



National Animal Welfare Advisory Committee

3 April 2025

Hon Andrew Hoggard
Associate Minister of Agriculture (Animal Welfare, Skills)
Parliament Buildings
Wellington 6160

Cc: Ministry for Primary Industries

Tēnā koe Minister Hoggard

NAWAC advice in response to the regulatory proposal for pigs: farrowing crates, manipulable materials, space for growers

Thank you for your request on 6 March 2025 to NAWAC to provide advice relating to the regulations that you are considering as you progress the Code of Welfare for Pigs. The Pigs Sub-Committee met on 27 and 29 March to develop our advice following which NAWAC received a draft for written feedback and on 3 April 2025 met virtually to approve this advice.

We note that you have requested advice considering the three proposed regulations only and, given the urgency of your request, we will limit our comments to those regulations. Our comments on these proposed regulations should be considered in the light of our previous advice contained in the draft Code of Welfare and accompanying Report that was submitted to your predecessor on 10 May 2023 and to you on 1 February 2024.

Farrowing Crates

NAWAC supports the proposed limitation of the use of farrowing crates to a period of four days post-farrowing, noting that this is a similar duration to one of the options presented during public consultation. However, the temporary crating option B presented during consultation contained important qualifiers. We consider that there is ample scientific justification that nest building behaviour is necessary for the welfare of the sow and piglets and must be allowed to be completed via the provision of appropriate space and nesting materials prior to confinement in a farrowing crate. NAWAC is not satisfied that confinement of sows for up to three days prior to farrowing and with no change to design and allocation of space within farrowing pens would allow sows to fulfill this behaviour.

When developing the draft Code of Welfare for Pigs, NAWAC considered comments that had previously been made about farrowing crates in previous NAWAC advice, by parliament both in debate and select committee, and by the judicial review¹. This issue has a long history of consideration in New Zealand. The duration of this process extends across a significant amendment to the Animal Welfare Act 1999. NAWAC's position has evolved in response to new science, newly available technologies and their affordability (e.g. design work and international experience with pen farrowing systems, including the trials into alternative farrowing systems partly funded by the New Zealand government and referred to in your letter), changing considerations of practicality and economics (e.g. the cost of infrastructure, and the challenges of transitioning to pen farrowing without confinement, in terms of staff training, adaptation to closer monitoring of farrowing, and gradual introduction across pig herds based on

¹ Judgement of Cull J, CIV-2019-485-43, 2020, NZHC 3009

sow parity), and the committee's current views on the public acceptability and social license associated with welfare challenges of raising animals on commercial farms.

Taking all these considerations together, NAWAC's position is that the current practices relating to farrowing crate use in New Zealand fall below the minimum standard required by the Act both because of the duration of confinement and also the prevention of nest building behaviour. We are concerned that any regulation regarding farrowing crates that does not address both of these issues would be considered to not meet the purpose of the Act and therefore be likely to result in continued legal challenge.

While supporting the proposed limitation of the use of farrowing crates to a period of four days post-farrowing, if nest-building can be appropriately provided for, NAWAC also advises that livestock confinement systems are likely to continue to come under pressure with respect to consumer and social acceptability. International developments, including the demonstration of good practices and new technologies for managing free farrowing in other countries and here in New Zealand, will accentuate this pressure. Our previous recommendation reflected our view that if adoption of free farrowing in the future is a likely eventual long-term outcome, managing this transition in a single step, providing appropriate time and support, is more practical and economic than doing so in a two step process.

MPI has provided NAWAC the *Economic Analysis of proposed changes to Code of Welfare Pigs*, 19 May 2023, Sapere. MPI had advised its commissioning at the time, but NAWAC had not previously reviewed this work. Reading it now, NAWAC suggests that assumptions on pre-weaning mortality in relation to the three proposals considered may not reflect consistent treatment of the data compiled in the NAWAC Evaluation Report, 2021. Table 1 of that report compiled and summarised scientific publications on mortality rates in different systems. Systems typed as "loose pen" recorded live-born mortality rates of 10.9 – 19.6% (averages reported in the referenced studies which vary on other relevant parameters and population size). Systems typed as "temp crate" (where they most closely reflect the "NZPork proposal" analysed) recorded live-born mortality rates of 10.2-23.9%. The analysis deterministically selects values of 15% for the NZ Pork and MPI proposals and 19% for the NAWAC proposal without further explanation or specific reference to data. These different values are important drivers with respect to lowered income in the NAWAC proposal relative to the NZPork and MPI proposals: the analysis states they make up 95% of the impact on annual cash flows.

In re-examining the scientific evidence in this table we would highlight the importance of the space provision in both temporary crating and loose pen farrowing systems with respect to mortality rates regardless of system. Appropriate pen design, husbandry and management practices affect the piglet mortality risk in any system. Without attention to space and design, we are concerned that mortality rates in a temporary crating system could be higher than estimated.

Manipulable Materials

NAWAC supports the requirement for 'manipulable and deformable' materials to be provided noting that the suitability of material to enable specific nest building behaviours varies depending on both the nature and amount of material provided. A regulation requiring provision of such materials should contain specific advice as to what amount and kind of material would be considered sufficient to meet the requirements of the regulation.

Space Requirements for Growing Pigs

NAWAC supports an increase in the k value for growing pigs, noting that weaner and grower pigs must be provided with sufficient space to perform lying and active behaviours, maintain separate dunging areas and lie separated in a lateral position. We also note that scientific evidence indicates that increases in space allowance reduce the drive towards harmful abnormal behaviours such as tail biting.

Whilst we acknowledge that increases in infrastructure can be expensive, we are of the opinion that increased space provision can be achieved in many circumstances by relatively cost-effective means such as provision of mezzanine flooring to which the pigs can be given access in the latter part of their growth period.

NAWAC acknowledges the uncertainty associated with the scientific evidence considered with respect to welfare outcomes at different levels of space provision. Such uncertainty is a regular feature of the science NAWAC considers during Code of Welfare reviews.

Given the scientific evidence outlined in detail in our evaluation report, we do not consider that an increase in k value to 0.034 would provide sufficient space to meet these minimum requirements in all probable circumstances. Our recommendation reflected a space requirement that allows all pigs to lie separated in a lateral position. This outcome is less subject to uncertainty and variability than other welfare outcomes since it can be directly measured. We note that this outcome is most important to manage thermal stress when ambient temperature exceeds 25°C. While such conditions will likely only occur in certain locations and at certain times of the year, our recommendation reflected practical considerations of regulatory complexity resulting from a sliding-scale specification with co-variables. NAWAC had considered co-variables that affect thermal homeostasis and behaviour including various contributors to ambient temperature, floor types, and provision of bedding of different types.

General comment

NAWAC advises that the rationale supporting your decision should make explicit how economic considerations have been factored, if at all, given the commissioning of an economic impact analysis. We note the judicial review (in referencing comments made by the Minister during the introduction of what would become the 2015 amendment) advised that economic and practicality factors cannot override welfare considerations of the Act. However, the Act provides that such factors, and others, may be relevant in a decision to make a transitional arrangement under s183A(2) for requirements that do not fully meet the obligations of the Act. From your letter, we understand that you do not intend to create such a transitional regulation.

If you require any additional information, please feel free to contact me directly. I am also at your service if you would like to meet to discuss any matter raised above or concerning animal welfare in New Zealand.

Ngā mihi,



Dr Matthew Stone
Chairperson, National Animal Welfare Advisory Committee

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