

Defra Consultation: Fairer food labelling

Wildlife and Countryside Link response: May 2024

Wildlife and Countryside Link (Link) is the largest environmental coalition in England, bringing together 83 organisations to use their joint voice for the protection of nature and animals.

Introduction

As a coalition of animal welfare and environmental organisations, we welcome the proposals contained in this [consultation](#) from Defra, with support from the Scottish, Northern Irish and Welsh Governments, to improve food labelling.

We have responded to questions where our direct expertise can add useful material. We wish to highlight in particular:

- Our strong support for mandatory method of production labelling for pig and poultry products, applying to both domestic and imported products.
- Our proposal that the labelling system be expanded beyond retail to also cover catering.
- Our proposal for cattle and sheep products to be added to the proposed labelling system in due course.

A mandatory, clear method of production welfare labelling system will clarify the labelling landscape. This will allow consumer preference for high welfare products to fully manifest, rewarding high-welfare UK farmers and driving further welfare improvements. By extending labelling to catering, and in time to cattle and sheep products, this positive cycle can deliver further benefits for UK farming and animal welfare.

Responses to questions

PART A: COUNTRY OF ORIGIN LABELLING

Question 16 a) How important do you think it is that mandatory country of origin labelling rules be changed so that they apply to the meat used in minimally processed meat products as they do already to unprocessed meat?

Important.

Question 16 b) Please explain your answer.

Polling shows sustained high interest amongst UK consumers in 'buying British' where possible, motivated in part by a desire to reward high-welfare production.¹ The extension of mandatory country

¹ https://redtractorassurance.org.uk/wp-content/uploads/2022/07/HL_UKTIFI_2022_final_screen.pdf

of origin labelling to minimally processed meat products would extend this ability for consumer choice to a range of new products. The below minimally processed meat products should be amongst those covered by such an extension:

- Bacon
- Country ham
- Biltong

PART B: METHOD OF PRODUCTION LABELLING

Question 33 a) Do you agree that method of production labelling should be mandatory?

Yes.

Question 33 b) Please explain your answer. If you answered no, please detail any alternative approaches that you feel would be effective in delivering informative, consistent and accessible information on method of production to consumers.

We welcome the choice to use method of production labelling, and to establish it on a mandatory basis. This is the clearest and simplest way to widen the ability for consumers to make purchasing decisions based on welfare information.

Method of production provides clear metrics to report welfare information against. Different methods of production can be objectively compared and analysed; for example, a farm's stocking density either will or won't meet a certain threshold. This clarity of analysis means that the consumer can make a choice on the basis of high quality, verifiable information. This also follows the successful precedent used for free range egg labelling, which categorises methods of production as either caged, barn, free range or organic.²

A mandatory approach is vastly preferable to a voluntary one, where varying labelling approaches can lead to disparities in content, quality and presentation, causing confusion for consumers. As there is minimal standardised terminology for different methods of livestock production across pig and poultry products, we could expect variance to be high if a voluntary approach was to be pursued.

Free range egg labelling again provides a useful precedent, as it was originally voluntary when introduced across the European Union in 1995. After five years the EU acknowledged that the voluntary approach wasn't working and opted for a mandatory approach, on the basis that 'unambiguous compulsory labelling is the only way of ensuring that the consumer is able to make an informed choice between the various classes of egg on the basis of the farming method.'³ For the same reason, method of production labelling on other poultry and pig products should be mandatory, so that consumers can get to know and understand one simple, trusted labelling system, and to make informed decisions through it.

² <https://www.rspcaassured.org.uk/rspca-assured-foods/free-range-eggs/>

³ <https://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2001:002:0001:0003:EN:PDF>

The clear, high-quality information provide by a mandatory method of production labelling system will allow consumers to chose to pay more for meat production from UK animals reared to high welfare standards, boosting both UK farming and the welfare of farmed animals.

Question 34 a) Do you agree that any new mandatory method of production labelling should apply to both domestic and imported products?

Yes.

