

RANGECARE'S CODE OF PRACTICE
FOR ACCREDITATION BY
FREE RANGE EGG AND POULTRY AUSTRALIA LTD

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FREE RANGE EGG & POULTRY
AUSTRALIA LTD

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1 INTRODUCTION

1.1 THIS DOCUMENT

The Free Range Egg and Poultry Association was formed in 1993 after Government deregulation in the Victorian Egg Industry. Deregulation enabled the establishment of independent egg and poultry farms which marketed their own produce in line with consumer concerns and interests. Free Range Egg and Poultry Australia Ltd was established in 2002.

The intent of this RangeCare's Code is to demonstrate to the public and government that FREPA's methods of poultry husbandry represent best practice poultry care and biosecurity, safe food quality and sustainable extensive farming practices.

This RangeCare's Code of Practice is inclusive of the current editions and successors of the Codes of Practice and legal requirements in existence including:

Welfare

- Animal Welfare Code of Practice - Domestic Poultry, current edition appropriate for the State of operation
- the Land Transport Code for Domestic Poultry, current edition appropriate for the State of operation

Food Safety

- Code of Practice - Shell Egg Production, Grading, and Distribution or Code appropriate for State of operation
- Code of Practice for Manufactured Product appropriate for State of operation.
- Poultry Meat Code appropriate for State of operation.
- Australian Standard for Construction of Premises and Hygienic Production of Poultry Meat for Human Consumption AS4465:2005

Packaging

- General Requirements on Pre-Packed Articles for Retailers/Manufacturers/Packers, as revised appropriate for State of operation.

Health

- Food Act, as revised appropriate for State of operation.

Biosecurity

- National Farm Biosecurity Manual – Poultry Production (DAFF, 2009); and
- National Water Biosecurity Manual – Poultry Production (DAFF, 2009); or
- Or compatible manuals specifically developed for a particular sector, e.g. the National Farm Biosecurity Manual for Chicken Growers (ACMF, 2010).

Where Codes of Practice, quality assurance programs or other systems do not exist in a particular State, the Codes etc to be used to be by agreement with FREPA Ltd.

1.2 FREE RANGE DEFINITION

There is not a current definition of Free Range production in the Trade Practices Act but it is defined in the 4th edition of the *Model Code of Practice for the Welfare of Animals - Domestic Poultry* and State Codes. It is also defined in the State animal welfare legislation.

1.3 SUNSET CLAUSE

All FREPA egg and poultry farmers with pre-existing rights which are in existence because of situations which pre-date FREPA membership will have to comply with the government-endorsed codes or government legislation.

This clause will only apply to farms in which these rights are not major non-compliances in the audit process.

2 POULTRY CARE

2.1 ANIMAL CARE

All egg farms should complete and retain for inspection records which demonstrate their compliance with: the current edition of the *Model Code of Practice for the Welfare of Animals - Domestic Poultry*, or appropriate State Code; the *Model Code of Practice for the Land Transport of Poultry*, or appropriate State Code; this Code and FREPA's system.

2.2 AUSVETPLAN

All farmers are to possess and be familiar with, the free two publications **AUSVETPLAN** (Australian Poultry Veterinary Emergency Plan). These publications are entitled:

- **“Summary Document - Poultry”**: This is an overview of the management of exotic animal disease emergencies in Australia, with special emphasis on poultry.
- **“Enterprise Manual - Poultry”**: This provides details of the structure of the industry, exotic diseases of concern, inputs and outputs to poultry production, risk management strategies and response plans.

When an emergency disease outbreak occurs, the AUSVETPLAN shall immediately be referred to and followed, subject to Department of Agriculture advice, the State Response Plan and any other industry-government agreement.

2.3 BIOSECURITY

All farmers should complete and retain for inspection records which demonstrate their compliance with the *National Farm Biosecurity Manual – Poultry Production* or sector specific requirements consistent with these requirements; this Code and FREPA's system.

3 LANDCARE

3.1 SUSTAINABILITY

Free Range farms are to demonstrate sustainable agriculture, and be promoted as practising extensive egg and poultry farming.

3.2 ENVIRONMENT.

FREPA Farms are to practice extensive agriculture and sustainable land use through the control of their manure deposition and grazing rates.

