



CALIFORNIA DEPARTMENT OF
FOOD & AGRICULTURE

Karen Ross, Secretary

April 30, 2020

To: Grocery Stores, Retailers and Food Distributors

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 grocery store, retailer, or food distributor, it is your responsibility to only source Prop-12 compliant eggs and uncooked veal meat, and 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>

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

Starting January 1, 2022

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

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

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

Food Products Included
○ Shell Eggs
○ Liquid Eggs

Food Products Included
🥩 Whole Uncooked Veal
🥩 Uncooked Veal Cuts

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: 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 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 in Prop-12.

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 in Prop-12.

What type of documentation do I need to show that my business is 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).

Will egg-laying hens and veal raised outside of California be held to the same standard as farmers raising those animals in California?

- ✓ Yes. Sale of shell eggs, liquid eggs and veal in the state of California must be Prop-12 compliant regardless of source farm located inside or outside the state.

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.





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What happens if I sell shell eggs, liquid eggs, or veal that are not Prop-12 compliant?

- ✓ The passing of Prop-12 means it is illegal to participate in a commercial sale of products sources from animals as described in the law.
- ✓ It is the responsibility of grocery stores, retailers and food distributors 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>

