claims suggesting to the consumer that legitimate governance systems supported the accuracy and reliability of those claims.

• Implicit “seen” claims about production methods and potential meaning for the consumer to choose that brand through graphics, pictures and stories.

• Largely “unseen” information on the packaging such as about brand-owners and distribution chains that could be read from fine print, the packaging itself and where it could be purchased. (In some cases, the address was identical for different brands although nothing explicitly named the same brand-owner on the labelling.) “Unseen” information included stories or information not provided such as the absence of an accreditation logo, or if it was small and hidden, or the absence of glossy pictures. Observations were made as to what changed over the two sample periods.

“Free-range” is highly visible in the Australian retail egg market. Two dominant supermarkets, Coles and Woolworths, control around 60% of the grocery market in Australia including up to 80% of packaged groceries and 45–60% of fresh food. Just over 50% of the shelf space is devoted to free-range eggs,36 and industry data show that at least 38% of retail eggs sold in Australia are now free-range compared with 8% in 2001.37 Consumers can also visit farmers’ markets or organic stores38 and find stalls selling free-range or organic eggs with additional information comparing free-range versus cage egg production.

[TABLE 1 ABOUT HERE.]

Despite more than 20 free-range egg brands available at supermarkets, the choice of sources is limited, as Table 1 shows. Indeed, as we shall see below, the vast majority of eggs sold are produced according to the dominant large scale barn-based, factory farming model (see the first two rows in Table 3 below) and is not as radical an alternative to battery cage eggs as the term “free-range” might at first suggest, Three brand-owners supply most of the eggs (both cage and free-range) to the two dominant supermarkets (Table 1). Between them they supply at least 12 brands. Supermarkets will usually stock one or two more expensive alternatives. Other larger distributors or producers are seeking to make inroads into the mainstream competitors to the supermarkets for eggs, such as the IGA supermarket chains and urban markets. However, the three largest brands dominate at least 50% of total egg sales.39

A consumer patronising a farmers’ market or organic store would also quickly see alternative small-scale range-based egg producers at the market who provide information not provided on the labels of eggs available in supermarkets. This might include information about the de-beaking of birds in factory farming with photographs and information indicating that they do not de-beak their own birds, pictures of ranges and mobile small scale housing for the hens,

36 Based on our own data collection. Shelves were photographed and the proportion devoted to free-range and organic eggs calculated and averaged.
37 Australian Egg Corporation Ltd 2013, p. 4; Parker 2013, p. 53.
38 Er et al. 2011; Monk et al. 2012:72–76.
39 Outlaw 2012.
and information about how often their hens spent outside and what they did and ate on the range. Between the observations in 2012 and 2013 (and double-checked at the time of writing in 2014), a number of supermarket free-range egg cartons began to show specific information about the stocking density on the range at their facilities (Table 1).

Step Two: Backwards mapping: Comparison of free-range egg labels with production practices

Production practices

Claims made about “free-range” on packets were compared with information about the actual production of the eggs by documentary sources including the brand-owners’ websites, technical literature, media reporting, activist documentation and websites, interviews with producers and activists, site visits, and legal enforcement cases and other matters in which free-range claims were investigated.

Up to 2012 dominant large-scale free-range egg production for supermarkets occurred in large multi-tier barns with limited outside access; bare and unattractive ranges; and where the natural behaviours of hens (preening, nesting, perching, foraging and dust) are curtailed in crowded, stressful conditions by having their beaks trimmed at an early age. There were no limits imposed in practice on the number of birds in a single barn or site, and no requirement about minimum time for outside access. This was considered necessary to supply rapidly increasing demand for reliable, low-cost supply by supermarkets. It was made an issue by Full visits were only made available by alternative, small-scale producers; other sites could be observed by the researcher driving to the outside or virtually via Google satellite view.

41 ACCC v Bruhn [2012] FCA 959 (5 September 2012). See the recent case of Pirovic:, in which the Federal Court gave a definition of ‘free range’ eggs as being laid by hens farmed in conditions that allowed them to ‘move around freely on an open range on an ordinary day’ and by hens ‘most of which moved about freely on an open range on most ordinary days’:

Australian Competition and Consumer Commission (ACCC) v Pirovic Enterprises Pty Ltd (No 2) [2014] FCA 1028 36; see also ACCC v CI & Co Pty Ltd, Antonio Pisano and Anna Angelo Pisano [2010] FCA 1511 (respondent acquired both cage and free-range eggs from other producers and supplied them onto cafes, restaurants and shops prominently labelled “free-range” and later “fresh range” even though a substantial proportion were not free-range; penalties of $30,000 and $20,000 plus corrective advertising and letters to customers). Another egg supplier (trading with the brand name “Essential Foods”) was ordered by the Federal Court to contribute $270,000 towards the development of a national organic standard after it admitted it had displayed an organic accreditation logo on egg cartons when the eggs supplied had no organic accreditation: ACCC v G.O. Drew Pty Ltd [2007] FCA 1246. These were eggs that it had acquired from other producers, and the respondent supplied many eggs of all kinds to different places. It had trouble sourcing a consistent supply of organically accredited eggs and substituted non-accredited eggs when it ran out of supply. In 2004 it had also used a logo similar to the Heart Foundation tick without authorisation which had also been the subject of ACCC investigation and remedy. The ACCC has also taken action against a number of chicken meat producers for claiming chickens were “free to roam” even though they only had a space equivalent to an A4 sheet of paper within a shed: ACCC v Turi Foods Pty Ltd [2012] FCA 19. Finally, the ACCC also refused the AECL’s 2012 application for a Certification Trade Mark which would allow AECL to certify as “free-range” farms which stocked layer hens to up to 20,000 layer hens/ha; see initial assessment at http://www.accc.gov.au/system/files/Initial%20assessment%20of%20Certification%20Trade%20Mark%20application%20-%20Australian%20Egg%20Corporation%20Limited.pdf.