4 FOOD SAFETY

4.1 CODE OF PRACTICE

Eggs are classified as primary produce until the first point of sale and they shall comply with *Code of Practice for Shell Egg Production, Grading, Packing and Distribution* and/or the *Code of Practice for the Manufacture of Egg Products* and the Trade Measurement packaging requirements. The Codes used should be appropriate for the State of operation.

Meat Birds are primary produce until they reach the processor, who shall comply with the current appropriate Code.

4.2 TRACEABILITY

- There shall be traceability from originating farm until the farmer sells the product and from the packer as per the Egg Codes and the Poultry Processing regulations.
- FREPA farmers shall ensure that only produce from accredited FREPA farms is marketed with the FREPA logo.

4.3 FOOD SAFETY

All farms shall be required to put in place a HACCP-based system, which ensures that produce is handled in a way which minimises food safety problems eg the Shell Egg Code of Practice.

5 GENERAL PROVISIONS

5.1 RECORDS.

All farms shall have in place records which show their compliance with the Code and how they solve any non-compliances which arise.

Records to help with the above information should include:

- Copies of reference Codes of Practice and Handbooks;
- HACCP flow diagrams, work sheets and plans; and
- Appropriate records for the size of the farm.

5.2 AUDITS

Demonstration of capability of compliance with the Code requires that the applicant has successfully completed an audit process (at its own expense) by an auditor accredited by a recognised auditing organisation. The audit will have no critical non-compliance.

The audit will be done in accordance with normal auditing practices and in compliance with the FREPA system.

6 MANAGEMENT OF CODE

6.1 MANAGEMENT COMMITTEE

Management will be vested in a FREPA Code management committee comprising of:

- One chairman who is President of FREPA
- One secretary who is the executive officer of FREPA (non-voting)
- 4 farmer nominees - at least one farmer to be an egg farmer and at least one to be a chicken meat farmer

The Chairman may exercise a casting vote.

6.2 TERM OF APPOINTMENT

Apart from the Chairman and Secretary, appointments are to be made by a selection committee chaired by the Immediate Past President of FREPA for a twelve month term.

6.3 CONFLICT OF INTEREST

Should a complaint concern a member person or organisation represented by a member of the Management Committee, that member will, for that investigation, disqualify himself or herself and the Chairman will appoint a representative of another member to act as a temporary member of the Management Committee.

6.4 QUORUM

Three members of the Management Committee will constitute a quorum provided that there is a representative of egg or chicken meat as appropriate to the complaint.

6.5 MANAGEMENT COMMITTEE TERMS OF REFERENCE

These include:

- Mediation and determination of disputed cases of alleged non-conformity to the Code
- An annual review of complaints and their status

A review of the Code, as necessary, to assess the need for changes.

7 COMPLAINT HANDLING PROCEDURE

Allegations of a breach of the Code must, initially, be pursued by the person or company making the complaint directly with the person or company alleged to have breached the Code.

7.1 ALLEGED BREACH OF CODE

The procedure which shall be followed is:

The complainant shall notify the respondent (of whom the breach is alleged) in writing within 21 days of the date of the complainant becoming aware of the incident:

- Specifying the breach
- Requiring that the breach be remedied
- Requiring that a reply in writing which includes the following be given to the complainant in 21 days from receipt of the notification by the respondent
 - Acknowledging receipt of the complainants notice
 - Admitting or denying the breach
 - And if admitting the breach setting out steps taken or proposed to remedy the breach

If :

- There is no reply by the respondent within the time limit
- The respondent denies the breach
- The complaint is not resolved

the dispute may be referred by either party to the Management Committee.

7.2 REFERRAL OF DISPUTE TO MANAGEMENT COMMITTEE

If the complainant refers the dispute to the Management Committee, the complainant must send to the Secretary of the Management Committee:

- A copy of the notice given under 7.1
- A copy of the reply if any given by the respondent
- Notice setting out the clauses of the Code alleged to have been breached
- A request that the dispute be referred to the Management Committee
- A fee of \$500.00.

7.3 DOCUMENTS REFERRED TO RESPONDENT BY SECRETARY

The secretary shall send copies of the documents referred to in 7.2 to the respondent and require the respondent to within 14 days of receipt of the documents to in writing send to the secretary:

- Acknowledgment of receipt of the copies of the documents
- Any response the respondent desires to make

When the Secretary receives the documents in 7.3 or after 21 days of sending the documents in 7.2, whichever occurs first, the Secretary shall refer the dispute to the Management Committee.

