

University of Nebraska - Lincoln

DigitalCommons@University of Nebraska - Lincoln

---

Cornhusker Economics

Agricultural Economics Department

---

9-2-2009

# California Animal Welfare Initiative Proposition Two

J. David Aiken

*University of Nebraska-Lincoln*, [daiken@unl.edu](mailto:daiken@unl.edu)

Follow this and additional works at: [http://digitalcommons.unl.edu/agecon\\_cornhusker](http://digitalcommons.unl.edu/agecon_cornhusker)



Part of the [Agricultural and Resource Economics Commons](#)

---

Aiken, J. David, "California Animal Welfare Initiative Proposition Two" (2009). *Cornhusker Economics*. 478.  
[http://digitalcommons.unl.edu/agecon\\_cornhusker/478](http://digitalcommons.unl.edu/agecon_cornhusker/478)

This Article is brought to you for free and open access by the Agricultural Economics Department at DigitalCommons@University of Nebraska - Lincoln. It has been accepted for inclusion in Cornhusker Economics by an authorized administrator of DigitalCommons@University of Nebraska - Lincoln.

# CORNHUSKER ECONOMICS

## California Animal Welfare Initiative Proposition Two

In November 2008, California voters approved Proposition Two, the California Animal Welfare Initiative. This newsletter discusses Proposition Two and possible implications for Nebraska.

**What is Proposition Two?** It is a ballot initiative to end the use of veal calf crates, swine gestation crates and poultry battery (or laying) cages. Proposition Two is the first state law regulating the use of battery cages in egg production.

**Who supported Proposition Two?** The main supporter was the Humane Society of the United States, along with other animal welfare advocacy, consumer and environmental groups. Proposition Two was opposed by California agricultural and food processing groups.

**What was the vote on Proposition Two?** Sixty-three and one-half percent in favor, and 36.5 percent against.

**What does Proposition Two require?** It requires that confined sows, veal calves and laying hens be able to stand up, lie down, extend their limbs without touching another animal or a side of the enclosure and to turn around freely within the enclosure. The battery cage ban applies to chicken, turkey, duck, geese or guinea fowl kept for egg production.

**Are there exceptions?** Yes, it would not apply to (1) scientific research, (2) sows seven days before their expected delivery date, (3) veterinary treatment, (4) transportation, (5) 4-H and similar exhibitions, and (6) humane slaughter.

**When would Proposition Two take effect?** January 15, 2015.

**What are the penalties for violation?** Violations would be misdemeanors, punishable by fines of up to \$1,000, up to 180 days in jail, or both.

**What are the expected impacts of Proposition Two?** The biggest expected impact would be on egg production. Proposition Two opponents argued that veal crates and

Market Report	Yr Ago	4 Wks Ago	8/28/09
<b><u>Livestock and Products,</u></b>			
<b><u>Weekly Average</u></b>			
Nebraska Slaughter Steers, 35-65% Choice, Live Weight. . . . .	\$99.32	\$82.47	\$83.49
Nebraska Feeder Steers, Med. & Large Frame, 550-600 lb. . . .	120.00	120.78	115.93
Nebraska Feeder Steers, Med. & Large Frame 750-800 lb. . . . .	114.83	105.59	102.15
Choice Boxed Beef, 600-750 lb. Carcass. . . . .	161.23	142.53	143.67
Western Corn Belt Base Hog Price Carcass, Negotiated. . . . .	*	52.71	49.52
Feeder Pigs, National Direct 50 lbs, FOB. . . . .	34.57	*	40.00
Pork Carcass Cutout, 185 lb. Carcass, 51-52% Lean. . . . .	82.80	60.85	57.01
Slaughter Lambs, Ch. & Pr., Heavy, Wooled, South Dakota, Direct. . . . .	94.75	101.50	91.87
National Carcass Lamb Cutout, FOB. . . . .	275.59	253.23	244.68
<b><u>Crops,</u></b>			
<b><u>Daily Spot Prices</u></b>			
Wheat, No. 1, H.W. Imperial, bu. . . . .	7.23	4.59	3.94
Corn, No. 2, Yellow Omaha, bu. . . . .	5.54	3.20	3.13
Soybeans, No. 1, Yellow Omaha, bu. . . . .	13.02	10.86	11.73
Grain Sorghum, No. 2, Yellow Dorchester, cwt. . . . .	8.39	5.45	5.02
Oats, No. 2, Heavy Minneapolis, MN, bu. . . . .	*	2.15	2.01
<b><u>Feed</u></b>			
Alfalfa, Large Square Bales, Good to Premium, RFV 160-185 Northeast Nebraska, ton. . . . .	190.00	*	*
Alfalfa, Large Rounds, Good Platte Valley, ton. . . . .	77.50	*	82.50
Grass Hay, Large Rounds, Premium Nebraska, ton. . . . .	85.00	*	*
Dried Distillers Grains, 10% Moisture, Nebraska Average. . . . .	180.00	83.50	80.00
Wet Distillers Grains, 65-70% Moisture, Nebraska Average. . . . .	58.50	32.50	32.50
<b>*No Market</b>			