43 See Parker, Brunswick and Kotey 2013; Parker and Scrinis 2014.
some activists, alternative producers, politicians and media reporting. Eventually the egg industry producer association, the Egg Corporation, admitted it was so.

There was much discussion in the industry and among animal welfare and animal husbandry researchers about technologies and techniques for cage-free production, largely industry-funded. Large-scale free-range egg production and branding were both rapidly evolving, as was branding and information on websites with greater differentiation between free-range producers. Some gave detailed information and apparently factual images, some very little or nothing, and a rapidly expanding group provided some information and webcam access to the real-time images of hens on the range.

Voluntary accreditation schemes

Each voluntary accreditation system was researched from the various accreditation organisations’ websites, and interviews with those responsible for each accreditation system and with farmers who did and did not use accreditation. This information was compared with the researchers’ observations about the retail contexts in which the different logos are visible (see Table 1). Questions included: How and where are products with this logo available? How visible is the logo? How accessible and transparent are the standards or rules that producers must meet to be accredited with this logo? Who has participated in making these rules or standards? How, and by whom, is the standard implemented, monitored and enforced? How transparent are any conflicts, changes or transgressions of the standard? What are the main values and discourses evident from the way the standard is made, implemented and communicated? Results are shown in Table 2.

[TABLE 2 ABOUT HERE.]

The dominant accreditation logo for supermarket supply of eggs is the Egg Corporation accreditation (not specifically free-range). It was introduced as an industry-based quality assurance scheme to ensure compliance with food safety and labelling responsibilities, including accurate labelling. The definition of free-range enforced is minimal, watered down and facilitates the type of industrial intense farming that produces the “free-range” eggs sold in the dominant supermarkets and other mainstream stores (the first two rows of Table 3).

The “Egg Corporation Assured” industry association accreditation logo was often not on the retail carton or was small and hidden (see Table 1). Nor was it advertised to consumers, even though most retailers of any size and legitimacy would require Egg Corporation accreditation as a business-to-business requirement. The logo is largely invisible on the egg cartons and not advertised to consumers. The standards it requires are not transparent, including the definition it sets for free-range. This indicates the lack of relevance and legitimacy this logo has for producer-to-consumer communication. When Egg Corporation tried to expand the

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45 Australian Egg Corporation 2012.
46 Poultry CRC 2011.
47 See also Parker, Brunswick and Kotey 2013; Parker and Scrinis 2014.
48 As far as ascertainable, all egg suppliers to the major supermarkets were listed on the Egg Corporation website as accredited, even if this was not advertised on packaging.
consumer orientation of this logo and publicised its (watered down) standard for free-range was, it sparked conflict and lost its credibility.\textsuperscript{49}

The dominant organic accreditation logo, Australian Certified Organic (ACO), occupies a middle ground that sets out alternative standards. The supermarkets stock premium priced organic eggs and there is a growing and apparently commercial viable specialist organic retail store sector.\textsuperscript{50} ACO is highly detailed and its implementation, monitoring and enforcement highly professionalised. Public information is readily available via websites and many slick marketing publications for consumers and businesses (e.g. producers, retailers, caterers). The standards themselves require a range area and outside access – but there is no limit on the size of the barns in which the hens are housed and it is not clear (even after interviews with ACO representatives) to what extent ACO accreditation monitors whether hens in fact access the outside and how well the ranging area is maintained to make it attractive to them to do so. In fact it is clear that some intense, industrial scale operations are ACO certified and that the standards are designed to facilitate this. For example, the standard does not allow beak-trimming as a matter of course but does say it can be specifically permitted where necessary. Beak trimming is generally considered necessary where birds are kept in crowded conditions. Many of the organic eggs stocked by specialist organic retailers have an alternative small scale and much more radical “biodynamic” certification or one of the alternative free-range certifications (Free Range Farmers Association or Humane Choice) or no certification but conditions personally known to the retailer. This means they fit better into the “cottage industry free-range” category and indicates the rapidly evolving nature of the organic/free-range egg market in Australia with some retailers, producers and NGO standard setters working together to create highly commercial and increasingly large scale organic and free-range production.

The alternative Free Range Farmers Association and Humane Choice accreditation logos are more transparent in that the standards are available on websites, the individuals and agencies that have created and implemented them are willing to discuss them with researchers and the public, and often make site visits available. These accreditation logos have little mainstream retail penetration and are not well known to consumers. Eggs with these logos are mostly only available at farmers’ markets and organic stores where consumers expect alternative products and might have alternative mechanisms (e.g. asking the farmer, reading detailed information at site of purchase) available to ascertain how the eggs were produced. Our interviews and analysis of social media suggest that these alternative and informal schemes have occasionally failed amidst claims and counter-claims of fraud or impracticality. They are heavily dependent on the active involvement and integrity of the communities that produce them, which can create problems when the community disagrees among itself about what the standards are and how they should be enforced and implemented. Although there is independent auditing and monitoring of both these standards, the same auditors and monitors are regularly used and may be part of the community themselves (but this is probably also true of the dominant and mainstream supermarket required accreditation schemes.) Our research also found some egg cartons with fake or meaningless logos that remained in the marketplace unchallenged. Some were copycats of the Free Range Farmers Association logo. This

\textsuperscript{49} It became transparent because the Egg Corporation wanted to revise it, to make it more of a marketing mechanism for consumers after the meaning of free-range was becoming an issue and activism had commenced to introduce mandatory labelling laws in some states. It needed to apply for authorisation to operate the logo as a trademark and to apply to the Australian Competition and Consumer Commission for permission for the trademark registration. The ACCC realised that the definition of free-range in the standard was controversial and therefore released the draft standard and old standard for public comment and called for submissions.

\textsuperscript{50} Monk et al. 2012.
suggested lack of consumer knowledge and interest. Awareness and interest may change as various animal and consumer advocacy organisations seek to educate consumers.  

These alternative accreditation schemes appear to operate primarily as a rallying point and community-building mechanism for like-minded producers. They facilitate and support alternative production methods and distribution channels. They also provide a basis for advocacy aimed at government, dominant producers and retailers, and concerned consumers aimed at contesting dominant understandings of “free-range” and building public and policy support for small-scale production using different techniques intended to be more humane and ecologically sustainable.

**Government regulation**

A significant untold story on the free-range egg carton label is that of the absence of government regulation to ban battery cages or mandate labelling of production method on the carton. Despite the active campaigning of several Australian animal advocacy organisations seeking a ban on battery cages, Australia has comprehensively rejected the possibility of banning battery cages for layer hens or mandating fundamental freedoms for factory farmed animals. Animal advocacy organisations campaigning for legislative change have turned to encouraging consumers to boycott cage eggs: for example, Animals Australia’s “Make it Possible Campaign” suggests to consumers that government will not act but “you can end animal abuse” by making a “kinder choice”, refusing to buy factory farmed products, and therefore halting the demands for animal cruelty.

As a result, since at least 2009, there has been ongoing and high profile controversy between egg producers, retailers, animal welfare advocates and consumers in Australia as to what “free-range” on the label does and should mean. The Australian Government decided not to mandate any labelling standards for cage-free eggs, since it is a “consumer values” issue addressable by industry-led consumer choice. There are no nationally mandated standards for free-range, organic or pastured production.

The only government oversight of the dozen or so private standardisation and certification schemes for free-range, organic or higher welfare eggs is via general prohibitions on misleading and deceptive conduct in trade and commerce. In November 2012, the Australian Egg Corporation proposed a revised standard defining free-range egg-laying chickens in response to consumer and supermarket demand for free-range and consumer campaigns for mandatory labelling. The proposed standard clarified that the Egg Corporation sought to “reduce” outdoor stocking densities to 20,000 per hectare. The fact that the Egg Corporation could see such a proposal as an “improvement” in practice was an indication of how out of

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51 See Healy 2012; Taylor and Signal 2009; see also e.g. Animals Australia’s guide “Making sense of egg labels” at http://www.makeitpossible.com/guides/egg-labels.php.
52 See also Weber et al. 2008.
55 Animals Australia, Make it Possible campaign website, “Step 1, Vote with your trolley”: http://www.makeitpossible.com/take_action/ (accessed 9 June 2014).
57 Labelling Logic 2011. Despite campaigning in a number of states to introduce mandatory labelling legislation and legislated definitions of cage, barn and free-range eggs, only the Australian Capital Territory has done so.
58 There is, however, an export standard defining organic which the various private organic accreditation agencies in Australia have adopted as their baseline standard for food produced for domestic consumption.
59 Only the four most common schemes are shown in Table 2.
touch they were with alternative definitions of free-range and consumer sentiment. The Egg Corporation sought to justify its standard on the basis that egg production – intense, large-scale and concentrated stocking densities – had to be highly concentrated to supply eggs to supermarkets affordably. A consumer backlash directed attention to how Egg Corporation Assured free-range did not match consumers’ ideas of what free-range ought to mean and ultimately the Australian Competition and Consumer Commission indicated that it believed that the Egg Corporation’s proposed new (and improved) definition of free-range was misleading and deceptive.\textsuperscript{60}

Supermarket and retailer regulation

The mapping in Tables 1 and 2 shows that accreditation standards met by each brand of egg largely related to the retailer at which it was available. With the failed legitimacy of the Egg Corporation’s standard, retailers (especially the two dominant supermarkets) stepped up to take on the role as powerful regulators of egg production and distribution. The two dominant supermarkets advertised that they would only be selling cage-free eggs. Coles stated an outdoor stocking density for free-range of 10,000 per hectare, with Woolworths following soon after (contrasting with the 20,000 proposed by the Egg Corporation and rejected by the ACCC).\textsuperscript{61} This stocking density still assumes the same kind of large-scale intense system that Egg Corporation Assurance allowed. The details of the supermarkets’ supplier standards are difficult if not impossible to ascertain. It seems that the two dominant supermarkets still rely on Egg Corporation Assured accreditation and then add their own stocking density requirements for own brand products. In contrast to the alternative definitions of free-range shown in Table 1 this new category of “dominant supermarket assured, free-range” (see Table 3) is still very thin. Supplier complaints in public fora and to regulators indicate that the supermarkets’ ethical sourcing policies are often in the context of overwhelming requirements for supply of produce at a large scale, low cost, and perfect quality and appearance. This means that “higher animal welfare” for supermarket supply can mean only incremental improvements on standard factory farming. Dominant supermarket assured free-range does not improve very much on the Egg Corporation Assured standard for “free-range” that the Australian Competition and Consumer Commission indicated would be misleading and deceptive to consumers..

Step Three: Uncovering values and interests: contested meanings of free-range

Looking again at retail egg cartons, against the background of the supply chains and regulatory governance arrangements uncovered, it is evident that there are currently four main meanings of free-range eggs in the Australian market as shown in Table 3. Each of the four types is available in different retail spaces, produced and distributed by different food chains, supported by different contractual and accreditation schemes and legitimated by different discourses. The choice of retailer largely dictates the egg brands available, the regulation that defines (or ambiguates) what “free-range” means in the product name, and the amount of supporting information, stories and representations visible to the consumer, but there is some movement, exchange and interaction between them.

The first two rows in Table 3 represent mainstream retail spaces reflecting traditional industrial food production and consumption. Both have had to adjust production methods,
branding and information available on the label to respond to the demand for “free-range” and the practices and branding of alternative organic and “free-range” brands.

“Dominant supermarket assured free-range”

The two dominant supermarkets are marketing themselves as the most legitimate standard setters by shifting the issue to one of how to achieve both “higher” animal welfare and affordable consumer choice.62 The large egg producers support this approach by arguing that the welfare of the hen can be defined and improved by science and animal husbandry within an intensive system and then storied and represented in branding.63 As Table 1 shows, the labelling of “dominant supermarket assured free-range” eggs now emphasises stocking densities at 10,000 per hectare as a response to the controversy over Egg Corporation Assured’s proposed 20,000 per hectare standard. The labels also emphasise that this gives hens the opportunity to dust bathe and engage in other natural behaviours on the range but generally do not give any detailed verbal or pictorial information about the number of birds that do in fact engage in such behaviour. All supermarket brands are silent on the issue of beak trimming. Large producer statements in the media sometimes comment that it is necessary to manage hen welfare, but proponents of smaller scale egg production argue that if beak trimming is necessary then that is a sign that birds are crowded together, stressed and deprived of real opportunities to engage in natural pecking behaviours and socialization. Almost all supermarket assured free-range eggs now have “chookcam” scan codes. “Chook” is Australian vernacular for “chicken” and the chookcam is a scan code for a webcam supposedly showing the hens that laid the eggs on the range. However these large scale farms usually have many sites and very large barns and ranges, so the fixed webcams are not very useful. Moreover the chookcams reveal that the chickens are usually only let out between mid-morning and midday, after they have had ample opportunity to lay their morning egg in the barn and come back into the barn by mid to late afternoon, meaning they can only go out in the hottest part of the day, a system that does not work as well for the hens in Australia as it might do in northern Europe.

Dominant supermarket assured free-range is vulnerable to consumer criticism and has indeed received much criticism in the media. To date it has maintained its popularity in the market because Coles and Woolworths have regulated and improved the meaning of “free range just enough to maintain legitimacy”.64 At the same time their supply chains are embedded in a set of practices about how the food system operates, that are themselves embedded in the regulation and socioeconomic practices of agricultural production, the trucking, transport and refrigeration that makes concentrated production and supermarket retail work, and assumptions about the necessity for supermarkets to supply cheap, convenient food at all locations and any time of the day or night (Parker 2013, 36). None of these broader assumptions and regulatory and economic practices are spelled out on the label, but these are what make dominant supermarket assured free range what it is.

Organic and cottage industry free range

Advocates of cottage industry free-range and organic or sustainable farming voice concerns beyond being kind to animals, that challenge the broader implications of intense industrial animals farming on ecosystems (e.g. intensive farming of feed grain), communities (e.g. the opportunity loss in not having small local sustainable farms in which foraging hens are

62 Parker and Scrinis 2014.
63 Miele 2011; Barnett and Hemsworth 2009.
64 Parker and Scrinis 2014.
integral and in turn provide eggs for local consumption) and animal welfare (e.g. restricted access to outdoors, or form pecking orders and engage in natural behaviours) (Parker et al. 2013). These alternative meanings of free-range had to find alternative retail spaces outside the dominant supermarkets to promulgate their alternative assumptions about the organisation and governance of food production and distribution. These spaces include specialist organic and whole food stores which usually stock only products that are either certified (organic or alternative free range) or where the production practices are personally known to the retailer, and may be described in detail on the carton and the shelf. Similarly farmers’ markets often allow only produce from the farmer themselves who can personally explain the product. Many farmers’ markets have certified organic or organic eggs for sale from small scale farmers, and many have quite extensive information and photographs on display about their farming and openly invite visitors to drop in. Our fieldwork also however uncovered (through conversation and specific questions about farming practices and scale) some producers selling eggs at farmers’ markets that would not meet alternative free range or organic accreditation standards and may not even meet basic animal welfare regulatory standards. In these cases the consumer can ask the farmer direct but would need to be well informed and tenacious to ask the right questions.

