

July 12, 2021

Dr. Elizabeth Cox
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Via email to: animalcare@cdfa.ca.gov
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Dear Dr. Cox,

Mercy For Animals, a California-based nonprofit dedicated to creating a compassionate food system, submits the following comment to the California Department of Food and Agriculture (hereinafter “CDFA” or “the Department”) regarding new Chapter 10 (commencing with Section 1320) of Division 2 of Title 3 of the California Code of Regulations to implement Health and Safety Code sections 25990 through 25994, Farm Animal Cruelty. This statute was previously referred to as the Prevention of Cruelty to Farm Animals Act or Proposition 12¹ (hereinafter referred to as “Proposition 12” or “the ballot initiative”). A copy of this comment has been submitted to the State Department of Public Health, as joint promulgation is required under Cal. Health and Safety Code Section 25993(a).

While the promulgation of regulations has been delayed beyond the ballot initiative’s September 1, 2019, deadline, Mercy For Animals was grateful for the opportunity to provide informal comments on the Department’s earlier drafts in August 2019 and January 2020. Copies of these informal comments are attached to this comment as Appendix A and hereby incorporated by reference. Although the Department made several positive modifications to the proposed regulations since earlier iterations, these regulations must honor the express purpose of Proposition 12: **“to prevent animal cruelty by phasing out extreme methods of farm animal confinement, which also threaten the health and safety of California consumers, and increase the risk of foodborne illness and associated negative fiscal impacts on the State of California.”**² The draft regulations deviate from this purpose and must therefore be revised in order for the Department to fulfill its duty to the people of California.

I. The ballot initiative’s express purpose, to prevent animal cruelty, must be the polestar of these regulations.

On November 6, 2018, California voters made their voices heard for farmed animals: 63 percent, or 7,551,434, were in favor of Proposition 12,³ the purpose of which was clear: **“to prevent animal cruelty by phasing out extreme methods of farm animal confinement,**

¹ Cal. Initiative 17-0026, Gen. Elec. 2018 (enacted).

² Cal. Initiative 17-0026, § 2.

³ “California Voters Overwhelmingly Pass the Historic Proposition 12 Ballot Measure into Law” (news release), Humane Society of the United States, November 7, 2018, <https://www.humanesociety.org/news/california-voters-overwhelmingly-pass-historic-proposition-12-ballot-measure-law>.

which also threaten the health and safety of California consumers, and increase the risk of foodborne illness and associated negative fiscal impacts on the State of California.” To honor the will of California voters and protect consumers, the promulgated regulations must adhere to the plain language of the ballot initiative.

By overwhelmingly passing Proposition 12, Californians once again positioned their state as a leader in animal welfare protections, as this passage came after the 2008 passage of Proposition 2.⁴ Since the passage of Proposition 2, numerous other states have passed similar legislation or regulations.⁵ By voting in support of this ballot measure, California consumers made clear that they prioritize higher animal welfare standards, setting the stage for more humane policies nationwide. Support for Proposition 12 was not limited to the animal protection community. Although many animal protection organizations supported Proposition 12, environmental and labor groups also endorsed the ballot initiative. The Center for Food Safety,⁶ United Farm Workers,⁷ and the Organic Consumers Association⁸ were among the social justice groups that recognized the need for Proposition 12 to further their missions.

II. