April 30, 2020

To: Restaurants and Vendors that Prepare Food

Subject: Proposition 12 Requirements for Eggs and Veal Meat

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

Prop-12 went into effect on January 1, 2020 for egg-laying hens and veal calves. Shell eggs and liquid eggs must come from hens that are raised with a minimum of one hundred and forty-four square inches of usable floorspace per hen. Veal must come from calves that are raised with a minimum of forty-three square feet per calf. In addition, starting January 1, 2022 shell and liquid eggs sold in the state must come from cage-free housed hens.

As a restaurant owner or vendor preparing food for patrons, it is your responsibility to only source Prop-12 compliant eggs and uncooked veal meat, and it is important to retain documentation of this guarantee from your suppliers. HSC section 25993.1 states that a business owner or operator relied in good faith upon a written certification by their supplier that the whole veal meat, shell eggs, or liquid eggs were not derived from an animal confined in a cruel manner as outlined in Prop-12.

A quick-reference guide and list of frequently asked questions is attached for reference. Please visit the following website for more information on Prop-12: [https://www.cdfa.ca.gov/ahfss/Prop12.html](https://www.cdfa.ca.gov/ahfss/Prop12.html)

Sincerely,

Elizabeth Cox MS, DVM
Animal Care Program Manager
Commercial sale of all Proposition 12 defined food products must be raised in compliant housing even when food products originate from animals outside of California.

Starting January 1, 2020

Eggs-laying Hens
- Require minimum of 144 square inches of floorspace/hen

Food Products Included
- Shell Eggs
- Liquid Eggs

Calves Raised for Veal
- Require minimum of 43 square feet of floorspace/calf

Food Products Included
- Whole Uncooked Veal
- Uncooked Veal Cuts

Starting January 1, 2022

Egg-laying Hens
- Require cage-free housing outlined in United Egg Producers 2017 Guidelines

Food Products Included
- Shell Eggs
- Liquid Eggs

As of January 1, 2020, it is illegal to engage in a commercial sale of Prop-12 covered animal products that are confined in a “cruel manner”.

“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.
FAQ’s: Restaurants and Vendors that Prepare Food

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 products sold in California are included under Prop-12?
✓ Whole uncooked veal 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 or preservatives.

What about combination food products assembled outside of California and sold within the state containing eggs as part of the ingredient list?
✓ Sale of combination food products including pancake mixes, cake mixes, cookies, pizzas, cookie dough, ice cream, or similar processed or prepared food products containing eggs are not included.

What about combination food products assembled outside of California and sold within the state containing veal as part of the ingredient list?
✓ Sale of combination food products including soups, sandwiches, pizzas, hotdogs or similar processed or prepared foods are not included.

Do eggs from quail hens fall under Prop-12?
✓ Yes. An “egg-laying hen” is any female domesticated chicken, turkey, duck, goose or guineafowl kept for the purpose of egg production.

The food I prepare is sold at a Farmer’s Market, does Prop-12 apply to me?
✓ Yes. All commercial sale of food outlined in Prop-12 must be sourced from farms that do not raise animals in a cruel manner.

Will the price of Prop-12 compliant eggs increase?
✓ Prop-12 applies to farms both inside and outside of the state. Thus, there will not be a competitive advantage of sourcing eggs from outside of California and the price of eggs is expected to adjust with the market supply and demand.

As a restaurant owner, how do I know if I am sourcing shell eggs, liquid eggs and uncooked veal that are Prop-12 compliant?
✓ Ask for written certification from your supplier.
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 whole veal meat, shell eggs or liquid eggs at issue were not derived from a covered animal who was confined in a cruel manner (HSC 25993.1).

What happens if I sell a food made in my restaurant that contains shell eggs, liquid eggs or uncooked veal that are not Prop-12 compliant?

✓ The passing of Prop-12 means it is illegal to participate in a commercial sale of products from covered animals as described in the law.
✓ It is the responsibility of restaurants and vendors that prepare food for patrons to only purchase shell eggs, liquid eggs and uncooked veal meat from animals housed in compliance with Prop-12 confinement standards.
✓ Knowingly engaging in the sale within the state of shell eggs, liquid eggs, or uncooked veal 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 Prop-12 compliant eggs and veal?

✓ The only exceptions to housing requirements are for medical research, during examination and treatment, during transportation and slaughter.

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