

COMPLAINT NUMBER	20/084
ADVERTISER	Freedom Farms (NZ) LTD
ADVERTISEMENT	Freedom Farms Digital Marketing
DATE OF MEETING	9 March 2020
OUTCOME	Settled

Advertisement: The Freedom Farm's website www.freedomfarms.co.nz includes statements under the headings "The Goods Chicken" and "What we stand for, FAQs". The statements were related to farming happy and free range chickens.

The Chair ruled was Settled

Complaint on behalf of Direct Action Everywhere New Zealand (DxE NZ):

Nature of complaint: Breach of Rule 2 (b) of the Advertising Standards Code

Rule 2(b) of Advertising standards code

"Advertisements must not mislead or be likely to mislead, deceive or confuse consumers, abuse their trust or exploit their lack of knowledge. This includes by implication, inaccuracy, ambiguity, exaggeration, unrealistic claim, omission, false representation or otherwise."

In particular, we refer to the following:

FREEDOM FARM'S CLAIM (attached advertisement 1)
<http://www.freedomfarms.co.nz/the-goods/chicken/> and
<http://www.freedomfarms.co.nz/what-we-stand-for/faq/>

"FREE RANGE CHICKEN

To make great chicken meals isn't real hard.

First you have to start with happy chooks... and be sure they're farmed here in NZ the Freedom way... on farms that let the chooks outside to peck about in the garden."

DxENZ RESPONSE

The claim that all Freedom Farms chicken is free range may or may not be true. However, the claim that these chickens are 'happy' is false.

Consumers are being conned into the standard mistake that free range chickens somehow have higher animal welfare standards than the usual barn-raised meat chickens. This is 'exploiting their lack of knowledge'.

The modern vertically integrated meat chicken industry is designed to breed chickens as fast as possible to make money, and there is no consideration of animal welfare. The Ross 308 breeds that Freedom Farms admit they use in their FAQ (see attached advertisement 1) are genetic freaks. Modern meat chickens are bred to be top heavy and fast growing, so they can come to maturity in 6 weeks [1].

World wide studies have shown that lameness is a welfare issue for meat chickens. In Europe, typically anywhere from 3% to 30% of chickens are in pain from lameness for the last week of their lives [2].

In New Zealand, a government report found that the proportion of lame birds was even higher. Up to 38% of meat chickens suffered from lameness [3].

Other issues directly arising from the top heavy Ross breeds are metabolic diseases, sudden death syndrome and skeletal disorders. This comes about because the birds' hearts cannot stand the strain. The fast growing birds are also continually hungry. The breeding stock are not fed sufficiently, to avoid them becoming too large. The massive birds also suffer a high level of broken bones when being slaughtered [1].

Since chicken welfare compromises are problems with genetics, they cannot be mitigated by giving the birds more space or by any other rearing conditions. "Organic" and "Free range" meat chickens use the same top-heavy and fast growing breeds. Their suffering is just as intense.

It is no wonder that Dr John Webster, 'international animal welfare expert' and professor of animal welfare at Bristol University, describes broiler chicken production as "in both magnitude and severity, the single most severe, systematic example of man's inhumanity to another sentient animal. [4]"

In conclusion, hens that are in continual pain from skeletal deformities, including lameness, cannot be described as 'happy'. The claim made is blatantly false..

FREEDOM FARMS CLAIM (attached in advertisement 2)

<http://www.freedomfarms.co.nz/what-we-stand-for/faq/>

"I thought no meat chickens were raised in cages. Why should I bother with free range then

Yip, you're right... meat (broiler) chickens aren't raised in cages like those poor egg laying hens we've all seen online and on the telly.

But... lots of them aren't exactly living the good life either. No sunshine. No fresh air. No space.

We reckon free range chooks should be able to stroll around in the fresh air for the whole day, forage around the gardens, enjoy shade under the trees and have a nice safe house to settle down in at night.

Sounds about right... right? So that's the life we demand our chooks have... simple"

DXENZ RESPONSE

Freedom farms are 'exploiting the lack of knowledge' of consumers who mistakenly think they are choosing a more ethical alternative by paying more for free range. In fact, the issues of skeletal deformities, lameness and other disorders in chickens are a result of the fast-growing Ross breed used, and are not mitigated by raising the birds in free range conditions.

Consumers are being misled.

Relief sought

Immediate removal and retraction of all offending statement, and any other similar or misleading statements on all advertising literature providing misleading implications that the fast growing Ross breeds sold by Freedom Farms are in any way 'happy' or that buying free range chickens can in any way make up for the suffering of these birds.

References:

[1] K.M. Hartcher & H.K. Lum (2019) Genetic selection of broilers and welfare consequences: a review, *World's Poultry Science Journal*, DOI: 10.1080/00439339.2019.1680025

[2] Scientific Committee of Animal Health and Animal Welfare (SCAHAW). (2000). *The welfare of chickens kept for meat production (broilers)*. Brussels: European Commission.
Sanotra, G. S., Berg, C., & Lund, J. D. (2003). A comparison between leg problems in Danish and Swedish broiler production. *Animal Welfare*, 12, 677–683.

[3] Bagshaw, C. S., Matthews, L. R., & Rogers, A. (2006). Key indicators of poultry welfare in New Zealand. Unpublished client report to MAF policy.

[4] Webster, J. (2004). *Animal welfare: A cool eye towards Eden*. Oxford: Blackwell

The relevant provisions were Advertising Standards Code - Principle 2, Rule 2(b);

The Advertiser, Freedom Farms, said: As I mentioned, Freedom Farms' licence agreement for free range chicken ended on 12 January 2020 – we're completely out of the free range chicken space, and our website has been updated to remove the pages that discuss the chicken offering. We have no plans to add free range chicken to our offering again in the future.

I have checked this morning and there is still some caching of the pages in google search results, but the content referenced in the complaint is no longer accessible, and the chicken specific page (under The Goods section) returns a 404 error and isn't linked to from anywhere else on the site.

The Chair noted the complainant's concerns that there are claims on the Freedom Farms website about their commitment to animal welfare and poultry animal welfare standards that are misleading.

The Chair acknowledged the Advertiser had removed the advertisement and confirmed they no longer sell chickens as part of their business.

Given the Advertiser's co-operative engagement with the process and the self-regulatory action taken in removing the advertisement, the Chair said that it would serve no further purpose to place the matter before the Complaints Board.

The Chair ruled that the matter was Settled.

Chair's Ruling: Complaint Settled- Advertisement removed

APPEAL INFORMATION

According to the procedures of the Advertising Standards Complaints Board, all decisions are able to be appealed by any party to the complaint. Information on our Appeal process is on our website www.asa.co.nz. Appeals must be made in writing via email or letter within 14 calendar days of receipt of this decision.