The need to find a stable distribution and retail chain has led organic producers and accreditation agencies to begin to create an organic industry in a developing line of specialist stores, gourmet shops and as the premium lines on supermarket shelves. This means that even apparently alternative “organic” products are beginning to tacitly accept many of the same assumptions as supermarket assured free range in order to ensure stable, reliable supply, while supermarket assured free-range is also taking on some of the characteristics of large scale organic production.

Cottage industry free-range (which should probably include the smaller organic certifications for this purpose) is still developing stable, governed, distribution and retail outlets.

**Mainstream non-assured free-range**

Mainstream non-assured free-range has not yet developed sophistication of branding and regulatory assurance systems of the two dominant supermarkets. Its branding strategies are similar to those in the two dominant supermarkets but often the quality of graphics and printing is lower, and the quality of the regulatory governance standards assuring free range are similarly low. IGA supermarkets, the largest competitor chain to Coles and Woolworths, probably requires Egg Corp Assured accreditation but has not created its own standards for free-range or policies on stocking cage eggs. Individual IGA stores are individually managed and may stock high quality, local or niche products. Indeed it is an IGA store that lays claim to being the first Australian supermarket to have permanently removed all cage and barn eggs from sale.65 Other mainstream supermarkets, greengrocers and delicatessens are similarly patchy with most stocking “free-range” eggs that are not assured or regulated in any way, apart from minimal Egg Corporation accreditation in some cases. Table 1 indicates the emergence of various egg producers seeking to capture parts of this large retail sector for “free-range” eggs with claims to be certified or assured to different degrees. There is likely to be ongoing contest and development over the meaning of free-range, and its governance, in this sector.

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Conclusion

Consumer choice is proposed as a general strategy for addressing ethical and regulatory conflict in contemporary capitalist societies. This makes the label a key space through which consumers, activists and retailers seek to engage with the food production and distribution chain and influence and govern it.

Regulatory studies literature typically starts with particular standardisation efforts – for example logo certification schemes or labelling laws – and enquires which regulatory technique is most effective at constraining which organisations in which circumstances. This assumes that regulation of powerful businesses can be divided into individual regulatory interventions and their effects on individual organisations. The backwards mapping methodology proposed in this paper starts with what the consumer sees in the market – the food label – and traces back which food chains and associated networks of public and private governance efforts have created what is seen and unseen on that label. This enables a holistic analysis of how the content and evolution of different labels and certification schemes evolves in interaction with other actors and regulatory governance arrangements. It uncovers the dynamics of the contests of legitimacy and meaning creation in the networks of public and private, formal and informal regulatory governance that always surround the creation of consumer choice in markets for food. It also reveals how the very choices available to consumers in the market are already limited and constrained by the values and interests reflected in pre-existing supply chains and their governance arrangements.

Applying this methodology to the free-range egg label in Australia, the paper shows that a new “free-range” product suited to the dominant supermarket frame is developing. However supermarkets are being pressured by activists, consumers and producers to better meet consumers’ expectations for free-range. The growing organic store and farmers’ market segments suggest possibility for expanding consumer choice with new products in new retail spaces – although these too will be subject to pressure to upscale, industrialise and make more ambiguous their free-range/organic standards. At the same time there is also the possibility of various government regulatory interventions that will influence the meaning of free range. These include the possibility that Coles and Woolworths duopoly power over conditions of supply will be further regulated through a code of conduct, the possibility of a government-sponsored and legislatively enforceable defining “free-range”, and the potential for more court cases defining what uses of the terms “free-range” and “organic” are misleading and deceptive to consumers.

The continuing scramble for legitimacy over the meaning of free-range suggests that consumer and media pressure might also force producers and retailers to include further information on the label such as: greater information about hen welfare especially whether debeaking occurred or not, the distribution aspect of free-range eggs (food miles and the energy used in large-scale refrigerated transport of eggs), the nutritional content of eggs produced (considering that different production methods, feed and breeds of chicken will produce different eggs, while nutritional information on packs is based on averages), the freshness of the egg (when laid, time in storage and transport), the environmental impact of the facility, and the capacity of the facility. It is beyond the scope of this paper to go on to the next important question of evaluating how and in what circumstances the label can be useful to enhance democratic accountability in the food system.

In a world where the food label is an important governance space, then it is valuable to develop methodologies that reveal what is not always visible to the consumer on the label. Further work might go on to address perceptions and impacts of these labels on consumers and in what circumstances they can prompt further inquiry, political action and democratic accountability beyond the label (e.g. lobbying for legislation, protesting industrial farming).
REFERENCES

ACCC. Initial assessment of Certification Trade Mark application CTM1390450 filed by the Australian Egg Corporation Limited, Canberra: ACCC 2012.


2009.


Standing Committee on Agriculture and Resource Management (SCARM), Synopsis report on the review of hen housing and labeling of eggs in Australia, Canberra: Commonwealth of Australia 2000.