Question 34 b) Please explain your answer.

It is essential that mandatory method of production labelling applies to imported products, as well as domestic ones.

Consumers should be given the given the ability to choose to reward high welfare production methods across the widest possible range of pig and poultry products. As 46% of UK food is imported, any labelling system would have to cover both domestic and imported products in order to be comprehensive.⁴

By covering imported products as well as domestic ones, the policy can also better support its objective of supporting UK farmers. UK welfare standards are usually higher than international ones and allowing welfare minded consumers to meaningfully compare domestic and imported productions will often increase sales of the former.⁵ That meaningful comparison, and resulting in boost in sales for UK products, will not be possible if labelling does not apply to imported products.

Indeed, leaving imported products out of the system risks a degree of scrutiny (and an associated inducement to invest in improved methods of production to boost scores) on UK farmers which international farmers will not have. This could create unfair competition, especially as more products from Australia, New Zealand and the Trans Pacific CPTPP countries enter the UK under recently signed Free Trade Agreements.

To support UK farming, and to incentivise yet higher welfare standards across UK farms, the new labelling system should apply to imported products, as well as domestic ones.

Question 36 a) Do you think the proposed 18-month implementation period, intended to reduce the cost associated with applying new mandatory labelling is appropriate?

It is about right.

Question 36 c) Please explain your answer.

⁴ <https://www.gov.uk/government/statistics/united-kingdom-food-security-report-2021/united-kingdom-food-security-report-2021-theme-2-uk-food-supply-sources#united-kingdom-food-security-report-2021-theme2-indicator-2-1-3>

⁵ <https://www.respublica.org.uk/wp-content/uploads/2022/07/UK-Trade-Policy-Animal-Welfare.pdf>

18 months strikes an appropriate balance between giving producers and retailers time to prepare for the new labelling and ensuring that benefits from the policy (both for UK farmers and welfare standards) are felt quickly. Recent changes to labelling rules for food supplements provide a helpful precedent, these were applied in 2023 with an 18-month transition period.⁶

Question 38 a) Do you agree that labelling reforms should initially focus on pigs, meat chickens and laying hens?

Yes, we agree labelling should focus only on these three initially.

Question 38 b) Please explain your answer.

We can see the case for starting with pig, meat chicken and laying hens products only, to start mandatory labelling at a manageable level and to iron out any teething problems. However, once labelling is in place and working well across the initial products, it should be expanded to cover other livestock products, including meat from cattle and sheep. The more livestock products that are covered, the better the outcomes for UK farming and high welfare standards.

Question 40 a) Do you agree that labelling should include minimally processed products for pork, chicken and eggs?

Pork (for example, bacon)

Yes, but I think that labelling should cover more processed products from the start.

Chicken (for example, cooked chicken slices)

Yes, but I think that labelling should cover more processed products from the start.

Eggs (for example, hard boiled eggs)

Yes, but I think that labelling should cover more processed products from the start.

Question 40 b) Please explain your answers.

All food items containing animal products should be clearly labelled by method of production.

The positive cycle engendered by method of production being clearly labelled, products from UK farms scoring higher in the labelling, more consumers choosing the domestic products and more UK farms subsequently adopting the highest welfare standards in order to maximise the benefits of consumer welfare preferences, can usefully be spread across a range of products.

Applying this approach to minimally processed foods such as bacon and cooked chicken slices would increase the benefits delivered from the mandatory labelling policy. In time this approach could be extended yet further, to more processed foods utilising animal products, like meat paste or mayonnaise.

⁶ https://www.legislation.gov.uk/ukxi/2023/131/pdfs/ukxiem_20230131_en.pdf

This would enable more products derived from UK livestock to proclaim their high welfare provenance, and to charge a price premium for doing so, increasing demand for animals from high welfare UK farms.

Question 41 a) To what extent do you agree or disagree that it is important that the following processed products be labelled with method of production standards?

