

# ANIMAL CARE PROGRAM

## GUIDANCE: EGG PRODUCER ON-SITE INSPECTION FOR PURPOSE OF CERTIFICATION



### Purpose

This document outlines the on-site inspection requirements for an *egg producer* obtaining a third-party *certification* according to Proposition 12 (2018) [Animal Confinement Regulations](#), Chapter 10 (commencing with section 1320) of Division 2 of Title 3 of the California Code of Regulations (3 CCR). Information in this document details the minimum requirements of what the California Department of Food and Agriculture (CDFA) or another *certifying agent* will review during the on-site inspection portion of the *certification* process including inspection of the facility, *covered animals*, *covered product* and *records* for the purpose of issuing a new or renewal *certification*. Review and understanding of this document will help the *egg producer* applicant prepare for their on-site inspection to receive certification in a timely manner.

Commencing January 1, 2024, any person engaged in business in California as an *egg producer*, or any out-of-state *egg producer* that is keeping, maintaining, confining, and housing an *egg-laying hen* for the purposes of egg production for human food as *shell eggs* or *liquid eggs* for *commercial sale* in California, shall hold a valid *certification*. 3 CCR section 1320.1(b)

Egg producer means a person engaged in the business of producing eggs from domesticated chickens, turkeys, ducks, geese, or guineafowl that will be used as shell eggs or liquid eggs for human food. 3 CCR section 1320(m)

Key terms *italicized* in this guidance are described on [Key Terms for Stakeholders](#) guidance document.

### Mission of Animal Care Program

To serve animal agriculture producers and California consumers by promoting and protecting the welfare and care of animals in agriculture in order for Californians to have access to food that is sourced from humanely and sustainably raised animals.

For a description of all *Egg Producer* requirements to comply with Animal Confinement regulations, click on link to [Egg Producer Guidance](#).

### On-Site Inspection Requirement

In order to grant *certification*, CDFA or another *certifying agent* must conduct an initial on-site inspection of each production unit, facility, and site that produces or distributes *covered animals* or *covered products* for which *certification* is requested. For an *egg producer*, CDFA or another *certifying agent* will conduct an initial on-site inspection of an *egg producer's* facility where *egg-laying hens* covered under the certification request are kept. An on-site inspection must be conducted at least once every 12 months thereafter for the purpose of determining whether *certification* of the *egg producer* should continue. This 12 month interval begins on the "effective date" for current certification. For a certifying agent to renew certification each year, an on-site inspection must have been conducted during the previous 12 month certification period which began on the "effective date" listed on the current certification. 3 CCR sections 1326.5(a)(1) and 1326.8(b)

The initial on-site inspection will be conducted within three (3) months following a determination that the *egg producer* applicant appears to comply or may be able to comply with Animal Confinement regulations. A list of *certifying agents* is on the [Animal Care Program Certifying Agents](#) website for the *egg producer* to choose from. 3 CCR section 1326.5(b)(1).



### What to Expect During an On-Site Inspection

All on-site inspections must be conducted when an authorized representative of the *egg producer* operation who is knowledgeable about the operation is present, can access operation records, and at a time when facilities and activities that demonstrate the *egg producer's* compliance with or capability to comply can be observed. 3 CCR section 1326.5(b)(2)

The on-site inspection of an *egg producer* operation will verify:

- The *egg producer's* compliance or capability to comply with the requirements. 3 CCR section 1326.5(c)(1)
- The information provided on the application for *certification* accurately reflects the practices used by the *egg producer*. 3 CCR section 1326.5(c)(2)

The on-site inspection will cover:

#### 1. General Information

- The *egg producer* must allow access by CDFA or another *certifying agent* to areas of the production operation for which *certification* is requested including pastures, fields, structures, and houses where *egg-laying hens* and *covered products* may be kept, produced, processed, handled, stored or transported, including the inspection of all *enclosures* for *egg-laying hens*. 3 CCR sections 1326.1(a)(2) and 1326.1(a)(3)
- The *egg producer* must allow access by CDFA or another *certifying agent* to containers, labels, labeling, invoices, *documents of title*, and bills of lading used in the handling, storage, packaging, sale, transportation, or distribution of *covered products* in California. 3 CCR section 1326.1(a)(5)
- The *egg producer* must allow access by CDFA or another *certifying agent* to operation offices during normal business hours for review and copying of required *records*. 3 CCR sections 1326.1(a)(2) and 1326.1(a)(6)
- **If a split operation**, CDFA or another *certifying agent* will verify the management practices, physical barriers, and standard operating procedures established to prevent commingling of compliant *egg-laying hens* and *covered products* with noncompliant *egg-laying hens* and *covered products*. 3 CCR sections 1326.3(a)(5) and 1326.5(c)