529-67.
Table 1: Summary of Free Range Egg Brands Available in Melbourne 2013

<table>
<thead>
<tr>
<th>Brand Owner/Producer</th>
<th>Brands</th>
<th>Availability and market share</th>
<th>Price/Dozen</th>
<th>Accreditation on label</th>
<th>Change in free range claims and accreditation compared with 2012</th>
</tr>
</thead>
<tbody>
<tr>
<td>Three Dominant Brand Owners</td>
<td>Farm Pride (5 brands)</td>
<td>Up to 50% of total carton egg market. Supply full range of corporate branded free range, cage and barn eggs to two dominant supermarkets (Coles and Woolworths) and some alternative supermarkets. Also supply eggs for supermarket own brands; and both premium and low cost brands without corporate branding.iii.</td>
<td>$4.89-$6.70 (free range) $7.29-8.97 (organic)</td>
<td>No free range accreditations shown*</td>
<td>Farm Pride Free Range state as of 2013: “&lt;1 bird per square metre - &lt;10,000 birds per hectare maximum density outside” [in green box] Previously stated only:: ‘Free range eggs from free range farms where chickens roam free’. One Sunny Queen brand (McLean’s Run Free Range) already stated “open range, independently audited only 1500 hens per hectare” Others had statements like this in 2012 and 2013: ‘Our healthy hens enjoy life on our free range farms, laying their premium eggs whilst taking in the sunshine and exploring the great outdoors, the way nature intended. (Pace)’ Pace organic now certified by Australian Certified organic not lesser known and respected Organic Food Chain and no longer has Queensland Free Range Farmers logo (which has lesser standards than Humane Choice and Victorian Free Range Farmers Association)</td>
</tr>
<tr>
<td></td>
<td>Pace (3 brands including 1 organicii)</td>
<td></td>
<td></td>
<td>Most have National Heart Foundation ‘Tick of Approval’ Organic brands showed Australian Certified Organic logo</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Sunny Queen (5 brands including 3 organic)iii</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Supermarket Own Brands</td>
<td>Coles</td>
<td>Growing market share – may have up to 50% market share in major supermarkets.</td>
<td>$4.10-5.20 (IGA goes)</td>
<td>No free range accreditations</td>
<td>Coles and Woolworths free range now state stocking density on carton:</td>
</tr>
<tr>
<td>Free range supply specialists</td>
<td>Borella (3 brands)(^{vi}) H&amp;L Premium (4 brands)(^{vii})</td>
<td>Various different brands supplied by these brand owners are available in two dominant and other mainstream supermarkets with different brands available in different supermarkets. Borella is also main supplier of cage eggs to the major competitor (IGA) to the two dominant supermarkets in Australia.</td>
<td>$4.99-$7.50</td>
<td>Egg Corporation Most have the National Heart Foundation Tick.</td>
<td>ecoeggs brand now state “Our hens range outside at only 2 hens p/m(^2)” [ie 20,000 hens per hectare](^x)</td>
</tr>
<tr>
<td>Independent Brands Available in Selected Coles(^x)</td>
<td>Family Homestead Genuine Free Range</td>
<td>Independent free range egg farm.</td>
<td>$9.00</td>
<td>Free range farmers association and Humane Choice (Family Homestead) Shows National Heart Foundation tick</td>
<td>In early 2012 cartons changed to state “Our hens are never locked up! Proudly 100% Australian owned an grown family farm using ethical farmig methods; no factory farming; no beak trimming; no meat meal; no egg yolk colour additives; pasture and grain fed” also Insert also states “Low stocking density – 750 chickens per hectare compares with 20,000 – 50,000 per hectare.” Not available in as many Coles</td>
</tr>
</tbody>
</table>

**Notes:**
- \(^{i}\) including 1 organic
- \(^{ii}\) Lodge (Aldi)
- \(^{iii}\) Eggs are likely to be supplied by one of the larger other brand owners above.
- \(^{iv}\) up to $5.79)
- \(^{v}\) All have Product of Australia logo.
- \(^{vi}\) Most have National Heart Foundation Tick.
- \(^{vii}\) “Free range eggs: that’s a maximum of 10,000 hens per hectare outdoors” and the claim “Free Range Eggs from hens free to roam” (Coles Australian Free Range Eggs)
- \(^{viii}\) On back: ‘A maximum hen stocking density of 10,000 birds per hectare where hens are regularly rotated onto fresh range areas and some continuing fodder cover is provided”\(^{vi}\)
- \(^{ix}\) IGA Signature now defines free range as “Birds in free range systems are housed in sheds and have access to an outdoor range”
- \(^{x}\) \(^{vii}\) Borella is also main supplier of cage eggs to the major competitor (IGA) to the two dominant supermarkets in Australia.
- \(^{vi}\) \(^{vii}\) Borella is also main supplier of cage eggs to the major competitor (IGA) to the two dominant supermarkets in Australia.
- \(^{viii}\) \(^{vii}\) Borella is also main supplier of cage eggs to the major competitor (IGA) to the two dominant supermarkets in Australia.
- \(^{ix}\) \(^{vii}\) Borella is also main supplier of cage eggs to the major competitor (IGA) to the two dominant supermarkets in Australia.
- \(^{x}\) \(^{vii}\) Borella is also main supplier of cage eggs to the major competitor (IGA) to the two dominant supermarkets in Australia.
<table>
<thead>
<tr>
<th>Brand</th>
<th>Availability</th>
<th>Price Range</th>
<th>Accreditation</th>
<th>Supermarkets in 2013 as in 2012.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Loddon Valley Sunrise Free Range</td>
<td>Only available in Coles</td>
<td>$5.70-$6.20</td>
<td>None shown</td>
<td></td>
</tr>
<tr>
<td>Down on the Farm Free Range</td>
<td>Coles</td>
<td>$5.49-$6.00</td>
<td>None shown</td>
<td></td>
</tr>
<tr>
<td>Exceptional foods</td>
<td>Distributes 7 brands\textsuperscript{xii}</td>
<td>$5.49-$7.80 (free range) $8.60-$9.90 (organic).</td>
<td>Australian Certified Organic (1) Humane Choice (1) No accreditation shown (5)\textsuperscript{xii} 5 of 7 had National Heart Foundation tick</td>
<td>Fryars Kangaroo Island Free Range Eggs states: ‘12 Fresh tasty eggs from full beaked free range hens.’ In 2013 added extra sticker logo: “Free range; Maximum 1500 hens per hectare; A proudly South Australian sustainable farm’</td>
</tr>
<tr>
<td>Pirovic</td>
<td>Produces 2 brands including 1 organic\textsuperscript{ xiii}</td>
<td>$5.23-7.85</td>
<td>Egg Corporation (both brands) Australian Certified Organic (organic brand) National Heart Foundation tick</td>
<td></td>
</tr>
<tr>
<td>Other brands</td>
<td>Many (more than 20 identified in our small sample of retail locations)</td>
<td></td>
<td>Most have no accreditation shown but some show Egg Corporation, Australian Certified Organic or Humane Choice and Free Range Farmers and Association.</td>
<td></td>
</tr>
</tbody>
</table>
*However two dominant supermarkets usually require Egg Corporation accreditation, and other major supermarkets probably do too although do not make that fact transparent to public.
Table 2: Summary of major accreditation standards for free-range egg production in Australia