7.4 MANAGEMENT COMMITTEE OPTIONS

Its options are to:

- Attempt to resolve the dispute through mediation. The Chairman of the Management Committee shall obtain the consent of all parties to the mediation before commencing
- Request the complainant or the respondent to provide such further information as the Committee may require
- Co-opt the services of appropriate experts as required. Such co-opted experts will have no voting rights. The costs incurred will be covered by the parties to the dispute on a basis pre-determined by the Management Committee and agreed in writing by the parties prior to the co-opting of the experts.

If the dispute cannot be resolved within 28 days through mediation, it will be reviewed by the Management Committee which will decide whether to refer the matter to arbitration.

7.5 ARBITRATION

If referred to arbitration, the independent arbitrator agreeable to both parties shall be appointed by the Management Committee. Both parties will agree to abide by the decision of the arbitrator and to meet the full costs of the arbitrator.

The arbitrator's decision will be final and binding on both parties.

8 REMEDIAL ACTION

8.1 ACTIONS FOR BREACHES OF THE CODE

Where breaches of the Code have been clearly established the following actions may be taken by the Management Committee:

- Notify the respondent in writing to give a written undertaking to discontinue, within a specified time frame, any practice which has been determined to constitute a breach of the Code;
- Upon written notification, the respondent maybe required to issue corrective statements as appropriate. Prior to release or publication the Management Committee will approve the format, size, wording, mode of publication and method of distribution.

A breach of the Code may be referred to an appropriate regulatory authority

- Continued refusal by the offending party to undertake the required remedial action may lead to the Management Committee recommending the suspension or expulsion of a member of FREPA where permitted under its Constitution.

APPENDIX: RULES AND CONDITIONS GOVERNING THE USE AND ACCREDITATION OF THE LOGO OF FREPA LTD

1. The Free Range Egg & Poultry Australia Ltd (FREPA) is the owner of a registered Certification Trademark (CTM) illustrated on Appendix 1 ('the Code logo').
2. Accreditation to use the Code logo may be granted (or renewed) only to those applicants who satisfy the FREPA Committee of Management that:
 - They have paid the necessary membership and accreditation fees;
 - They are commercial free range egg or poultry farmers;
 - They have demonstrated their capability of complying with the Code as it applies to their business; and
 - In all cases will abide by the rules and conditions set out in the Code and FREPA's Constitution
3. An applicant for accreditation or renewal of accreditation who is affected by and dissatisfied with a decision to refuse a licence to use the FREPA logo may appeal such a decision by notice in writing to advise FREPA of the grounds of such dissatisfaction and request FREPA to review its decision. Within two months of receipt of such notice FREPA shall review its decision and advise the Applicant of the results of that decision in writing.

In the event that FREPA maintains the decision to refuse the licence, the Applicant concerned may have the decision reviewed by a third party which is mutually acceptable to and independent of both parties and qualified to conduct such a review.

4. Demonstration of capability of compliance with the Code requires that the applicant has successfully completed an audit process (at its own expense) by an auditor accredited by a recognised auditing organisation. The audit will have no major non-compliances.
5. The accredited person or organisation must be able to meet any requirements under law or regulation for the management of the birds or the supply and/or sale of produce in Victoria and/or any other Australian State, as appropriate.
6. The granting of accreditation by the Board recognises that the accredited organisation has policies and systems in place that aim to provide reliable quality management of the birds and reliable quality products to customers. It does not imply a guarantee by FREPA for the quality of each and every product delivered by that person or organisation.
7. Upon granting the accreditation, FREPA will issue the organisation with an Accreditation Certificate:
 - Valid for one year from the date of issue (unless otherwise revoked in accordance with these rules); and
 - Setting out the areas of accreditation.The time for which the Accreditation Certificate is valid may be varied from time to time by the Committee.
8. The Accreditation Certificate remains the property of FREPA and must be returned promptly upon request or termination of accreditation.

