
From: Francesconi, Mike@CDFA <mike.francesconi@cdfa.ca.gov>
Sent: Friday, December 3, 2021 11:40 AM
To: Anater, Kenneth@CDFA; Ferrero, Gregory@CDFA; Francesconi, Mike@CDFA; Kume, Joji@CDFA; Mitchell, Kalia@CDFA; Pelle, Sarah@CDFA; Goss, Sofia@CDFA; Fick, Sue@CDFA
Subject: Circular Letter F2021-11
Attachments: 2021-11 Proposition 12 and Junior Livestock Auctions.pdf; CDFA FAQ Animal Confinement.pdf

Good Afternoon Fair Managers and Others,

Please find attached, Circular letter F2020-11, in regards to Proposition 12 Farm Animal Confinement. To ensure that your fair's Junior Livestock Auction participants are prepared and compliant we strongly encourage you to begin communicating with fair's egg and market hog exhibitors, as well as the market hog processors, especially those processing hogs sold as "resale". Also attached is a FAQ that CDFA Animal Care put together. In additions CDFA Animal Care Program today released a Notice of 15-day Public Comment Period, see the following notice on how to submit comments.

Notice of 15-day Public Comment Period

California Department of Food and Agriculture, Animal Care Program is proposing to modify regulation text and add documents to the rulemaking file related to the implementation of Proposition 12 (2018). A 15-day written public comment period related to these changes will begin December 3, 2021, and end December 17, 2021. Please visit the Animal Health and Food Safety Services Regulations webpage to review all documents and for instructions to submit a written comment: [Proposition 12, Farm Animal Confinement](#)

Please ensure that this information is shared with the fair board at the next regularly scheduled board meeting listed as an item of correspondence.

For future reference, you may view and download the F&E Circular Letters at <https://www.cdfa.ca.gov/FairsAndExpositions/> which are located under the "Correspondence" tab.

Sincerely,

Mike

Mike Francesconi

Branch Chief

CDFA Fairs and Expositions

Ph (916) 900-5365

mike.francesconi@cdfa.ca.gov





CALIFORNIA DEPARTMENT OF
FOOD & AGRICULTURE

Karen Ross, Secretary

December 3, 2021

F2021-11

TO: All Fairs

SUBJECT: Proposition 12 and Junior Livestock Auctions

In 2018, California voters approved the Farm Animal Confinement Initiative (Proposition 12). Proposition 12 requires that covered animals be housed in confinement systems that comply with specific standards for freedom of movement, cage-free design, and minimum floor space. The covered animals are identified as veal calves, breeding pigs, and egg-laying hens. Proposition 12 also prohibits the sale of covered animal products from farm animals confined in a manner that does not adhere to the minimum confinement standard requirements into California commerce.

Proposition 12 goes into effect beginning January 1, 2022. While the minimum confinement standards are exempt during fairs and exhibitions, Proposition 12 directly affects the fair industry as all junior livestock fair exhibitors raising and/or exhibiting egg-laying hens for the purpose of producing and selling shell or liquid eggs, or the immediate offspring of a breeding pig for the purpose of producing and selling whole pork meat, must adhere to the minimum confinement standard requirements.

To ensure that your fair's Junior Livestock Auction (JLA) participants are prepared and compliant with the law during the 2022 fair season, we strongly encourage you to begin communicating with your fair's egg and market hog exhibitors, as well as the market hog processors, especially those processing hogs sold as "resale". The processors may require documentation showing proof of each hog's date of birth and Proposition 12 compliance for all hogs sold through a JLA, regardless of the hog's place of birth.

Based on regulations noticed in May 2021, it is being proposed that California pork producers with breeding pigs, for the purpose of producing and selling whole pork meat, will be required to be third-party certified. The third-party certification also applies to any out-of-state exhibition breeders who sell show pigs to California exhibitors. All market hogs sold through a JLA as resale may require documentation showing proof that they originate from a certified producer.



The CDFA Animal Care Program is proposing to modify regulation text and add documents related to the rulemaking file related to the Proposition 12 implementation. A 15-day written public comment period for these changes will begin on December 3, 2021 and end on December 17, 2021. Once the public comment period ends, a new regulations package will be submitted to the Office of Administrative Law for approval. The adoption of regulations is expected to occur on April 1, 2022 or July 1, 2022.

We will keep you updated with the most current information as we receive it, and we hope that all fair managers and stakeholders will participate in the next steps of the regulations process. Please continue to support the youth within our communities as we navigate through yet another challenge.

Enclosed is an FAQ outreach document that the CDFA Animal Health Branch has created for California Fair and Exhibitions Stakeholders. The document has many additional details about Proposition 12 and how it pertains to the fair industry. For more information about the implementation of Proposition 12 and to view the FAQ outreach document online, please visit the CDFA Animal Health Branch at <https://www.cdfa.ca.gov/ahfss/Prop12.html>.