<table>
<thead>
<tr>
<th></th>
<th>Egg Corporation (‘Egg Corp Assured’)</th>
<th>Free Range Farmers Association (Victoria)</th>
<th>Humane Choice</th>
<th>Australian Certified Organic</th>
</tr>
</thead>
<tbody>
<tr>
<td>Density inside</td>
<td>15 birds/m² (technically: 30kg live weight/m²)</td>
<td>7 birds/m² (technically: 15kg live weight/m²)</td>
<td>5 birds/m²</td>
<td>7 birds/m² (technically: 16kg live weight/m²)</td>
</tr>
<tr>
<td>Max birds per shed</td>
<td>No maximum</td>
<td>1,000</td>
<td>2,500</td>
<td>No limit</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Limit of 3000 per shed</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>(for export to EU)</td>
</tr>
<tr>
<td>Density outside</td>
<td>No maximum (rotation)</td>
<td>750 birds/ha</td>
<td>1,500 birds/ha</td>
<td>1,500 birds/ha (no rotation)</td>
</tr>
<tr>
<td></td>
<td>1,500 birds/ha (no rotation)</td>
<td></td>
<td></td>
<td>2,500 birds/ha (rotation)</td>
</tr>
<tr>
<td>Ground cover required?</td>
<td>No</td>
<td>Yes (extensive)</td>
<td>Yes (very extensive)</td>
<td>Yes (very extensive)</td>
</tr>
<tr>
<td>Beak-trimming?</td>
<td>Yes</td>
<td>No</td>
<td>No*</td>
<td>No*</td>
</tr>
<tr>
<td>Induced moulting?</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td>Cages allowed at same site?</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>No</td>
</tr>
</tbody>
</table>

* No specific limit provided.
<table>
<thead>
<tr>
<th>Antibiotics?</th>
<th>Yes</th>
<th>No</th>
<th>Yes**</th>
<th>Yes**</th>
</tr>
</thead>
<tbody>
<tr>
<td>Colourant in feed?</td>
<td>Yes</td>
<td>No artificial colourants can be used, but naturally derived pigments can be.</td>
<td>Yes</td>
<td>Synthetic colouring prohibited</td>
</tr>
<tr>
<td>Mostly sold where?</td>
<td>Dominant supermarket chains</td>
<td>Farmers’ markets/ Organic stores</td>
<td>Organic stores***</td>
<td></td>
</tr>
<tr>
<td>Required by whom?</td>
<td>Accreditation required by major supermarkets and retailers</td>
<td>Not required by any retailer. Some consumers may look for these logos. Farmers markets are developing their own separate accreditation system.</td>
<td>Two dominant supermarkets and specialist organic require it for products labelled organic</td>
<td></td>
</tr>
<tr>
<td>Scale of most farms accredited?</td>
<td>Intensive, industrial, and medium-scale</td>
<td>Small-scale, alternative and medium-scale</td>
<td>All</td>
<td></td>
</tr>
</tbody>
</table>

* But exceptions may be specifically allowed by the accrediting organization.
** But not systematically; only for therapeutic purposes and under vet supervision.
*** Also available to a limited extent in dominant supermarket chains and farmers’ markets in ACT and NSW.
### Table 3: Four meanings of “free range”