- bacon - Strongly agree
- sausages - Strongly agree
- gammon - Strongly agree
- sliced cooked pork meat for example, ham - Strongly agree.
- scotch eggs - Strongly agree
- breaded chicken - Strongly agree
- ready to cook chicken - Strongly agree
- sliced cooked chicken meat for example, chicken slices - Strongly agree
- egg whites - Strongly agree
- hard boiled eggs - Strongly agree
- quiche - Strongly agree
- marinated meats - Strongly agree

Question 43 b) Do you agree with our proposal to assign production standards based on the lowest standard of animal welfare in a batch?

Yes, we agree that the lowest standard should be labelled.

Question 44 a) To what extent do you agree or disagree with our proposal that all unprocessed and minimally processed pork, chicken and egg products in scope are labelled regardless of whether they are packed at the consumer's request, prepacked for direct sale or prepacked in a factory before sale?

Strongly agree.

Question 44 b) Please explain your answer.

Any exception to a requirement for all pork, chicken and egg products to be labelled could create a retail route where low-welfare products can be sold without their low-welfare provenance being known. This would run contrary to the core aim of the labelling policy; to use transparency to boost rewards for high-welfare products.

Question 45 a) To what extent do you agree or disagree with our proposal that all unprocessed and minimally processed pork, chicken and egg products in scope are labelled regardless of whether they are sold in a shop or supermarket, a restaurant or café, or from an online retailer?

Strongly agree.

Question 45 b) Please explain your answer.

Any exception to a requirement for all pork, chicken and egg products to be labelled could create a retail route where low-welfare products can be sold without their low-welfare provenance being known. This would run contrary to the core aim of the labelling policy; to use transparency to boost rewards for high-welfare products.

Question 46 a) To what extent do you agree or disagree with our proposal that labelling applies to products sold through the retail sector only?

Strongly disagree.

Question 46 b) Please explain your answer.

The exclusion of the catering sector from the new labelling inhibits the potential positive impact of the policy. An increasing proportion of food is consumed 'out of home', with takeaways seeing particularly strong growth amongst young people.⁷ Not applying the positive cycle of welfare labelling to catered food reduces the benefits of the policy for farming and welfare, particularly as the catering sector uses a disproportionately high number of livestock products which are imported.⁸ The new labelling system should be extended to catered food. This would provide market pressure to increase the proportion of livestock products used in the catering sector which come from high welfare UK farms.

Question 47 a) To what extent do you agree that standards should be based on inputs which are important for welfare, given the lack of examples of labels based on welfare outcomes and the additional supply chain complexity this would involve?

Strongly agree.

Question 47 b) Please explain your answer.

The decision to base labelling assessment on the inputs farmers made during production is welcome. Inputs from production, such as the choice to stock animals at the optimum density for welfare, can be readily verified. It provides little room for ambiguity and fudged assessments, which could undermine the efficacy of labelling.

Question 48 a) To what extent do you agree or disagree with requiring welfare outcomes assessments to be carried out for products labelled tier 3 and above?

Strongly agree.

Question 48 b) Please explain your answer and detail any specific considerations you would like to share, for example around the practicality of this requirement. Please include any supporting evidence where available.

⁷ <https://kpmg.com/uk/en/blogs/home/posts/2023/02/food-for-thought-2023.html>

⁸ <https://www.foodservicefootprint.com/wp-content/uploads/2020/09/Footprint-Meat-Survey.pdf>

Tier 1-3 animal welfare status will be a financially remunerative label for any product to achieve. In-person assessments of any farm claiming this accolade for a product are essential, to prevent attempts to gain the label without the cost of adhering to the required welfare standards.

The existence of mature, successful farm assurance schemes in the UK means that this requirement can be practically complied with in the majority of cases.⁹ For example, as all farms who sign up with RSPCA Assured receive an assessment visit each year¹⁰, farms seeking to achieve a Tier 1-3 label could join and comply with RSPCA Assured in order to meet the assessment test.

Question 49 a) Are there additional metrics you think should be included in the draft standards (set out in the tables above)?