farrowing crates are being voluntarily phased out in California, but that the battery crate regulations would significantly increase the cost of eggs to California consumers.

**Have other states banned veal crates, gestation crates or battery cages?** Six states ban gestation crates: Florida, Arizona, Oregon, Colorado, California and Maine. Five states have banned veal crates: Florida, Arizona, Colorado, California and Maine. California is the first state to ban the use of battery cages in egg operations. In 1999 the European Union banned battery cages effective 2012. In 2007, Smithfield Foods agreed to phase out gestation crates by 2017.

**Is there any possible impact on Nebraska agriculture?** That remains to be seen. Of the top ten egg producing states, only Ohio (2), California (5) and Nebraska (8) allow citizen initiatives. Proposition Two supporters

apparently are attempting to get a similar voter initiative on the 2010 ballot in Ohio (which is more urban and more Democratic than Nebraska). If battery cage opponents are successful and the initiative is approved by Ohio voters, Nebraska Voters might see a similar proposal on the 2012 ballot.

J. David Aiken, (402) 472-1848  
 Professor, Water & Agricultural Law Specialist  
 Department of Agricultural Economics  
 University of Nebraska-Lincoln  
[daiken@unl.edu](mailto:daiken@unl.edu)

---

### Animal Welfare Timeline

---

<b>1999</b>	European Union bans battery cages effective 2012. German ban takes effect 2007.
<b>November 2002</b>	Florida voters ban gestation crates, effective 2008, 55 - 45 percent.
<b>November 2003</b>	Better Business Bureau rules that it is misleading to label eggs from battery-caged hens as “Animal Care Certified.”
<b>2004</b>	Cargill begins phasing out gestation crates in about half its facilities.
<b>May 2005</b>	Whole Foods Market, Wild Oats Natural Marketplace end sales of eggs from caged hens.
<b>September 2006</b>	Ben and Jerry’s phase out eggs from caged hens.
<b>November 2006</b>	Arizona voters ban gestation crates and veal crates 62 - 38 percent, effective December 31, 2012.
<b>January 2007</b>	Smithfield Foods announces phase out of gestation crates by 2017.
<b>March 2007</b>	Burger King announces 5 percent egg purchases from non-caged hens; 20 percent pork purchased from non-gestation crate producers.
<b>June 2007</b>	Oregon statute bans gestation crates effective 2013.
<b>May 2008</b>	Colorado statute bans veal crates 2012 and gestation crates 2018.
<b>November 2008</b>	California Proposition Two adopted 64 - 36 percent.
<b>May 2009</b>	Maine statute bans gestation and veal crates effective January 1, 2011.
<b>May 2009</b>	Wendy’s agrees to purchase two percent cage-free eggs.
<b>May 2009</b>	McDonald’s agrees to participate in hen housing (battery cage) study.