



# ANIMAL CARE PROGRAM SPLIT OPERATION GUIDANCE

## 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.

## Purpose

This guidance is to help *egg producers, pork producers, veal producers, and distributors* understand whether their operation is allowed to operate as a *certified split operation* under [Animal Confinement Regulations](#), Chapter 10 (commencing with section 1320) of Division 2 of Title 3 of the California Code of Regulations (3 CCR) to demonstrate compliance with Proposition 12 (2018) ([Health and Safety Code \(HSC\) Sections 25990-25994](#)).

**Split operation** means an operation that produces or distributes *covered animals* and/or *covered products* from operations, or portions of an operation, that are both in conformance and out-of-conformance with the confinement standards of Proposition 12 (2018) and Animal Confinement regulations. (3 CCR section 1326(y))

This guidance is divided into a section for **producers** and a section for **distributors**. Within each of these sections there is guidance for operations **located within California** and operations **located outside of California**.

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

## Guidance for Producers

### **Egg Producers, Veal Producers, and Pork Producers in California**

*Egg producers, veal producers, and pork producers* located within California are not allowed to operate as *split operations*. HSC section 25990(a) requires all *covered animals* to be kept according to the minimum confinement standards for freedom of movement and *usable floorspace*.

### **Egg Producers, Veal Producers, and Pork Producers outside of California**

*Egg producers, veal producers, and pork producers* located outside of California can operate as *split operations* if they choose to keep *covered animals* both in compliance and out of compliance with Proposition 12 (2018) and Animal Confinement regulations requirements.

A *split operation* producer will need to establish management practices, physical barriers, and standard operating procedures to prevent commingling of compliant and noncompliant *covered animals* and *covered products* at the producer location. They will also need to maintain documentation sufficient to demonstrate the identification, segregation, distribution, and handling of compliant *covered animals* and *covered products* to prevent commingling with any noncompliant *covered animals* and *covered products*. Verification of these requirements is performed by a *certifying agent* during the required annual on-site inspection for the purpose of *certification* under Animal Confinement regulations. (3 CCR sections 1326.2(b)(7), 1326.3(a)(5), and 1326.2(c))

Example: An *egg producer* in Indiana has 12 barns. Six of the barns have *egg-laying hens* kept in *enclosures* compliant with Animal Confinement regulations requirements to produce *shell eggs* for sale in California. The other six barns have *egg-laying hens* kept in noncompliant *enclosures* to produce eggs that will not be sold in California. This Indiana *egg producer* would operate and be *certified* as a *split operation*, where they maintain and can demonstrate segregation of compliant and noncompliant *egg-laying hens* and eggs, in order to sell their compliant *shell eggs* in California.

# ANIMAL CARE PROGRAM

## SPLIT OPERATION GUIDANCE

Refer to species specific producer guidance below:

### Egg Producers

[Regulatory Framework Eggs](#)

[Animal Care Producer Eggs](#)

[Chicken Egg Producer Enclosure Guidance](#)

[Duck Egg Producer Enclosure Guidance](#)

[Egg Producer Guidance for On-Site Inspection](#)

- Further details what will be verified during on-site inspection of a *split operation*

### Pork Producers

[Regulatory Framework Pork](#)

[Animal Care Producer Pork](#)

[Sow Housing Guide](#)

[Pork Producer Guidance On-Site Inspection](#)

- Further details what will be verified during on-site inspection of a *split operation*

### Veal Producers

[Regulatory Framework Veal](#)

[Animal Care Producer Veal](#)

[Veal Producer Guidance On-Site Inspection](#)

- Further details what will be verified during on-site inspection of a *split operation*

### **Guidance for Distributors**

**Distributor** means a *person* or facility engaged in the business of *commercial sale* or distribution of *covered product* (as a producer or otherwise) to an *end-user* in California. This definition shall not apply to a *person* or facility that only receives *covered product* as an *end-user*. (3 CCR section 1326(k))

A *split operation distributor* will need to have management practices, physical barriers, and standard operating procedures established to prevent commingling of compliant and noncompliant *covered products* at the *distributor* location. They will also need to maintain documentation sufficient to demonstrate the identification, segregation, distribution, and handling of compliant *covered products* to prevent commingling with any noncompliant *covered products*. Verification of these requirements is performed by a *certifying agent* during the required annual on-site inspection for the purpose of *certification* under Animal Confinement regulations. (3 CCR sections 1326.2(b)(7), 1326.3(a)(5), and 1326.2(c))



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## Distributors outside of California

*Distributors* outside of California operate as a *split operation* when they store, handle, and distribute both compliant and noncompliant *covered products*.

## Distributors in California

*Distributors* in California are allowed to operate as *split operations* when they store, handle and distribute both compliant and noncompliant *covered products* and comply with HSC section 25990(b) which states:

A business owner or operator shall not knowingly engage in the sale within the state of any of the following:

- (1) *Whole veal meat* that the business owner or operator knows or should know is the meat of a *covered animal* who was confined in a cruel manner.
- (2) *Whole pork meat* that the business owner or operator knows or should know is the meat of a *covered animal* who was confined in a cruel manner, or is the meat of immediate offspring of a *covered animal* who was confined in a cruel manner.
- (3) *Shell egg* that the business owner or operator knows or should know is the product of a *covered animal* who was confined in a cruel manner.
- (4) *Liquid eggs* that the business owner or operator knows or should know are the product of a *covered animal* who was confined in a cruel manner.

To determine if a business owner or operator has engaged in a sale of *covered product* pursuant to HSC 25990(b), refer to [Sale Under Animal Confinement](#) guidance document.

To prepare for a *distributor certification* on-site inspection, refer to the additional guidance documents below:

[Regulatory Framework Eggs](#)

[Regulatory Framework Pork](#)

[Regulatory Framework Veal](#)

[Distributor On-Site Inspection for Certification](#)

- Further details what will be verified during on-site inspection of a *split operation*

[Audit Trail Requirements](#)

[Shipping Document Markings](#)