For laying hens Yes

For meat chickens Yes

For pigs Don't know

Question 49 b) If yes, please list the proposed metric(s) and explain your reasoning.

The inclusion of outdoor access as a metric for laying hens and meat chickens is welcome, however in order to qualify for the highest standard of welfare a further metric should be applied concerning the quality of outdoor access. Hens and chickens benefit from shade and shelter from the elements when outside, along with areas of foliage to allow them to carry out natural behaviours (utilising cover from potential predators)¹¹. Quality of outdoor access should be a metric, to reward farms who provide these conditions.

Question 51 a) To what extent do you agree with the proposed tiered system above?

Agree.

Question 51 b) Please explain your answer.

The classification of labels as not verified as compliant with baseline UK welfare standards, compliant with those standards and then three tiers of ascending welfare value, strikes an appropriate balance between depth of information and simplicity of presentation.

Question 52: If you would like to suggest changes to the levels at which individual standards are set in the draft tiers, available in Annex B, please do so.

Pig products should have an 'enhanced free range' tier, something currently missing from the proposals. Some forms of pig farming, including organic pig farming, gives pigs conditions that are in excess of simple free range status, with the quality, quantity and time spent in outdoor space rising far above minimum free range standards. Farms providing these conditions should be rewarded through the labelling system.

⁹ <https://www.ciwf.org.uk/your-food/your-higher-welfare-shopping-guide/>

¹⁰ <https://www.rspcaassured.org.uk/frequently-asked-questions>

¹¹ <https://www.rspcaassured.org.uk/farmed-animal-welfare/chickens/>

Question 53 a) Do you agree with the proposal above detailing the period of life covered by the draft standards for each sector?

For laying hens No, it is too short.

For meat chickens No, it is too short.

For pigs No, it is too short.

Question 53 b) Please explain your answer.

Determining the period of life that should be covered by a label is complex. Some animals will have been at one farm for birth and multiple farms for fattening, as well being transported by one company and slaughtered a particular location. Presenting the different standards achieved by each business through one label could cause confusion for the consumer.

As such, we support time-on-farm conditions being the main consideration in welfare labelling, expressed through comprehensible method of production information. We welcome the application of minimum time periods, which should clearly state that the highest welfare tiers can only be achieved if the animal concerned spent over a minimum threshold of time at the farm which has achieved this status.

However, given the importance of slaughter to the overall welfare of an animal across their life, we suggest that consideration be given to a separate label being developed to cover method of slaughter. By keeping this label separate from the main welfare one, the clarity of the latter can be preserved whilst giving the consumer information about the moment in the animal's life when there is potential for acute suffering.

Question 54. We are considering extending the period of coverage for laying hens to include the pullet rearing stage. Do you have any view on how this could be applied in practice and on the impacts of such an approach?

This extension would be welcome. High welfare conditions for pullets can help secure a healthier, happier adult life, strengthening bones and familiarising animals with natural foraging and pecking behaviours.¹²

The RSPCA have developed welfare standards for pullet rearing, which should help to inform labelling designations.¹³ High welfare conditions at pullet rearing stage (as well as when an adult) could become a requirement for a product to achieve tier 1 status. For reasons of practicality, pullet rearing stage could be discounted as a consideration for lower tiers, functioning as an 'over and above' requirement needed to achieve the highest welfare status.

Question 55 a) Which of the following would be most effective for presenting the tier of the product on a label? Please select one of the following:

¹² See <https://www.gov.scot/publications/guidance-welfare-laying-hens-pullets/pages/7/>

¹³ <https://science.rspca.org.uk/sciencegroup/farmanimals/standards/pullets>

Numbers.

Question 55 b) Please explain why this is your preferred option and share any additional detail on your choice (for example, the specific numbers to use for each tier) and any relevant supporting evidence.

Numbers are readily comprehensible, especially if the highest value is ascribed to '1', with values then descending. Precedents can be found across social and economic life, from train carriages to football leagues, as well as in the free-range egg labelling system, which runs 0 – organic, 1 – free range, 2 – barn, 3-caged.

