



**Federal Animal Care Standards for Egg Laying Hens  
H.R. 3798 and S. 2340  
June 2012**

**INTRODUCTION**

Federal legislation has been introduced that would codify an agreement between the Humane Society of the U.S. and the United Egg Producers dealing with cage size and other animal care standards for our nation's 280 million egg-laying hens. The legislation requires conventional cages to be replaced during a phase-in period with enriched colony housing systems that provide each egg-laying hen with double the amount of current space. The bill requires perches, nesting boxes and scratching areas and prohibits feed- or water-withdrawal molting and excessive ammonia levels in henhouses. The bill will also prohibit the transport or sale of eggs and egg products nationwide that do not meet these requirements.

**ISSUE**

There are differing opinions on whether these bills are good public policy. Those in favor of the legislation support nationwide uniform regulation that requires compliance in order to transport and sell eggs nationwide, believing it would create a level playing field for all producers. In addition, they believe the requirements are important for hen welfare, industry economics and certainty and an affordable egg supply for consumers. Groups that support the bill include Ohio Poultry Association, Ohio Egg Processors Association, American Veterinary Medical Association, The Humane Society of the U.S. and national egg groups that represents the vast majority of egg producers.

Those in opposition to the legislation believe that animal care standards should not be set at the federal level and should not be in statute. This concern extends to other livestock producers who are not regulated under this proposal but are fearful of the precedent it will set. Those opposing this legislation include American Farm Bureau Federation, National Cattlemen's Beef Association, National Pork Producers Council and National Milk Producers Federation.

**OHIO FARM BUREAU FEDERATION STATE POLICY**

***Current OFBF State Policy regarding Issue (if any)***

Policy # 301 Animal Care (Pg. 3-1)

We support properly researched, veterinary approved and industry-tested poultry and livestock practices that provide consumers with a wholesome food supply. (lines 6-7) The Ohio Department of Agriculture should administer any animal welfare laws at the state level. (lines 11-12) We support the Ohio Livestock Care Standards Board (OLSCB) and its uniform set of standards governing the care and well-being of livestock in Ohio that maintains food safety, encourages locally grown and raised food and protects Ohio farms and families. (lines 13-15)

**AMERICAN FARM BUREAU FEDERATION FEDERAL POLICY**

Policy # 301 Animal Care (Pg. 77, lines 61-66) We oppose legislation that would give animal rights organizations the right to establish standards for raising, marketing, handling, feeding, housing or transportation of livestock, including equines, poultry, aquaculture and fur-bearing animals. We oppose any laws which would mandate specific farming practices in livestock

production. (Pg. 76, lines 4-5) We support the right of farmers to raise livestock in accordance with commonly accepted agricultural practices. (lines 21-24) We support properly researched and industry-tested poultry and livestock practices that provide consumers with a wholesome food supply and enable farmers to improve the care and management of livestock and poultry. (lines 41-43) We oppose initiatives, referendums or legislation that create standards above sound veterinary science and best management standards.

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## **DISCUSSION QUESTIONS**

- Should a sector within the agricultural industry, such as the egg laying sector, be able to create their own laws regulating their industry sector any way they wish if the majority of that sector supports doing so?
- Generally, OFBF policy currently supports the creation of animal care standards in rules, but not allowing specific standards in statute at the state level. Should this continue to be our state policy and should we provide stronger language clarifying our policy?
- Should farmers be required by Federal statute to meet animal care standards? Should AFBF policy be modified to reflect OFBF policy that supports care standards if established in a rulemaking process versus specific standards being included in statute?
- The egg industry is trying to create certainty and a level playing field for their industry. The vehicle happens to be creating a new federal law containing care standards specifically in statute. Is this acceptable?
- County Farm Bureaus are encouraged to reach out to egg producers in their county and seek their opinions and input on this issue.