If you have any questions, please contact Mike Francesconi at (916) 900-5365 or via email at mike.francesconi@cdfa.ca.gov.

Sincerely,

A handwritten signature in blue ink that reads "Mike Francesconi". The signature is fluid and cursive, with the first name "Mike" and last name "Francesconi" clearly legible.

Mike Francesconi
Branch Chief

Enclosure

cc: Dr. Elizabeth Cox, Animal Care Program Manager
CDFA Animal Health Branch



FARM ANIMAL CONFINEMENT

(HSC 25990-25994 (ALSO KNOWN AS PROPOSITION 12 INITIATIVE))



FAQ'S FOR CALIFORNIA FAIR & EXHIBITIONS STAKEHOLDERS 2022





FARM ANIMAL CONFINEMENT

(HSC 25990-25994 (ALSO KNOWN AS PROPOSITION 12 INITIATIVE))
FREQUENTLY ASKED QUESTIONS



FAQ's: Prop 12 FAQs for California Fair and Exhibitions Stakeholders

What is Prop 12?

- ♥ Ballot initiative passed in 2018 which set minimum confinement standards for specific farm animals raised in California and products from those animals sold in California.
- ♥ The law made it illegal to raise these farm animals in enclosures that do not meet these minimum space requirements.
- ♥ The law made it illegal to sell products from these farm animals in California that were not raised according to the minimum space requirements, regardless of if the animal was raised in California or out-of-state (<https://bit.ly/3kPu5Cx>).

Which farm animals are included under Prop 12?

- ♥ Egg-laying hen means any female domesticated chicken, turkey, duck, goose, or guineafowl kept for the purpose of egg production.
- ♥ Breeding pig means any female pig of the porcine species kept for the purpose of commercial breeding who is six months or older or pregnant.
- ♥ Veal calf means any calf of the bovine species kept for the purpose of producing the food product described as veal.

Which products from these animals are included under Prop 12?

- ♥ Shell eggs or liquid eggs means a whole egg of an egg-laying hen in its shell form or means eggs of an egg-laying hen broken from the shells.
- ♥ Whole pork meat means any uncooked cut of pork, including bacon, ham, chop, ribs, riblet, loin, shank, leg, roast, brisket, steak, sirloin, or cutlet, that is comprised entirely of pork meat of a breeding pig, or immediate offspring of a breeding pig.
- ♥ Whole veal meat means any uncooked cut of veal, including chop, ribs, riblet, loin, shank, leg, roast, brisket, steak, sirloin, or cutlet, that is comprised entirely of veal meat of a calf raised for veal.

What are the minimum confinement standards for these farm animals?

- ♥ All of these farm animals must be confined in a housing system in a manner that allows the animal to lie down, stand up, fully extend limbs, and turn around freely. In addition:
 - ♥ Egg-laying hen: minimum of the amount of usable floorspace per hen required by the 2017 edition of the United Egg Producers' Animal Husbandry Guidelines for U.S. Egg-Laying Flocks: Guidelines for Cage-Free Housing or in an enclosure other than a cage-free housing system (<https://bit.ly/3FuApr2>)
 - ♥ Breeding pig: minimum of 24 square feet of usable floorspace per breeding pig.
 - Breeding and gestation crates are not allowed
 - Farrowing crates are allowed
 - ♥ Veal calf: minimum of 43 square feet of usable floorspace per calf.



FARM ANIMAL CONFINEMENT

(HSC 25990-25994 (ALSO KNOWN AS PROPOSITION 12 INITIATIVE))

FREQUENTLY ASKED QUESTIONS



FAQ's: Prop 12 FAQs for California Fair and Exhibitions Stakeholders

What are the exceptions to Prop 12 related to California fairs and exhibitions?

- ♥ Prop 12 minimum confinement standards are not required during state or county fair exhibitions. For example, if a breeding pig is shown at a fair, she does not need to be housed with a minimum of 24 square feet while on the fairgrounds.
- ♥ Prop 12 minimum confinement standards are not required during transportation.
- ♥ Prop 12 minimum confinement standards are not required for a breeding pig during the five-day period prior to the breeding pig's expected farrowing date and while the breeding pig is nursing piglets.

How do the deadlines of Prop 12 relate to the 2022 fair season?

- ♥ For egg-laying hens the minimum cage-free requirement goes into effect after December 31, 2021. If a fair participant is raising egg-laying hens, then the hens must be housed according to Prop 12 after December 31, 2021 if the hens are residing in California and if shell eggs or liquid eggs from those hens are sold in California.
- ♥ For veal calves the minimum floorspace requirement of 43 square feet went into effect January 1, 2020. If a fair participant is raising a calf for the purposes of producing whole veal meat sold in California, then the calf must be raised according to Prop 12.
- ♥ For breeding pigs the minimum floorspace requirement of 24 square feet goes into effect after December 31, 2021. If a fair participant is raising a breeding pig in California, then the breeding pig must be raised according to Prop 12 after December 31, 2021. If a fair participant is raising the immediate offspring of a breeding pig for the purposes of producing whole pork meat sold in California, then the breeding pig dam of this market pig must be raised according to Prop 12 if the market hog is born after December 31, 2021, regardless of the hog's place of birth.

What do I need to do to ensure I am compliant with the law for 2022 fair season?

- ♥ Ensure your animals in California are confined according to Prop 12 requirements.
- ♥ If products from your fair animals will be sold in California (shell eggs, liquid eggs, whole veal meat and whole pork meat) in 2022, buyers of these products (processors, retailers) will likely require a letter documenting compliance with the law.
- ♥ If showing market hogs, the breeder of the market hogs must confine breeding pigs according to Prop 12. In addition, ask of a letter documenting this compliance with the law to ensure whole pork meat from the show pig will have access to the resale market in California.



FARM ANIMAL CONFINEMENT

(HSC 25990-25994 (ALSO KNOWN AS PROPOSITION 12 INITIATIVE))

FREQUENTLY ASKED QUESTIONS



FAQ's: Prop 12 FAQs for California Fair and Exhibitions Stakeholders

What is the difference between custom livestock harvest (not for sale) and FSIS inspected livestock harvest (for resale)?

- ♥ Under custom livestock harvest, the meat from veal calves and hogs is used by the animal's owner, members of the owner's household, nonpaying guests and employees. The whole veal meat and whole pork meat cannot be sold and is labeled "not for sale". There is no sale of whole pork meat or whole veal meat under Prop 12.
- ♥ Under FSIS inspected livestock harvest, the meat from veal calves and hogs is processed for resale. The sale of this whole veal meat and whole pork meat will fall under Prop 12 and the veal calves and breeding pigs (producing the market hogs) will need to be raised according to Prop 12.

What should I do as a fair CEO or Junior Livestock Auction Committee that manages livestock auction?

- ♥ Reach out to your processor to find out what requirements they need for hogs and veal calves processed for resale. For example, a processor may request documentation of hog date of birth and for hogs born after December 31, 2021 a letter documenting compliance with Prop 12 for the breeding pig dam of that market hog. A letter of Prop 12 compliance will need to follow the live animal after the animal is sold at a fair or exhibition.

To learn more and to sign up for Prop 12 updates, scan or click the below QR code, or visit <https://www.cdfa.ca.gov/ahfss/Prop12.html>

You can follow us on social media by scanning the below QR codes or by clicking on each individual QR code with your cursor. Email questions to: AnimalCare@cdfa.ca.gov



FARM ANIMAL CONFINEMENT

(HSC 25990-25994 (ALSO KNOWN AS PROPOSITION 12 INITIATIVE))



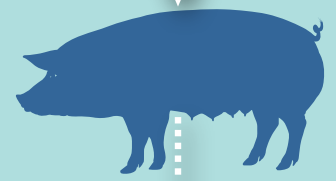
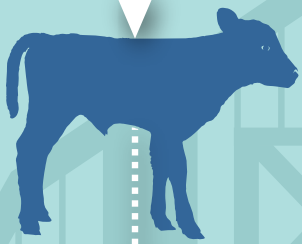
Commercial sale of all **Proposition 12** defined covered products must not be from covered animals **confined in a cruel manner*** even when covered products originate from covered animals raised outside of California

*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.



JANUARY 1, 2020

JANUARY 1, 2022



Egg-laying hens require a minimum of 144 square inches of floor space per hen.

Calves raised for veal require a minimum of 43 square feet of floor space per calf.

Egg-laying hens included require cage-free housing outlined in United Egg Producers 2017 Guidelines.

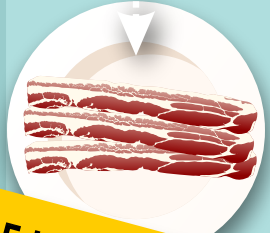
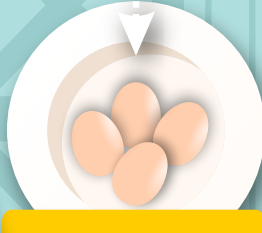
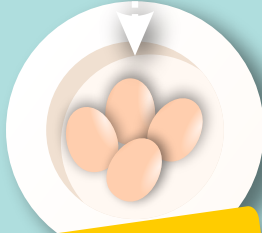
Breeding pigs require a minimum of 24 square feet of floor space per pig.

FOOD PRODUCTS INCLUDE

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SHELL EGGS
LIQUID EGGS

WHOLE UNCOOKED VEAL
UNCOOKED VEAL CUTS

SHELL EGGS
LIQUID EGGS

WHOLE UNCOOKED PORK
UNCOOKED PORK CUTS