Question 56 a) Do you feel that the label should include colours corresponding to each tier?

Yes, it is important for colours to be included.

Question 56 b) If yes, please provide colour suggestions for each tier.

As suggested by the example on page 39 of the consultation document, green should denote tier 1 due to positive 'go ahead' associations, with red denoting tier 5 for its negative 'caution' connotation. The standard colour wheel suggests that the intervening tiers should shade to light green (tier 2) to yellow (tier 3) to orange (tier 4).¹⁴ The example on page 39 has purple for tier 4, which does not align with the standard colour wheel and generally understood colour relationships; this should be changed to orange.

Question 57 a) Do you feel the label should include terminology describing both method of production and level of welfare:

No, a method of production descriptor only.

Question 57 b) Please explain your answer or detail alternative options

Method of production descriptors are objective (e.g 'free range' which shows that animals were given outdoor access, which met set conditions for space per animal). In contrast, welfare level descriptors are subjective and open to interpretation (e.g 'good' is a vague term and cannot be related to particular, verifiable conditions).

Labelling should stick to the objective and verifiable, for maximum consumer comprehension. Addition of a subjective welfare descriptor would impair the clarity of the labelling and confuse public understanding.

Question 61 a) Do you feel that the label should include a space for an assurance scheme logo?

Maybe – it would depend on assurance scheme.

¹⁴ <https://www.britannica.com/science/color-wheel>

Question 61 c) Please explain your answer

Assurance schemes can provide a helpful further guarantee of high welfare standards, especially when the assurance schemes are mature and well understood by the public. As such having them as part of the label adjacent to the main tier rating (as suggested in the example on page 39) can enhance customer understanding of the methods of production that led to the product.

However, there can be variance in the quality of assurance schemes. As such only assurance schemes that are independently certified should be included on the label.

Question 62. Please share any comments you would like to make on the mocked-up example label.

The mocked-up example is welcome, conveying clear, comparable method of production information.

As suggested in response to an earlier question, the use of purple for tier 4 is eccentric. Orange would better comply with the standard colour wheel for a point 80% removed from green and 20% removed from red.

The space given to an assurance scheme logo could also be reduced slightly, as not every product will have an assurance scheme logo to add. Focus should remain directed on the method of production and the tier achieved.

Question 65 a) To what extent do you support or oppose the proposed system of Food Business Operators being responsible for ensuring the labelling applied to their products is accurate?

Support.

Question 65 b) Please explain your answer and share any relevant supporting evidence.

It is important that there are clear lines of responsibility in labelling, to allow for effective enforcement. The Food Business Operator will be brand under which the product is sold, establishing a clear line of responsibility.

We welcome the proposed requirement that Food Business Operators have traceability systems in place to evidence their labelling, and the requirement for them to provide documentary evidence to support tiers 1-4.

Question 66 a) To what extent do you support or oppose the proposal that membership of a recognised farm assurance scheme could be used by a Food Business Operator to help verify the production standards for UK farmers?

Support.

Question 66 b) Please explain your answer and share any relevant supporting evidence.

High quality assurance schemes, such as RSPCA Assured, collect extensive information about the methods of production used on qualifying farms. This material can usefully inform labelling, in a way that is traceable, verifiable and practical. Only assurance schemes that are independently certified should be added to the proposed up-to-date and accessible register of farm assurance schemes used to underpin labelling, to ensure that the highest standards are maintained.

Question 69 a) To what extent do you support or oppose offering a process where country-level recognition could be included in the guidance if a country's legal minimum standards met those of a particular tier?

Neutral.

Question 69 b) Please explain your answer and share any relevant supporting evidence.

Tier 4 is proposed to denote compliance with baseline UK standards. It would be practical and appropriate to extend this tier status to imports from a country where legal minimum standards meet (or exceed) the UK's.

Tiers 1-3 are proposed to denote ascending welfare values, above legal minimum standards. Product specific information is required to verify these tiers, which could not be obtained from just knowing the legal minimum standards of the country of origin. As such the proposal is appropriate for tier 4, but should not be extended to tiers 1-3.

Question 70. Under the proposals above, farm assurance schemes would need to submit documentary evidence that they certify to one or more of the label standards, in order to be included in the government register. How frequently do you feel this evidence should be re-submitted, to ensure the register remains accurate and up to date?

RSPCA Assured requires yearly submissions of evidence for farms to remain assured.¹⁵ Such an annual requirement for evidence submission would be appropriate for assurance schemes themselves, to keep the register of farm assurance schemes up to date.

Question 71 a) In cases where a Food Business Operator has not met their responsibility to accurately label products, we propose to ensure that prosecutions can be brought for the more serious cases of non-compliance. To what extent do you support or oppose this proposal?

Strongly support.

Question 71 c) If either criminal sanctions or civil sanctions are available, what do you think the appropriate penalties should be? Please explain your answer and share any relevant supporting evidence.

¹⁵ <https://www.rspcaassured.org.uk/about-us/farm-assessments>

Custodial sentences should be an option where deliberate mislabelling has occurred. Such mislabelling is an act of fraud, a crime which can result in custodial sentences of up to 8 years.¹⁶ The imprisonment of one of the perpetrators of the 2013 horsemeat scandal for 4.5 years provides a useful precedent.¹⁷

Question 72 a) Do you feel there is an additional need for government inspections to form part of the certification for the label standards?

Yes, there is a need for government inspections.

Question 72 b) Please explain your answer and share any relevant supporting evidence.

Although farm assurance schemes will provide high quality verification for labelling for the majority of tier 1-3 products, this will not always be the case. Some farms may claim the required methods of production inputs to achieve tiers 1-3, but not be willing to join an assurance scheme. A small Government inspection facility should be in place for circumstances such as these, to verify claims outside of assurance schemes. This facility should also provide light touch monitoring of assurance schemes to ensure they continue to be of the highest quality, including spot checks.

Question 77. To what extent do you agree that this exemption would mitigate the burden on small businesses?

Disagree. Businesses with fewer than 10 employees and a balance sheet of less than £1.4 million have the most to gain from welfare labelling, with small farms typically being associated in consumers' minds with higher welfare standards.¹⁸ By not progressing this exemption and including all farms within welfare labelling, Defra and the devolved Governments can give smaller farms the chance to build on this association, to their profit.

Question 91. Please share any additional areas of potential labelling reform which may deliver the benefits described above, for future consideration. Please include evidence where available.

As set out in an earlier reply, meat from cattle and sheep should in future be considered for inclusion in the labelling system. As Australian cattle and sheep products enter the UK in growing numbers, under the Australia Free Trade Deal which made products produced to a lower welfare standard than the UK easier to import, it will be particularly important for UK farmers to demonstrate the superior welfare credentials of their products.¹⁹ An extension of the labelling system to cattle and sheep products would enable this.

Future consideration should also be given to the possibility of environmental labelling. The amount of pesticide used in food production can make a significant difference for wildlife²⁰, currently only

¹⁶ <https://www.sentencingcouncil.org.uk/offences/magistrates-court/item/fraud/>

¹⁷ <https://www.theguardian.com/uk-news/2017/jul/31/two-men-jailed-in-uk-for-horsemeat-conspiracy>

¹⁸ <https://journals.plos.org/sustainabilitytransformation/article?id=10.1371/journal.pstr.0000032>

¹⁹ <https://www.ciwf.org.uk/our-campaigns/other-campaigns/trade-and-animal-welfare/>

²⁰ For examples of the harms pesticide use can cause, see: <https://www.bumblebeeconservation.org/pesticide-position/>

voluntary organic labelling provides any afforestation to consumers about the level of pesticide use that led to the product. A future extension of mandatory labelling to provide transparency about pesticide use could provide greater awareness for consumers about environmental inputs, providing a commercial incentive for more farmers to reduce pesticide use.

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