



BOARD OF SUPERVISORS
AGENDA LETTER

Agenda Number:

Clerk of the Board of Supervisors
105 E. Anapamu Street, Suite 407
Santa Barbara, CA 93101
(805) 568-2240

Department Name: BOS
Department No.: 011
For Agenda Of: 09/18/18
Placement: Administrative
Estimated Time:
Continued Item: No
If Yes, date from:
Vote Required: Majority

TO: Board of Supervisors

FROM: Department Supervisors Das Williams and Joan Hartmann
Director:
Contact Info: Ashley Kruzel (805) 568-2186

SUBJECT: Resolution in support of Proposition 12

County Counsel Concurrence

As to form: N/A

Other Concurrence: N/A

As to form: No

Auditor-Controller Concurrence

As to form: N/A

Recommended Actions:

- a. Adopt a resolution in support of Statewide Ballot Proposition 12, the Farm Animal Confinement Initiative of 2018, on the November 6, 2018 statewide ballot; and
- b. Determine that the above action is not a project under the California Environmental Quality Act (CEQA), pursuant to CEQA Guidelines Sections 15378(b)(4) and 15378(b)(5) because it consists of government administrative or fiscal activities that will not result in direct or indirect physical changes in the environment.

Summary Text:

Beginning in 2020, if passed, Proposition 12, would ban the sale of whole veal meat from a calf that was confined in an area with less than 43 square feet of usable floor space per calf; whole pork meat from a breeding pig or the immediate offspring of a breeding pig that was confined in an area with less than 24 square feet of usable floor space per pig; shell eggs and liquid eggs from an egg-laying hen (chicken, turkey, duck, goose, or guinea fowl) that was confined in an area with less than 1 square foot of usable floor space per hen. Beginning in 2021, producers would be required to confine egg-laying hens in cage-free housing systems based on the United Egg Producers' 2017 cage-free guidelines.

Background:

There has been growing public interest in the treatment of farm animals. In particular, concerns have been expressed about keeping farm animals in cages and crates. Partly in response to these concerns, various animal farming associations have developed guidelines and best practices to improve the care and handling of farm animals. Also in response to these concerns, many major grocery stores, restaurants, and other companies have announced that they are moving towards requiring that their food suppliers give farm animals more space to move around.

In 2008, the Humane Society developed statewide ballot initiative Proposition 2 (2008) banning the confinement of pregnant pigs, calves raised for veal, and egg-laying hens in a manner that did not allow them to turn around freely, lie down, stand up, and fully extend their limbs. Proposition 2 did not provide specific square feet when defining prohibited confinement. Rather, the size restrictions were based on animal behavior. Opponents, such as the Association of California Egg Farmers, claimed this was too vague. 63% of California voters approved Proposition 2, and the law went into effect in 2015.

Proposition 2 did not authorize a state department to enforce the initiative which de facto made local law enforcement agencies responsible for enforcement. Proposition 12 (2018) would make the California Department of Food and Agriculture and the California Department of Public Health responsible for the measure's implementation. Violations of the initiative would be considered misdemeanors, with fines up to \$1,000.

AB 1437, passed after Proposition 2, made it illegal for businesses in California to sell shelled eggs that they knew came from hens housed in ways that do not meet Proposition 2's standards. This law applies to eggs produced in California or other states. Any person who violates this law can be found guilty of a misdemeanor. The law does not cover liquid eggs, which are egg yolks and whites that have been removed from their shells and processed for sale.

Financial Impacts:

No financial impacts.

Staffing Impacts:

Legal Positions:

FTEs:

- No staffing impacts

Special Instructions:

- None

Attachments:

- Attachment A – Resolution in Support of Proposition 12, the Farm Animal Confinement Initiative of 2018
- Attachment B – Proposition 12 Ballot Language

Authored by:

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cc: