

Submission

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To: Laying-Hen-Cage-Reform@defra.gov.uk Defra Farm Animal Welfare team

Cc: Scottish Government Animal Welfare team

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Cage reform: proposed ban on keeping laying hens, pullets and breeder layers in cages.

NFU Scotland (NFUS) is the leading agricultural organisation in Scotland. Representing more than 9,000 farmers, growers, and crofters, our members provide and support thousands of jobs and deliver significant economic, social, and environmental benefits across Scotland.

Agriculture is the lynchpin of rural Scotland and is an important part of Scotland's booming food and drink industry. Scottish agriculture generates a gross output of £3.3 billion annually. The farming and crofting sector is committed to sustainable food production, enhancing biodiversity, and helping to tackle climate change.

General

1. We believe Scotland's egg sector are one of the success stories of Scottish agriculture, producing eggs to the highest welfare, quality, health, and environmental standards of anywhere. We already have one of the highest ratios of cage-free to caged production and the cage-free sector continues to grow in response to market demand.

2. Scotland's egg industry passionately believes in supporting improved standards of animal welfare. Whilst producers recognise non-cage systems may provide improvements for welfare outcomes for some measures, they also know they have their own challenges and could score more poorly on others. For example, non-cage systems may have a negative impact on the health of birds, allowing birds to pick up disease from ranges, spreading it quickly within the entire flock. Anxiety and stress may also be higher in non-cage systems and feather pecking and cannibalism can be more widespread and difficult to control.
3. Studies ahead of the 2012 ban on the use of traditional 'battery cages' compared the use of furnished colony cages against free-range and barn systems and found them to provide the lowest prevalence of welfare problems of all the systems looked at. Furnished colony cages are vastly different to traditional cages, which the UK and EU banned 2012. Whilst still technically cages, they allow the birds more room allowing them full range of movements and opportunities to express normal behaviours such as scratching, perching, nesting as well as company of a small stable group of other birds to interact with. The environment is carefully controlled to provide a well-ventilated, thermally controlled, and comfortable environment.
4. We do not believe it necessary or helpful to introduce a ban on the use of cages in egg production, it should be left up to the market. The market has been successfully driving a reduction in cage production through initiatives such as retailer pledges to be cage free by 2025, resulting in UK production now being 82% cage-free, one of the highest proportions seen globally. It is our expectation that that percentage will continue to increase without the need for legislation.
5. Although cage-free may not reach 100% without a ban but we believe it will get close. There will always be a demand for a proportion of 'value eggs' within the market to supply lower value markets and provide a base for value within higher welfare systems. If we are unable to supply those markets from within the UK they will be supplied from out with the UK, from even lower welfare systems with poorer food safety records. This would deliver no overall improvement for animal welfare globally but would undermine egg production, food safety, and food security within the UK.

6. It is important to note that whilst it is unlikely there will ever be a step back to seeing more colony units, there has been a consumer swing away from cage-free eggs in the past couple of years. This reflects the cost-of-living crisis and the need for consumers to have access to a 'value' egg product. Affordable food is a government priority, so it would be remiss of us not to point out the obvious conflict that exists between policies driving animal welfare, whilst also demanding cheap food. Colony egg production is also the most efficient form of production with the lowest emissions of any other production system, placing this proposal at odds with Government climate change targets.
7. The UK egg market is consistently undercut by cheaper imports, produced to lower welfare and food safety standards – the UK has the highest standards for food safety and salmonella controls and the risks associated with cheap imports from countries like Spain and the Ukraine have been seen in recent food poisoning incidents in the UK and Europe. Lower standard and quality eggs are already coming into the food service and food production sectors, where price is the only concern.
8. Only 60% of eggs produced in the UK are sold in shell to the retail market, where clear labelling, consumer awareness and retail standards support cage free production and protect the market from the imports produced to lower standards. Lack of clear labelling and customer awareness in the food service sector and for products containing egg as an ingredient removes consumer knowledge and choice leaving price the only issue.
9. If the UK were to ban the use of cages in egg production, then they **must** also ban the importation of eggs from caged systems, included cages used for pullets and breeders. This should apply not just to fresh eggs, but eggs as a primary ingredient. Cheaper imports consistently undercut the UK egg market, produced to lower welfare and food safety standards, supplying the food service and food production sectors. A ban on the use of cages would further exacerbate the issue unless Government requires all imported eggs and egg products to meet the same standards.

