



Proposition 12

Farm Animal Confinement

Placed on the Ballot by Petition Signatures

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Purpose

Proposition 12 would impose new minimum requirements on farmers to provide more space for egg-laying hens, breeding pigs, and calves raised for veal. It would ban the sale of meat and eggs from animals confined in ways that do not meet those requirements.

Background

In 2008, California voters passed Proposition 2, which prohibits farmers from housing pregnant pigs, calves raised for veal, and egg-laying hens in cages or crates that do not allow them to turn around freely, lie down, stand up, and fully extend their limbs. It required that these animals be confined in cages that allowed them greater mobility. While other states elected to eliminate calf and pig crates, Proposition 2 marked the first time voters decided on the confining of chickens in battery cages.¹ The legislation went into effect fully in 2015.

A state law passed after Prop 2 made it illegal for businesses in California to sell eggs that they knew came from hens housed in ways that do not meet Prop 2 standards.

In 2017, the state of Missouri, joined by 12 other states, challenged the new legislation in *Missouri v. California*, which has worked its way to the U.S. Supreme Court. The plaintiffs argue that the standards on chicken confinements to sell eggs in California violate the Constitution's interstate commerce clause.² The lawsuit claims that the California law cost U.S. consumers \$350 million annually due to increased egg prices.³ The case is pending.

¹ [https://ballotpedia.org/California_Proposition_2,_Standards_for_Confining_Farm_Animals_\(2008\)](https://ballotpedia.org/California_Proposition_2,_Standards_for_Confining_Farm_Animals_(2008))

² Ibid

³ <https://www.usnews.com/news/best-states/california/articles/2017-12-04/12-states-launch-new-legal-challenge-to-california-egg-law>

Proposition 2 did not specify exacting crate or cage measurements in the legislation.⁴ Proposition 12 would clarify what farmers chided as vague restrictions by specifying square footage requirements.⁵

Proposal⁶

Prop 12 defines new minimum requirements on farmers to provide more space for egg-laying hens, breeding pigs, and calves raised for veal. These requirements apply to farm animals raised in California and would be phased in over the next few years.

Starting in 2020, Proposition 12 would ban:⁷

A business owner or operator knowingly engaging in the sale within the State of California of any whole veal meat, pork meat, shell or liquid eggs that the business owner or operator knows or should know is the product of a covered animal confined in a cruel manner.

Cruel manner defined as:

- Confining a calf raised for veal with less than 43 square feet of usable floor space per calf;
- Confining a breeding pig with less than 24 square feet of usable floor space per pig;
- Confining an egg-laying hen with less than 144 square inches of usable floor space per hen;
- Confining an egg-laying hen with less than the amount of usable floor space required by the 2017 edition of the United Egg Producers' Animal Husbandry Guidelines for U.S. Egg-Laying Flocks

Those who fail to implement the cage specifications would be charged with misdemeanors, with fines up to \$1,000 by the California Department of Food and Agriculture.⁸

Proposition 12 would extend the sales ban to products from animals raised out of California and require that all products sold in California meet its cage laws.⁹

⁴ [https://ballotpedia.org/California_Proposition_12,_Farm_Animal_Confinement_Initiative_\(2018\)](https://ballotpedia.org/California_Proposition_12,_Farm_Animal_Confinement_Initiative_(2018))

⁵ <http://www.cpradio.org/articles/2018/06/29/here-are-the-12-ballot-propositions-on-californias-november-2018-election/>

⁶ <https://lao.ca.gov/BallotAnalysis/Proposition?number=12&year=2018>

⁷ https://www.oag.ca.gov/system/files/initiatives/pdfs/17-0026%20%28Animal%20Cruelty%29_0.pdf

⁸ Ibid

⁹ <https://abc7.com/pets-animals/cas-prop-12-looking-to-change-meat-industry-in-other-states/3774940/>

Supporters

A Humane Society committee, Yes Prop 12: Prevent Cruelty California, is supporting Prop 12. The bulk of support for the bill comes from animal rights organizations, including:¹⁰

- The American Society for the Prevention of Cruelty to Animals
- San Francisco Society for the Prevention of Cruelty to Animals
- San Diego Humane Society
- Marin Humane Society
- Yolo County Society for the Prevention of Cruelty to Animals
- The Humane League
- Mercy For Animals
- Compassion in World Farming
- Animal Equality
- Animal Legal Defense Fund
- Animal Protection and Rescue League
- Compassion Over Killing
- FixNation
- Heaven on Earth Society for Animals
- In Defense of Animals

Yes on Prop 12 has raised \$1,019,668, as of July 31, 2018.

Opponents

Californians Against Cruelty, Cages, and Fraud leads the opposition to Proposition 12.

- Association of California Egg Farmers
- Friends of Animals
- Humane Farming Association (HFA)
- National Pork Producers Council
- People for the Ethical Treatment of Animals (PETA)

Notably, PETA, HFA, and Friends of Animals - all animal rights groups - oppose Proposition 12 because they believe the Humane Society colluded with the United Egg Producers and that the measure would still not provide enough space for hens.¹¹

Californians Against Cruelty, Cages, and Fraud has raised \$550,500, as of July 31, 2018.

¹⁰[https://ballotpedia.org/California_Proposition_12,_Farm_Animal_Confinement_Initiative_\(2018\)#cite_note-initiative-1](https://ballotpedia.org/California_Proposition_12,_Farm_Animal_Confinement_Initiative_(2018)#cite_note-initiative-1)

¹¹ <https://stoptherottenegginitiative.org/>

Conclusion

Voting **Yes** on Proposition 12 impose new minimum standards on farmers to provide more space for egg-laying hens, breeding pigs, and calves raised for veal. California businesses would be banned from selling eggs or uncooked pork or veal that came from animals housed in ways that did not meet these requirements.

Voting **No** on Proposition 12 would maintain the current space requirements for confining egg-laying hens, pregnant pigs, and calves raised for veal. The current ban on the sale of eggs not meeting the space requirements would remain in effect.

For more information on Proposition 12, visit:

www.roseinstitute.org

www.preventcrueltyca.com

www.stoptherottenegginitiative.org