

Case Report

1. Case Number :	0122-24
2. Advertiser :	Golden Eggs
3. Product :	Food/Beverages
4. Type of Advertisement/Media :	Internet
5. Date of Decision:	15-May-2024
6. Decision:	Dismissed

ISSUES RAISED

AANA Food and Beverages Code\2.1 Not misleading or deceptive

DESCRIPTION OF ADVERTISEMENT

This website advertisement features information and descriptions of the products, and includes statements such as "Hens are less stressed which means they produce more eggs" and "Cage hens live in a climate-controlled environment which allows them to live almost stress-free."

What is the difference between Free Range Eggs and Cage Eggs?

Free-range hens have access to the outdoors during daylight hours allowing them to socialise and explore. Hens are then kept inside during the night to keep them safe from predators. Cage hens are kept individually inside a cage away from harsh weather and predators. Cage hens live in a climate-controlled environment which allows them to live almost stress-free.



Cage Eggs

- Hens are protected from harsh weather conditions.
- Hens are less stressed which means they produce more eggs.
- Cage eggs are more cost-effective allowing a cheaper price for the consumer.
- The controlled environment eliminates the risk of diseases and predators.
- Cage eggs have the lowest carbon footprint and are the most sustainable form of farming.

THE COMPLAINT

Comments which the complainant/s made regarding this advertisement included the following:

Misleading images on free range egg cartons and misleading information plus images on their website regarding free range eggs. Misleading information on website – “less stressed” and “almost stress-free” claims.

THE ADVERTISER’S RESPONSE

Comments which the advertiser made in response to the complainant/s regarding this advertisement include the following:

Regarding the letter received on 1/05/2024, case reference number: 0122-24

As a business, we've been producing eggs since 1946 and employ over 200 Western Australians. We take the 'Australian Guidelines for Animal Welfare and Poultry' extremely seriously and we are proud of our track record in this regard.

Our industry peak body 'Australian Eggs' (<https://www.australianeggs.org.au/>) is also a key source of information that is used by participants in the industry to provide information to consumers.

We note that this complaint has 2 parts, both relating to information on our website. 1) claims and images regarding hen density, and 2) wording in our FAQ section about Cage Hens.

1) All claims and imagery regarding hen density are accurate and reflect industry guidelines. In addition, on our website we include actual video footage of our farms and other aspects of our operations including processing of eggs to our extremely high-quality standards. The link to our website can be found here <https://www.goldeneggs.com.au/>

2) The full wording of the section the complaint is drawn from in our FAQ's and can be found here <https://www.goldeneggs.com.au/faq>. We believe this succinct statement is accurate and reflects both industry standards, and our experience working in the industry.

In the past we have received one complaint on this issue, who asked we amend wording on our website to make information about hen density clearer to consumers and we were happy to do that.

This complaint does not have relevance to sections 2.2 to 2.7, of the guidelines, and does not have relevance to the advertising to children or environment guidelines.

THE DECISION

The Ad Standards Community Panel (the Panel) considered whether this advertisement breaches the AANA Food and Beverages Advertising Code (the Food Code).

The Panel noted the complainant's concerns that the advertisement is misleading.

The Panel viewed the advertisement and noted the advertiser's response.

Section 2.1 Advertising for Food or Beverage Products must not be misleading or deceptive or likely to mislead or deceive.

The Panel noted the complainant's concern that the advertisement is misleading by making claims that cage hens are less stressed than free-range hens.

The Panel noted the advertiser's response that these claims are made based on industry standards, and its experience working in the industry.

The Panel noted that the website also includes a video which explains the difference between the experiences of cage hens and free-range hens and provides further explanation as to why the advertiser believes cage hens are less stressed.

The Panel noted that while the advertiser was unable to provide academic research to substantiate these claims, the claims were made based on the advertiser's experience in farming both cage and free-range hens.

The Panel considered that the advertiser had adequate grounds for making these claims, and that the average consumer visiting the advertiser's webpage would not be misled or deceived by the statements.

Section 2.1 Conclusion

The Panel determined that the advertisement was not, and was not designed to be, misleading or deceptive and did not otherwise contravene Prevailing Community Standards, and did not breach Section 2.1 of the Food Code.

Conclusion

Finding that the advertisement did not breach any other section of the Food Code the Panel dismissed the complaint.