#### 2. Recordkeeping

- *Records* are required to be available for not less than two (2) years beyond their creation. 3 CCR section 1326.2(b)(3)
- *Records* show the size of the *farm*. 3 CCR section 1326.2(b)(6)
- *Records* show the quantity of *egg-laying hens* and *shell eggs* produced or processed from each facility or farm unit in the certified operation. 3 CCR section 1326.2(b)(6)
- *Records* show the number of *egg-laying hen enclosures* for each facility or farm unit, the size and *usable floorspace* of each *enclosure*. 3 CCR section 1326.2(b)(6)
- *Records* show the quantity of *egg-laying hens* in inventory, number of hens kept in each enclosure and the dates of stocking, harvest, and production. 3 CCR section 1326.2(b)(6)
- *Records* show the *egg-laying hen* and *shell egg* transactions. The *records* for the *shell eggs* must indicate date, quantity, identity of the buyer and seller and the address where physical possession of covered product took place for each transaction. 3 CCR section 1326.2(b)(4)
- *Records* pertaining to the production, processing, handling, packaging, storage, transportation, or sale of *egg-laying hens* and *shell eggs* sold, intended for sale in California or identified or represented as compliant with requirements. 3 CCR section 1326.2(b)(5)
- *Records* must be maintained in sufficient detail to document that *egg-laying hens* were confined in compliance with requirements as detailed below in **section 4. Confinement**. 3 CCR sections 1326.2(a) and 1326.2(b)(1)

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- **If the operation is a split operation**, *records* must sufficiently demonstrate the identification, segregation, distribution, and handling of compliant *egg-laying hens* and *covered product* to prevent commingling with any noncompliant egg-laying hens and covered product. 3 CCR section 1326.2(b)(7)
- If *egg-laying hens* are kept in noncompliant *enclosures* for animal husbandry purposes, 3 CCR section 1324.1(a)(7), then *records* must be maintained by an *egg producer* in sufficient detail to document that *egg-laying hens* are not kept in noncompliant *enclosures* for longer than six hours in any 24-hour period, and no more than 24 hours total in any 30-day period. 3 CCR sections 1324.1(a)(7), 1326.2(a) and 1326.2(b)(1)

### 3. Shipping Documents

- Shipping document marking applies to *covered product* leaving the producer operation to be transported within California or transported directly into California from the *egg producer* location (ex. shell eggs in consumer packaging or nest run eggs).
  - All *documents of title* and shipping manifests for shipments of *covered product* for *commercial sale* in California shall include the statement “Egg CA Prop 12 Compliant”. The statement shall be legible and plainly printed or stamped. 3 CCR section 1320.4(a)(1)
  - For *split operations*, all *documents of title* and shipping manifests of noncompliant *covered product* transported into California and during transportation and storage within California shall be marked with the statement “For export”, “For Transshipment”, or “Not Prop 12 Compliant”. The statement shall be legible and plainly printed or stamped. 3 CCR section 1320.4(a)(2)

### 4. Confinement

- All *enclosures* allow *egg-laying hens* to lie down, stand up, fully extend limbs, and turn around freely. 3 CCR section 1320.1(a)(1)
- All enclosures are a cage-free housing system, indoor or outdoor controlled environment allowing hens to freely roam unrestricted. 3 CCR section 1320.1(a)(2)(A)
- All *enclosures* must have enrichments that allow hens to exhibit natural behaviors, including scratch areas, perches, nest boxes, and dust bathing areas. 3 CCR section 1320.1(a)(2)(B)
- All *enclosures* allow employees to provide care while standing within the egg-laying hens' usable floorspace. 3 CCR section 1320.1(a)(2)(C)
- All *enclosures* provide the minimum amount of *usable floorspace* per *egg-laying hen* required by the 2017 edition of the United Egg Producers' Animal Husbandry Guidelines for U.S. Egg-laying Flocks: Guidelines for Cage-Free Housing, as follows:
  - Multitiered aviaries in which hens have access to multiple elevated flat platforms that provide hens with usable floorspace both on top of and underneath the platforms, the enclosure shall provide a minimum of one (1) square foot of usable floorspace per hen. 3 CCR section 1320.1(a)(2)(D)(i); HSC section 25991(c)(1)
  - Partially slatted systems in which hens have access to elevated flat platforms under which manure drops through the flooring to a pit or litter removal belt below, the enclosure shall provide a minimum of one (1) square foot of usable floorspace per hen. 3 CCR section 1320.1(a)(2)(D)(ii); HSC section 25991(c)(2)
  - Single-level all-litter floor systems bedded with litter in which hens have limited or no access to elevated flat platforms, the enclosure shall provide a minimum of one and one-half (1.5) square feet of usable floorspace per hen. 3 CCR section 1320.1(a)(2)(D)(iii); HSC section 25991(c)(3)

Refer to [Chicken Egg Producer Enclosure](#) and [Duck Egg Producer Enclosure](#) guidance documents

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### 5. Exit Interview

- The certifying agent will conduct an exit interview with an authorized representative of the *egg producer* operation who is knowledgeable about the inspected operation to confirm the accuracy and completeness of inspection observations and information gathered during the on-site inspection. The certifying agent will also address the need for any additional information as well as any issues of concern. 3 CCR section 1326.5(d)