10. It is important that these proposals look beyond the 'fresh egg' market and the retail sector. Egg is an important primary ingredient in many products, mayonnaise, cakes, pasta, and sandwiches as examples and used extensively in the food service sector. These sectors already look to imports to provide cheap eggs in shell and liquid form. We should be doing more to encourage the use of UK egg in these sectors, not making it even harder for UK producers to compete.

Consultation Questions

Question 8. Do you consider there to be positive welfare outcomes from banning the use of cages for laying hens (including pullets and breeder layers)? If so, what are they?

Other – please specify below

11. Yes, there will be some positive welfare outcomes from banning the use of cages, such as improved ability of birds to express natural behaviours, however there will also be negative impacts and the balance has to be considered. With 82% of production in the UK already cage free we are already reaping much of those benefits, however if the balance and sustainability of the sector is damaged by the introduction of a ban, we risk those existing and future welfare benefits.
12. Banning the use of cages risks the premiums associated with more expensive cage free production, threatening the profitability of the sector and its future sustainability. Increased imports will be imported to meet demand for cheaper products and fill the gap from failing UK businesses. This will lead simply export the welfare problem, damage what is currently a strong, quality, high welfare farming system in the UK and threaten food security within the UK.

Question 9. Do you consider there to be negative welfare outcomes from banning the use of cages for laying hens (including pullets and breeder layers)? If so, what are they?

- Increased risk of smothering
- Increased risk of injury (including injurious pecking)
- Increased risk of sickness and disease
- Increased risk of mortality (including predation)
- Other – please specify below

13. Banning the use of cages could bring all the above negative welfare outcomes for the birds, as well as negative outcomes for the egg sector as a whole. This threatens the welfare improvements already achieved within the UK and could simply export the welfare problems.

14. Non-cage systems can also introduce a range of other welfare risks. For instance, injurious pecking, keel-bone damage, predation, and exposure to environmental stressors.

Question 10. What interventions could maximise positive welfare outcomes and mitigate negative welfare outcomes?

15. Moves to cage-free systems require considerable levels of practical support, understanding of the systems and recognition of the full costs associated with transition. There is a need for further investment in housing design and infrastructure to minimise the risks such as those associated with smothering, injury, and environmental stressors.
16. Access to skilled stockmanship. Labour is a significant issue on poultry units, especially skilled labour. There is a lack of suitable skilled labour within the UK, leading to reliance on migrant labour, but current Government immigration policies are making it increasingly difficult for poultry units to access the labour they desperately need.
17. Innovative technology, such as AI to monitor the health and behaviour of birds.
18. Workable transition finance to ensure well designed and fit for purpose replacements capable of delivering improved welfare.

Question 11.a) Please indicate your level of agreement with the following statement: On 1 January 2027, there should be a ban on the installation of new enriched 'colony' cages and any other caged systems used for pullets and breeder layers across the laying hen sector (laying hens, pullets and breeder layers).

Disagree, I do not agree with a ban

Question 11.b) Please explain your answer.

19. We believe changes within the sector should be market driven and not legislated. Cage-free will continue to dominate the sector but the industry must be allowed to produce for the market. Government policy and socio-economic demand for cheap food dictate a need for a 'value' egg. The lack of transparency and clear labelling within the food service and processed food sectors will continue to require a supply of cheaper produced eggs within the UK. Rather than preventing UK producers from supplying this UK demand, the Government should do more to address the issues creating this demand and/or preventing imported eggs and egg products from meeting the demand from out with the UK using lower standards.

Question 12.a) Please indicate your level of agreement with the following statement: A 5-year transition period, beginning with a ban on the installation of new enriched 'colony' cages and any other caged systems used for pullets and breeder layers on 1 January 2027 and followed by a complete ban on enriched 'colony' cages and any other caged systems used for pullets and breeder layers on 1 January 2032, is appropriate.

Disagree, I do not agree with a ban

Question 12.b) Please explain your answer.

