

**STANDARDS FOR CONFINING FARM ANIMALS. INITIATIVE STATUTE.**

- Requires that calves raised for veal, egg-laying hens and pregnant pigs be confined only in ways that allow these animals to lie down, stand up, fully extend their limbs and turn around freely.
- Exceptions made for transportation, rodeos, fairs, 4-H programs, lawful slaughter, research and veterinary purposes.
- Provides misdemeanor penalties, including a fine not to exceed \$1,000 and/or imprisonment in jail for up to 180 days.

**Summary of Legislative Analyst's Estimate of Net State and Local Government Fiscal Impact:**

- Potential unknown decrease in state and local tax revenues from farm businesses, possibly in the range of several million dollars annually.
- Potential minor local and state enforcement and prosecution costs, partly offset by increased fine revenue.

## ANALYSIS BY THE LEGISLATIVE ANALYST

### BACKGROUND

Animal agriculture is a major industry in California. Over 40 million animals are raised for commercial purposes on California farms and ranches. California's leading livestock commodities are milk and other dairy products, cattle, and chickens.

In recent years, there has been a growing public awareness about farm animal production methods, and how these practices affect the treatment of the animals. In particular, concerns have been expressed about some animal farming practices, including the housing of certain animals in confined spaces, such as cages or other restrictive enclosures.

Partly in response to these concerns, various animal farming industries have made changes in their production practices. For example, certain industries have developed guidelines and best practices aimed, in part, at improving the care and handling of farm animals.

State law prohibits cruelty to animals. Under state law, for example, any person who keeps an animal confined in an enclosed area is required to provide it with an adequate exercise area, and permit access to adequate shelter, food, and water. Other laws specifically related to farm animals generally focus on the humane transportation and slaughter of these animals. Depending upon the specific violation, an individual could be found guilty of a misdemeanor or felony punishable by a fine, imprisonment, or both.

### PROPOSAL

Beginning January 1, 2015, this measure prohibits with certain exceptions the confinement on a farm of pregnant pigs, calves raised for veal, and egg-laying hens in a manner that does not allow them to turn around freely, lie down, stand up, and fully extend their limbs. Under the measure, any person who violates this law would be guilty of a misdemeanor, punishable by a fine of up to \$1,000 and/or imprisonment in county jail for up to six months.

### FISCAL EFFECTS

Compared to current practice most commonly used by California farmers in the affected industries, this measure would require more space and/or alternate methods for housing pregnant pigs, calves raised for veal, and egg-laying hens. As a result, this measure would increase production costs for some of these farmers. To the extent that these higher production costs cause some farmers to exit the business, or otherwise reduce overall production and profitability, there could be reduced state and local tax revenues. The magnitude of this fiscal effect is unknown, but potentially in the range of several million dollars annually.

Additionally, this measure could result in unknown, but probably minor, local and state costs for enforcement and prosecution of individuals charged with the new animal confinement offense. These costs would be partially offset by revenue from the collection of misdemeanor fines.

★ **ARGUMENT IN FAVOR OF PROPOSITION 2** ★

*YES on Proposition 2—Stop Animal Cruelty*

Proposition 2 is a moderate measure that stops cruel and inhumane treatment of animals—ending the practice of cramming farm animals into cages so small the animals can't even turn around or stretch their limbs.

Voting YES on Proposition 2 prevents animal cruelty, promotes food safety, supports family farmers, and protects the environment. The agribusiness interests opposing Proposition 2—masquerading as the deceptively named Californians for Safe Food—have a record of duping the public, harming animals, and polluting the environment.

*Voting YES on Proposition 2 means:*

. . . *Preventing cruelty to animals.* It's simply wrong to confine veal calves, breeding pigs, and egg-laying hens in tiny cages barely larger than their bodies. Calves are tethered by the neck and can barely move, pigs in severe confinement bite the metal bars of their crates, and hens get trapped and even impaled in their wire cages. We wouldn't force our pets to live in filthy, cramped cages for their whole lives, and we shouldn't force farm animals to endure such misery. All animals, including those raised for food, deserve humane treatment.

. . . *Improving our health and food safety.* We all witnessed the cruel treatment of sick and crippled cows exposed by a Chino slaughter plant investigation this year, prompting authorities to pull meat off school menus and initiate a nationwide recall. Factory farmers have put our health at risk by allowing these terrible abuses, and now are recklessly telling us it's okay to keep animals in overcrowded, inhumane conditions. Cramming tens of thousands of animals into tiny cages fosters the spread of animal diseases that may affect people. Proposition 2 is better for animals—and for us.