9. The logo remains the property of FREPA and the use of it by an accredited person or organisation will not give that person any claim or right to it. The logo is not to be used except as authorised by these rules.
10. The accredited person or organisation must indemnify FREPA against any claim or action arising out of the use of the logo (except when in full compliance with the terms and conditions of the Code) or arising out of any breach of any State's laws or regulations or arising out of any matter to which the licence does not apply (including the quality of the produce).
11. The accredited person or organisation must not in any way use the fact that accreditation has been granted to provide customers or others with misleading information regarding the applicability outside the scope for which it is granted. Nor must the accredited organisation engage in any other conduct which is likely to affect FREPA's ownership and protection of the logo.
12. Following accreditation, the accredited person/organisation shall:
 - Maintain policies and systems in accordance with the Code and areas of activity set out on the Accreditation Certificate
 - Maintain a controlled copy of the systems procedures for use/inspection by FREPA in respect of dispute resolution and periodic assessment
 - Maintain records of all complaints received from customers and authorities concerning compliance with the Code and consequent corrective action undertaken
 - Be subject to random audits at the discretion of FREPA
 - Permit FREPA or its nominee on production of his or her credentials to enter immediately into any premises used or occupied by the accredited person or organisation for the purpose of carrying out an assessment of activities or other management functions as maybe desirable under these rules and Code. FREPA or its nominee to be given all information and assistance reasonably required by any such person.
 - Promptly comply with any reasonable direction of FREPA whether or not such direction is specifically authorised by these rules.
13. To continue accreditation, the accredited person or organisation shall satisfy the Board that the following conditions are met:
 - Continued compliance with these conditions of accreditation
 - Continued compliance of the person or organisation's policies and systems required under the Code against which accreditation is held
 - Conduct by the person or organisation which is consistent with the maintenance of the integrity and reputation of the Code and
 - All fees and charges which may be applied by the Committee of Management have been paid.
14. After accreditation FREPA will:
 - Conduct assessments prior to the expiration of each accreditation period
 - Consider requests from the accredited person or organisation for changes to the scope of accreditation and evaluate such requests during audits subject to the payment of any additional costs associated with the evaluation process
 - Notify the person or organisation in writing of any changes in the terms of accreditation
 - Investigate legitimate documented complaints relevant to compliance with the Code received from customers of the accredited person or organisation and initiate action in accordance with Section 7 of the Code

15. An accredited person or organisation may at any time withdraw from FREPA on at least 30 days notice in writing of the intention to do so and will then immediately commence to phase out its usage of the logo and shall ensure that no material or products feature the logo at the end of the notice period.

16. In the event that an accredited person or organisation or one which has applied for accreditation

- Fails to comply with these rules and conditions or
- Is unable to establish and maintain compliance with the Code or
- Makes an assignment for the benefit of creditors or files a petition in bankruptcy or becomes insolvent or unable to trade or pay its debts or is placed under the control of a receiver or is otherwise liquidated or wound up

FREPA may:

- Refuse or defer the granting of accreditation
- Temporarily suspend accreditation
- Amend the extent of accreditation
- Withdraw accreditation

The decisions and the grounds for them shall be conveyed to the person or organisation in writing.

The person or organisation may appeal such decisions to a third party which is acceptable to both parties and qualified to judge.

18. FREPA may require the accredited the person or organisation or one which has applied for accreditation to pay its costs which are incurred by the amendment, suspension or withdrawal of accreditation.

19. The Board has approved the use of the accreditation logo for use as follows:

- The logo may be used on correspondence, advertising and promotion material in conjunction with the accredited person's or organisation's name or emblem/logo, but not in connection with activities/services to which the accreditation does not apply
- The logo shall not be used in any manner which implies approval of a product or service
- When notified in writing, the accredited person or organisation will discontinue any use of the logo that is unacceptable to the Board and any form of statement used in conjunction with the logo which maybe misleading. The accredited person or organisation will also undertake any other action requested by the Board with respect to the unacceptable use of the logo
- When accreditation is suspended, the accredited person or organisation undertakes to immediately discontinue the use of the logo until the accreditation is re-commenced
- When accreditation is terminated or withdrawn, the accredited person or organisation undertakes to immediately discontinue the use of the logo and to deliver to FREPA or destroy under supervision all stock of labels, packaging and other materials featuring the FREPA logo.
- If the use of the logo is not discontinued forthwith, FREPA will be entitled to seek an injunction to restrain its use by the previously accredited person or organisation and/or will be entitled to advise the public or others of such suspension, termination or withdrawal.

20. The Board will from time to time undertake such activities which it deems appropriate to promote the adoption, recognition and relevance of the logo and the Code.