<table>
<thead>
<tr>
<th>Retail spaces</th>
<th>Label</th>
<th>Distribution</th>
<th>Production</th>
<th>Who regulates?</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Dominant supermarket assured free range</strong></td>
<td>The two dominant supermarkets – Coles and Woolworths</td>
<td>Little information. Often no certification logo shown or very low key Egg Corp Assured logo. Instead own brand includes much supermarket branding on the label and often on the shelves and emphasis on Australian made. Glossy colourful photos of hens, pastures, and eggs cover the packaging.</td>
<td>Highly concentrated production and distribution via trucks</td>
<td>Facilities large scale, intensive production. Requires access to outdoors and outdoor stocking density of 10,000 per hectare. Does not ban beak trimming. Two dominant supermarkets require Egg Corp Accreditation plus compliance with own additional standards</td>
</tr>
<tr>
<td><strong>Mainstream non-assured free range</strong></td>
<td>Competitor supermarkets (Aldi and IGA) and a range of fresh produce stores such as fruit shops, delis and market stalls at the major established markets such as Queen Victoria Market. Follows dominant supermarket assured free range in concerns and techniques</td>
<td>Similar to supermarket assured free range – but quality of printing, graphics and overall design may be lower.</td>
<td>Concentrated and distribution via trucks</td>
<td>Varies and may include completely misleading claims or egg substitution. No set standards or assurance mechanisms. Many are not assured at all – but each of three other categories might also be available in particular stores.</td>
</tr>
<tr>
<td><strong>Organic Industry free range</strong></td>
<td>“Organic”, “whole food” and gourmet supermarkets and stores including market stalls at established urban markets, stand alone stores, organic chain stores and stalls at farmers markets</td>
<td>Most have well designed, glossy packs, emphasizing premium nature of product and naturalness of product in terms of farming and health. Where a brands also sell cage and free range eggs, the organic brand matches the suite of packs and fits with the corporate</td>
<td>Supermarket organic is very highly concentrated and trucked large distances. Other varies in concentration and distribution.</td>
<td>Allows for large scale, intense production. Focusses on whether inputs are organic (ie feed). Chicks do not have to be organic if arrive at less than 2 days old. Outdoor access [check what means], outdoor stocking density of 2,500 per hectare. Highly professionalized and formalized organic certification agencies (ACO; NASAA). However a range of small scale certifiers also exist with more informal practices (eg Demeter)</td>
</tr>
</tbody>
</table>
Also available as a premium option at some supermarkets. Smaller brands have less well-designed packaging and graphics. Small scale producers may incorporate higher principles similar to or exceeding alternative free range.

| Cottage industry free range | Farmers markets, specialist organic or wholefood stores\(^5\) | Labels often have a homemade look to them. They may include informative information about the production methods used on the label itself and also in surrounding displays and placards at the farmers market or store. Cute home made graphics might be used or accurate photos documenting the production methods (eg showing the housing for the hens or the dogs used to guard them from foxes) | Usually regional production and distribution only with producer him or herself driving eggs to retail. High animal welfare and environmental standards. Informal standards may include sustainability closed loop system principles. 750 to 1500 birds per hectare, limits on shed sizes, and requirements for management of range. | May have alternative certification standards organized by small, alternative, relatively informal producer groups (Free Range Farmers Association; Humane Choice) Some may have organic certification but do not operate on sufficient scale to fit into the description of organic industry free range above. Many have no certification as they find it too expensive and instead rely on giving detailed information and selling direct from the farmer to public at farmers market or local store. |

\(^1\) Essential Foods Free Range; Farm Pride Free Range; Farm Pride Pink Pack Free range; Hunter Valley Free Range; Family Value Free Range.

\(^2\) Pace Free Range Natural Living; Pace Omega 3 Free Range; Pace Organic Free Range.

\(^3\) McLean’s Run Free Range; Sunny Queen Farms Free Range; Ellerslie Farm Organic Free range; Organic Egg Farmers Organic Free range; Sunny Queen Farms Organic Free Range; Sunny Queen operates only as a distributor and brand owner whereas the other two companies in this category own some farms and source from other farms that they do not own. Sunny Queen therefore distributes a wider range of brands. Some were only identified as owned or distributed by Sunny Queen by a common address.

\(^57\) In the course of our research we also noticed that free range eggs are also frequently sold incidentally by cafes and bakeries that use free range eggs and advertise that fact and sell the same brand of egg that they use. We did not seek to comprehensively sample these outlets, but they often seemed to fall into this last category – selling “cottage industry” type eggs on the basis of a personal connection with the relevant farm.
The research was able to identify some of these by cross checking addresses listed in the fine print on labels and checking corporate websites.

Woolworths Select Free Range; and Macro wholefoods market organic

Now has in special box on top: ‘1 bird per metre squared outdoors – equals 10,000 birds per hectare’ with footnote to note on back side as shown in table. Also states ‘Our Free Range eggs have been laid by hens that are free to roam outdoors during the day and nest in barns at night’.

Nature’s Best Free Range; Sunshine Farm Free Range; Veggs Free Range

ecoeggs free range; Field Fresh Free Range; Just Free Range Eggs; Port Stephens Free Range

Carton also states “Our hens graze on open pastures... Our farms meet the strict criteria for free range egg production as specified in our website. Our farms are independently audited twice yearly...”

These brands of eggs are not available at stores in all locations.

Country Pride Free Range; Eggceptional eggs Free Range; Kangaroo Island Free Range; Misty Mountains Free range; Organigrow Free Range; Pure Organic Grain Fed Hencoop (which are in fact neither organic certified nor free range but label sounds like they are); South Gippsland Free Range.

Organigrow Certified Organic Free Range Eggs were certified as organic by ACO; Fryar’s Kangaroo Island Free Range Eggs had Humane Choice accreditation; and Misty Mountain, Eggceptional, Country Pride, South Gippsland, and Pure Organic had no certification labels.

Pirovic Farm Fresh Free Range; Pirovic Farm Fresh Certified Organic Free Range
Author/s: Parker, C

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