20. We do not support a ban and believe that changes should be market drive. That said, if a ban were to be introduced 5 years is an impossibly short transition period.
21. When producers invest in new sheds, they typically plan the investment with a 15-20 year pay back term. There will be producers with newer sheds for who will still be paying off significant chunks of investment in 5 years' time and unable to make new investments.
22. Planning processes for poultry sheds are incredibly complex, typically taking over 2 years. This will make a 5-year timeline extremely difficult, especially is there are more producers than normal all trying to get projects approved within such a brief period.
23. There are limited companies specialising in agricultural building and even fewer supplying the specialist equipment needed for poultry shed. Much of the equipment needed comes in from overseas and there are already long wait times for supply and delivery. It will not be possible to meet the demand within a 5-year period, especially when you add on planning times.
24. These proposals represent a significant change for the sector, and they must be given an appropriate period to adapt. Similar changes have usually had a 10-15-year period to change and indeed we believe this is the sort of lead in period Europe are likely to consider if/when they decide to consult with their industry on similar proposals.
25. The bulk of our egg imports come from Europe, or surrounding countries, and it makes sense to look at what they are planning and tie in with their proposals, unless you are prepared to introduce a ban on imports on products not produced to the same standards. It is important to learn from the experience of the pig sector in 1999 when the UK opted to ban the use of sow stall 14 years ahead of a similar partial ban in the rest of the EU. The basis for this decision was supposed consumer demand for higher welfare. However, the reality was the pig sector in the UK halved overnight as consumers showed no loyalty to higher welfare and lower welfare cheaper imports flooded in. The UK pig sector still has not recovered, and we cannot allow the same to happen to our egg sector.

Question 13.a) Please indicate your level of agreement with the following statement: A ban on conventional 'battery' cages on 1 January 2027 for smaller scale commercial units or hobby-keepers with fewer than 350 laying hens is appropriate.

Agree

Question 13.b) Please explain your answer.

26. We agree that conventional 'battery' cages should not be allowed for egg production for food. There should however be some exceptions for breeding programs and eggs for vaccine production.

Question 14.a) What are the barriers to moving fully to non-cage systems? Please rank the below categories, with number 1 being the most important.

1 Financial

3 Technical (for example, training, consulting)

2 Operational (for example, logistics, planning, contracts)

Question 14.b) Are there any other barriers that should be considered?

27. Planning is an incredibly significant barrier as discussed earlier, as is construction and equipment availability.
28. Access to finance and lack of guarantee around prices, market return, and general confidence in the market for higher cost systems of production.
29. Pullet availability. The sector is already struggling with pullets in short supply. Current pullet rearing systems are already in need of investment, but tight margins are making this difficult. These proposed changes could drive rearers out of production leaving egg producers unable to access birds.
30. Other legislative barriers. There is a lot of uncertainty in the sector, in the north of Scotland in particular, caused by other potential changes that might be coming, such as changes to transport legislation and journey times. The SPS agreement with Europe could bring a raft of new welfare legislation that UK producers will need to comply with which brings uncertainty and nervousness around future investment. Journey times are a serious concern for Scottish producers who could face being unable to get end of lay hens away for processing.

Question 18.a) What are your views on the estimate of production costs in the accompanying consultation stage de minimis assessment?

Disagree with the estimate

Question 18.b) If you answered 'disagree with the estimate', please explain your answer and provide any evidence you can to support your view.

31. The costings put forward are broad approximations and industry cost models would suggest they are higher. Costs of production vary significantly and can vary widely as they are based on volatile input costs such as feed, labour, fuel, and pullet costs. The BFREPA cost model is the most widely accepted model for calculating cost of production, but it will only ever represent a moment in time.

32. Whilst it is helpful to consider cost of production as part of an impact assessment it will only ever be of limited use and would be best represented by a range as it will be variable.

Question 24. If you think that the estimate of £42 is inaccurate, please provide an estimate of the cost of building new housing system/s.

33. We believe the estimate of £42/bird is low. Prices in Scotland have been quoted as closer to £70/bird to build a new free-range or barn shed, with an extra £15/bird to purchase the land required for a free-range system. If building on an existing site, you will also need to consider the down time when there will be no birds, up to 9 months and consider the loss of income that would entail.

Question 25. If you think that the estimate of £19 is inaccurate, please provide an estimate of the cost of conversion per laying hen.

34. We believe the estimate of £19/bird to convert an existing building is also low. Industry estimates suggest a cost of £35-£50/bird.

35. Neither the new build or the conversion estimates take account of inflation and the expected increase in prices that would be expected. We would also predict that should the proposals come in banning the use of cages, these prices will go up both because of increased demand and profiteering.

