

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

Follow this and additional works at: https://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.
https://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
<u>Livestock and Products,</u>			
<u>Weekly Average</u>			
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
<u>Crops,</u>			
<u>Daily Spot Prices</u>			
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
<u>Feed</u>			
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
*No Market			



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

Animal Welfare Timeline

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