



1. What is Proposition 12?

- Proposition 12 is a ballot initiative passed in 2018 by California voters that prohibits confining farm animals (egg-laying hens, veal calves and breeding pigs) in a cruel manner and prohibits the sale of products (eggs, veal meat and pork meat) from farm animals confined in a cruel manner into California commerce. Two deadlines are outlined in Proposition 12 with the first requiring egg-laying hens to be housed with a minimum of 144 square inches per hen and calves raised for veal housed with a minimum of forty-three square feet per calf by January 1, 2020. The second deadline of requirements goes into effect January 1, 2022 for egg-laying hens to be housed cage-free and breeding pigs raised with twenty-four square feet per pig. Full statute text can be viewed here: <http://www.cdfa.ca.gov/AHFSS/Prop12.html>

2. What is the Animal Care Program?

- The Animal Care Program (ACP) was formed to implement Proposition 12 and is a new program within the Animal Health and Food Safety Services division of the California Department of Food and Agriculture.

3. What is meant by “covered animal” and “covered product”?

- “Covered animal” refers to egg-laying hens, veal calves and breeding pigs which cannot be housed in a cruel manner.
  - Egg-laying hen means any female domesticated chicken, turkey, duck, goose, or guineafowl kept for the purpose of egg production.
  - Veal calf means any calf of the bovine species kept for the purpose of producing the food product described as veal.
  - Breeding pig means any female pig of the porcine species kept for the purposes of commercial breeding who is six months or older or pregnant.
- “Covered product” refers to shell eggs, liquid eggs, veal and pork meat which cannot be from covered animals confined in a cruel manner.

4. Will inventory of shell eggs, liquid eggs and pork meat already in stock prior to January 1, 2022 need to be discarded if this covered product originated from animals not raised according the confinement standards of cage-free for hens and twenty-four square feet per breeding pig?

- No. The definition of “confined in a cruel manner” changes at the end of the day on December 31, 2021 for egg-laying hens and breeding pigs. Therefore, the shell eggs, liquid eggs and pork meat already in inventory or commerce on December 31, 2021 will still be legal to sell in California.



5. Will there be a delay in enforcement, or will all covered product have to be compliant after January 1, 2022?
  - ♥ With respect to a delay in enforcement, ACP does not have authority to extend the compliance deadlines provided for in statute established under Proposition 12 for covered animals and covered products.
  - ♥ **ACP's implementation priorities have been, and will remain, focused on helping stakeholders meet the deadlines outlined in Proposition 12, including the requirements for egg-laying hens and breeding pigs that go into effect January 1, 2022.**
  
6. Does Proposition 12 apply only to covered products from covered animals raised, harvested and sold in California or do covered products sourced from animals raised outside of the state and then sold in California need to be compliant?
  - ♥ The requirements of Proposition 12 apply to covered products sold in the state, irrespective of whether the products originate from covered animals raised on farms within or outside of California. For example, a breeding pig confined in another state must be housed in compliance with Proposition 12 if her offspring will be used for purposes of covered pork products sold in California for human consumption.
  
7. For covered pork product to be compliant after Jan 1, 2022, does the farm of origin have to house breeding pigs with a minimum of twenty-four square feet per pig at the time of breeding (February 2021)?
  - ♥ Per the Proposition 12 statutes, the definition of "confined in a cruel manner" changes at the end of the day on December 31, 2021 for breeding pigs. Therefore, covered product and animals in inventory would be considered compliant if born before this effective date.
  
8. Do liquid eggs need to be sourced from egg-laying hens raised according to Proposition 12 confinement standards if the liquid egg is processed in an FSIS inspected plant?
  - ♥ A business owner or operator is prohibited from engaging in the sale of liquid eggs in California from hens confined in a cruel manner, as defined.
  - ♥ Although the California law excludes transactions where physical possession of liquid eggs is taken at a plant inspected under the federal Egg Products Inspection Act (FSIS inspected plant) from the definition of commercial "sale" and the definition of a "farm," it is important to note that any subsequent sale of liquid eggs must be compliant as the exemption attaches to the FSIS inspected plant but does not attach to the liquid egg product.

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- ♥ Because sales of liquid eggs within California subsequent to those where possession is taken at the FSIS inspected plant are included under Proposition 12 definition of sale, buyers intending to resell liquid eggs must be able to show compliance. Compliance can be shown through written certification that liquid eggs originate from egg-laying hens housed according to Proposition 12 confinement standards.
9. Does pork meat need to originate from breeding pigs, or the immediate offspring of breeding pigs, raised according to Proposition 12 confinement standards if the pork meat is processed through an FSIS inspected plant?
- ♥ A business owner or operator is prohibited from engaging in the sale of pork meat in California from breeding pigs or immediate offspring of breeding pigs confined in a cruel manner, as defined.
  - ♥ Although the California law excludes transactions where physical possession of pork meat is taken at an establishment inspected under the Federal Meat Inspection Act (FSIS inspected plant) from the definition of commercial “sale” and the definition of a “farm,” it is important to note that any subsequent sale of pork meat must be compliant as the exemption attaches to the FSIS inspected plant, but does not attach to the pork meat.
  - ♥ Because sales of pork meat within California subsequent to those where possession is taken at the FSIS inspected plant are included under Proposition 12 definition of sale, buyers intending to resell pork meat must be able to show compliance. Compliance can be shown through written certification that pork meat originates from breeding sows housed according to Proposition 12 confinement standards.