



CALIFORNIA DEPARTMENT OF
FOOD & AGRICULTURE

Karen Ross, Secretary

October 1, 2021

To: Processed Food Manufacturers

On November 6, 2018, California voters approved Proposition (Prop 12) Farm Animal Confinement Initiative. This law amended Health and Safety Code (HSC) to require that egg-laying hens, veal calves, and breeding pigs be housed in systems that meet specific standards for freedom of movement, enclosure design, and minimum floorspace. The law prohibits a business owner or operator from knowingly engaging in the sale within the state of shell eggs, liquid eggs, whole veal meat, or whole pork meat from animals housed in a manner that does not comply with HSC 25990-25994.

On January 1, 2022 the second deadline for Prop 12 will go into effect for egg-laying hens and breeding pigs. Beginning next year, shell eggs and liquid eggs sold in California must come from egg-laying hens that are raised according to the minimum standards outlined in the 2017 edition of the United Egg Producers' Animal Husbandry Guidelines for U.S. Egg-Laying Flocks: Guidelines for Cage-Free Housing. In addition, whole pork meat sold in California must come from breeding pigs, or the immediate offspring of breeding pigs, confined with a minimum of twenty-four square feet per pig. As a processed food manufacturer, it is your responsibility to only purchase Prop 12 compliant shell eggs, liquid eggs, whole veal meat, and whole pork meat.

To learn more and to sign up for Prop 12 updates, visit the following website:

<https://www.cdfa.ca.gov/ahfss/Prop12.html>

Sincerely,

Elizabeth Cox MS, DVM
Program Manager
Animal Care Program



ANIMAL CARE PROGRAM

HSC 25990-25994 (ALSO KNOWN AS PROPOSITION 12 INITIATIVE)



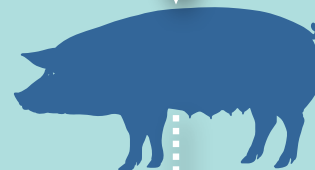
Commercial sale of all **Proposition 12** defined covered products must not be from covered animals **confined in a cruel manner*** even when covered products originate from covered animals raised outside of California

*Cruel manner is defined as confining animals in space smaller than described above or in a manner that prevents the animal from lying down, standing up, fully extending the animal's limbs, or turning around freely.



JANUARY 1, 2020

JANUARY 1, 2022



Egg-laying hens require a minimum of 144 square inches of floor space per hen.

Calves raised for veal require a minimum of 43 square feet of floor space per calf.

Egg-laying hens included require cage-free housing outlined in United Egg Producers 2017 Guidelines.

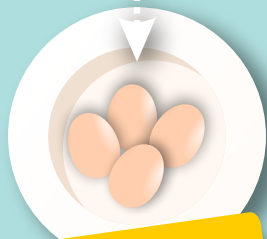
Breeding pigs require a minimum of 24 square feet of floor space per pig.

FOOD PRODUCTS INCLUDE

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**SHELL EGGS
LIQUID EGGS**

**WHOLE UNCOOKED VEAL
UNCOOKED VEAL CUTS**

**SHELL EGGS
LIQUID EGGS**

**WHOLE UNCOOKED PORK
UNCOOKED PORK CUTS**



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FREQUENTLY ASKED QUESTIONS



FAQ's: Grocery Stores, Retailers and Food Distributors

What egg products sold in California are included under Prop 12?

- Shell eggs.
- Liquid eggs, meaning eggs broken from the shell with yolks and whites in natural proportions, or separated, strained or mixed in different proportions, and containing no more than sugar, salt, water, seasoning, coloring, flavoring, preservatives, stabilizers and similar food additives.

What veal and pork products sold in California are included under Prop 12?

- Whole uncooked veal and pork meat.
- Any uncooked cuts of veal, including chop, ribs, riblet, loin, shank, leg, roast, brisket, steak, sirloin or cutlet that is composed entirely of veal meat except for seasoning, curing agents, coloring, flavoring, preservatives, and similar meat additives.
- Any uncooked cut of pork, including bacon, ham, chop, ribs, riblet, loin, shank, leg, roast, brisket, steak, sirloin, or cutlet, that is comprised entirely of pork meat, except for seasoning, curing agents, coloring, flavoring, preservatives, and similar meat additives.

Do eggs from quail hens fall under Prop 12?

- No. An “egg-laying hen” is any female domesticated chicken, turkey, duck, goose, or guineafowl kept for the purpose of egg production.

Are there any exceptions to a sale of covered products under Prop 12?

- Yes. HSC 25991 states that a sale does not include any sale undertaken at an establishment at which mandatory inspection is provided under the Federal Meat Inspection Act (21 U.S.C. Sec. 601 et seq.), or any sale undertaken at an official plant at which mandatory inspection is maintained under the federal Egg Products Inspection Act (21 U.S.C. Sec. 1031 et seq.).
- This exception of a sale under Prop 12 only applies to the specific transaction occurring at a location under mandatory inspection as outlined above. As a processed food manufacturer, if you are making a products that would still fall under the Prop 12 definition of shell eggs, liquid eggs, veal or pork meat then any subsequent sales in the state of those products you produce would fall under Prop12.

Will the price of eggs and pork increase after January 1, 2022?

- Prop 12 applies to farms both inside and outside of the state if the out of state farms will be selling their eggs, veal, or pork meat in California. Thus, there will not be a competitive advantage of sourcing eggs or pork meat from outside of the state and the price is expected to adjust with the market supply and demand.

As a processed food manufacturer, how do I know if I am sourcing eggs, veal, and pork meat that are Prop 12 compliant?

- Ask for written certification from your supplier.





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- Prop 12 describes that it shall be a defense to any action to enforce the above requirements that a business owner relied in good faith upon a written certification by the supplier that the eggs, veal, and pork meat at issue were not derived from a covered animal who was confined in a cruel manner (HSC 25993.1).

What happens if I purchase eggs, veal, and pork meat that are not Prop 12 compliant?

- The passing of Prop 12 means it is illegal to participate in a commercial sale of covered products as described in the law.
- It is the responsibility of processed food manufacturers to only purchase shell eggs, liquid eggs, whole veal meat, and whole pork meat from animals housed in compliance with Prop 12 confinement standards.
- Knowingly engaging in the sale within the state of shell eggs, liquid eggs, whole veal meat, or whole pork meat from animals confined in a cruel manner is a misdemeanor punishable by a fine not to exceed \$1,000 or by imprisonment in the county jail for a period not to exceed 180 days, or both, as specified in Section 25993 of the Health and Safety Code (HSC).
- In addition, a violation constitutes unfair competition as defined in Section 17200 of the Business and Professions Code.

Are there any exceptions for confining egg-laying hens, veal calves, and breeding pigs according to the minimum standards described in HSC 25991?

- There are exceptions to housing requirements for medical research, during examination, treatment, or testing for veterinary purposes, during transportation, during rodeo exhibitions, state or county fair exhibitions, 4-H programs, and slaughter.
- There is an exception for a breeding pig during the five-day period prior to the breeding pig's expected date of giving birth, and any day that the breeding pig is nursing piglets.

To learn more and to sign up for Prop 12 updates, scan or click the below QR code, or visit <https://www.cdfa.ca.gov/ahfss/Prop12.html>

You can follow us on social media by scanning the below QR codes or by clicking on each individual QR code with your cursor. Email questions to: AnimalCare@cdfa.ca.gov