. . . *Supporting family farmers.* California family farmers support Proposition 2 because they believe food quality and safety are enhanced by better farming practices. Increasingly,

they're supplying mainstream retailers like Safeway and Burger King. Factory farms cut corners and drive family farmers out of business when they put profits ahead of animal welfare and our health.

. . . *Protecting air and water and safeguarding the environment.* The American Public Health Association has called for a moratorium on new factory farms because of the devastating effects these operations can have on surrounding communities. Factory farms often spread waste on the ground untreated—contaminating our waterways, lakes, groundwater, soil, and air. By phasing out the worst animal confinement practices, Proposition 2 helps protect our precious natural resources. That's why California Clean Water Action and Sierra Club California support Proposition 2.

. . . *A reasonable and common-sense reform.* Proposition 2 provides ample time—until 2015—for factory farmers using these severe confinement methods to shift to more humane practices. Arizona, Colorado, Florida, and Oregon have passed similar laws. California veterinarians; family farmers; the Center for Science in the Public Interest and the prestigious Pew Commission on animal agriculture; Republican and Democratic elected officials; Episcopal and Methodist church leaders; National Catholic Rural Life Conference; the Consumer Federation of America; and others recommend voting YES on Proposition 2.

Visit [www.YesOnProp2.org](http://www.YesOnProp2.org).

**WAYNE PACELLE**, President

The Humane Society of the United States

**DR. KATE HURLEY, D.V.M., M.P.V.M.**, Clinical Professor

School of Veterinary Medicine, University of California, Davis

**ANDREW KIMBRELL**, Executive Director

Center for Food Safety

★ **REBUTTAL TO ARGUMENT IN FAVOR OF PROPOSITION 2** ★

VOTE NO on Proposition 2 because it **HURTS** California families.

Thousands of jobs will be lost and egg prices could skyrocket for California consumers.

A UC Davis study says Proposition 2 will eliminate California-produced safe, fresh, affordable eggs. We'll end up buying eggs trucked in from thousands of miles away, including Mexico.

VOTE NO on Proposition 2 because it **ENDANGERS** both food safety *and* animal welfare.

Leading food safety, veterinary, and public health experts oppose Proposition 2. They know modern housing systems for egg-laying hens are safe, sound, and humane for the hens, and they protect human health.

These modern systems are designed for proper care and treatment, providing ample space, food, water, light, and sanitation, allowing hens to stand, stretch, turn around, and lie down. Hens are protected from migratory birds and wild animals (which can carry BIRD FLU), and from living in—and laying eggs in—their own waste, which can contain *Salmonella* bacteria.

By effectively banning modern housing, Prop. 2 actually harms egg-laying hens, undermines animal welfare, endangers food safety, and risks public health.

VOTE NO on Proposition 2 because it's **RISKY**.

Proponents say this measure is “moderate,” but it's really **EXTREME**, ignoring science-based food safety and animal welfare guidelines while endangering the health of California families.

Proponents say the measure deals with animal treatment, but they don't tell you California law has long required humane treatment of animals, and still does.

**PLEASE VOTE NO ON PROPOSITION 2. Keep California food SAFE.**

**DEAN CLIVER**, Professor Emeritus of Food Safety

University of California at Davis, School of Veterinary Medicine

**MIKE KARLE, DVM**, President

Association of California Veterinarians

**HECTOR CERVANTES, DVM**, President

American College of Poultry Veterinarians

★ ARGUMENT AGAINST PROPOSITION 2 ★

Proposition 2 is UNNECESSARY, RISKY, and EXTREME. It is sponsored by a well-funded Washington, D.C.-based special interest group and will have dangerous, expensive consequences for California.

Proposition 2 puts Californians AT RISK for AVIAN INFLUENZA, *Salmonella* contamination, and other diseases. California farmers help protect Californians against Avian Influenza, or BIRD FLU, and other diseases by using modern housing systems to raise egg-laying hens—housing systems effectively banned by Proposition 2. It is so EXTREME that it also effectively bans “cage-free” eggs, forcing hens outdoors for most of the day.

“This outdoor access enhances the likelihood that such poultry will have direct contact with migratory and wild birds as well as other animals, substantially increasing the risk of Avian Influenza, Exotic Newcastle Disease, and other diseases.” — UNITED STATES ANIMAL HEALTH ASSOCIATION

According to the WORLD HEALTH ORGANIZATION, transmission of bird flu from poultry to humans results in “very severe disease” and “could mark the start of a global outbreak (pandemic).”