Question 26. Please estimate how long the building works would take to convert from a cage to a non-cage system.

More than 6 months – please specify below in months

- Current delays on ordering equipment are sitting at around 2.5 years and those who have undertaken conversions say the process can take about 9 months.

Question 27.a) In your view, what type of training would be needed for keepers currently working with enriched 'colony' cage systems to effectively manage a non-cage system?

On-farm training

Question 27.b) What is the likely cost of this training per person? Please provide your answer in £.

Question 27.c) How many people would require training per farm?

Question 28.a) In your view, would keepers that currently work with enriched 'colony' cage systems need to hire more staff to be able to manage a non-cage system?

Yes

Question 28.b) Please explain your answer.

36. The experience of those who have converted to cage-free, indicates that more staff are needed.

Question 42. Please estimate the capital cost per pullet to convert from a cage to a cage-free system. Please provide the cost in £.

37. We do not have costs for conversions, feedback from producers suggest conversion is unlikely to be an option as existing buildings will be too small. It will be necessary to build new sheds.

Question 43. What is the difference in production cost per pullet of rearing in a cage versus in a non-cage system? Please specify the breakdown of the costs in £.

38. Our estimates suggest somewhere in the region of £2.50/bird.

Question 44.a) Should there be an exemption for the multi-tier rearing aviaries where chicks are brooded in cage systems for the first 2 weeks only?

Yes

Question 44.b) Please explain your answer.

39. During the first 2 weeks the chicks are small and vulnerable and benefit from extra protection.

Question 45.a) Should there be any exemption for other purposes?

Yes

Question 45.b) Please explain your answer.

40. Exemptions should be available for health reasons.

Question 46.a) Do you think that introducing a domestic ban on cages for laying hens, pullets and breeder layers would increase imports of shell eggs and egg products to the

UK?

Yes

Question 46.b) Please explain your answer.

41. For the reasons discussed earlier, there will continue to be a demand for cheaper eggs, especially for the food service and food production sectors. Lack of consumer awareness and transparent labelling mean price is the only concern. If we ban the use of cages in the UK, we have no 'value' egg offering to meet the requirement for those sectors and those looking for a more affordable option and imports will inevitably fill the gap. If Government decide to introduce a ban on the use of cages within the UK, they must also ban the import of eggs, egg products and products using eggs as an ingredient unless the eggs are produced to the same standard.

Question 47.a) Do you think that introducing a domestic ban on cages for laying hens, pullets and breeder layers would increase exports of shell eggs and egg products from the UK?

No

Question 47.b) Please explain your answer.

42. Banning the use of cages for egg production in the UK will not make us the only producers of higher welfare egg, we already produce free-range and barn eggs, as do other countries. The ban would not offer us any market advantage.

Question 51. Please provide any comments or evidence on the environmental impacts the proposed policy may have.

43. Data from Sepa demonstrate fewer emissions/bird from colony cage systems when compared to other systems. Colony production is efficient and has a lower carbon footprint compared to other systems.

Question 52. Please provide any comments or evidence on the equality impacts the proposed policy may have.

44. In a cost-of-living crisis, with Government priorities for cheap food, these proposals will lead to increased prices. We are seeing a shift away from demand for cage-free eggs with consumers looking for cheaper alternatives. These proposals will have a disproportionate impact on low-income families for who the high-quality protein provided by a value egg is important.

Question 53. Please provide any comments or evidence you feel should be considered concerning the socio-economic impact the proposed policy may have on both producers and consumers. Please explain your answer.

45. As mentioned, there is a demand from low-income families for high quality, excellent value protein supplied through colony eggs.

46. The proposals represent significant change and investment from the egg industry and has the potential to destabilise the sector. It will not only affect producers who currently use colony systems but will affect the whole market, impacting those producers who are already cage free. There are very real risks of producers going out of business or walking away from egg production. This will knock on effects for other associated businesses, rural communities, and food security.

Question 54. Please provide any further considerations you feel should be noted when considering this policy proposal. Please explain your answer.

47. Currently producers in England and Wales have access to financial support for converting to cage free systems. No such support is currently available in Scotland. These changes represent significant investment and support should be available, but it should be available to all. The egg market within the UK is a single market and there should not be market distortions. Help should be available to all.

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