Nearly all California farmers follow the California Department of Food and Agriculture’s California Egg Quality Assurance Program, assuring the highest standards for FOOD SAFETY and PUBLIC HEALTH. This program has resulted in the virtual elimination of food-borne illness, like *Salmonella*, in California eggs. In fact, according to the California Department of Food and Agriculture, no case of *Salmonella* has been traced to California egg production in nearly a decade. Eggs produced and trucked in from out-of-state and Mexico are not required to meet the same high food safety standards as California eggs.

Proposition 2 HARMS California CONSUMERS who rely on safe, fresh, affordable California-raised eggs for their families. Consumers will be forced to buy eggs trucked in thousands of miles away from out-of-state and MEXICO. California family farmers will be driven out of business. It will COST thousands of JOBS, and more than \$600 MILLION in ECONOMIC ACTIVITY will be LOST, hurting the state and local economies.

California eggs will be MORE EXPENSIVE. With gasoline, housing, and basic grocery costs at an all-time high, Californians can’t afford to pay higher prices for food.

Proposition 2 is misleading because it refers to *treatment* of several farm animals, but it actually addresses *housing methods*. The measure primarily affects egg-laying hens. Most food safety officials, public health experts, veterinarians, and animal welfare advocates support modern housing systems, which provide the best possible care for hens while also protecting them, and humans alike, from injury, illness, and disease.

Proposition 2 is UNNECESSARY because California law ALREADY PROTECTS animal welfare and safety.

*Proposition 2:*

- INCREASES THE RISK OF BIRD FLU
- INCREASES THE RISK OF FOOD-BORNE ILLNESS, LIKE *SALMONELLA*
- INCREASES GROCERY PRICES OF CALIFORNIA EGGS
- COSTS THOUSANDS OF CALIFORNIA JOBS AND PUTS FARMERS OUT OF BUSINESS
- COSTS CALIFORNIA \$615 MILLION IN ECONOMIC ACTIVITY
- HARMS THE ENVIRONMENT BY CONTRIBUTING TO GLOBAL WARMING

Family farmers, veterinarians, public health and food safety experts, and consumers urge a “NO” vote on Proposition 2. Visit [www.safecaliforniafood.org](http://www.safecaliforniafood.org).

*VOTE NO ON PROP. 2.*

KEEP CALIFORNIA EGGS SAFE. AFFORDABLE. FRESH. LOCAL.

**DR. CRAIG REED, DVM**, Former Deputy Administrator  
Food Safety and Inspection Service, United States Department of Agriculture (USDA)

**DR. TIM E. CARPENTER, Ph.D.**, Professor of Epidemiology  
Department of Medicine and Epidemiology, School of Veterinary Medicine, UC Davis

**DR. PATRICIA BLANCHARD, DVM, Ph.D.**, Branch Chief  
University of California Animal Health and Food Safety Laboratory System

★ REBUTTAL TO ARGUMENT AGAINST PROPOSITION 2 ★

*YES on Proposition 2 Protects Animals, Food Safety, and the Environment.*

Factory farming corporations trot out “experts” aligned with industry to scare voters with false claims and junk science. It’s just common sense to allow animals to lie down, turn around, and stretch their limbs. Suggesting it’s dangerous *is ridiculous*.

Science-based, mainstream organizations *supporting Prop. 2* include:

- Consumer Federation of America
- Humane Society of the United States
- Union of Concerned Scientists
- Pew Commission on Industrial Farm Animal Production
- Sierra Club California
- California Clean Water Action

Proposition 2’s opponents are bankrolled by companies that put profits ahead of people and animals.

One major funder, Moark LLC, paid to settle criminal cruelty charges for throwing live birds into trash bins. Another, United Egg Producers, paid to settle false advertising allegations brought by 17 attorneys general related to misleading claims about animal welfare.

The fact is, animals crowded in cages are MORE likely to be infected with *Salmonella* and other diseases than those in cage-free facilities.

And scare tactics about costs? The industry’s own economist admitted it costs less than one additional penny per egg to stop cramming hens in cages.

The opponents have it all wrong. They fail to mention that the vast majority of chickens in food production already are not confined in small cages. They also omit mention of Prop. 2’s protection of calves and pigs, and the misery these animals endure in tiny crates.

Vote YES on Prop. 2.

[www.YesOnProp2.org](http://www.YesOnProp2.org)

**DR. IXCHEL MOSLEY, DVM**, President  
San Diego County Veterinary Medical Association

**NIGEL WALKER**, California Egg Farmer

**MICHAEL JACOBSON, Ph.D.**, Executive Director  
Center for Science in the Public Interest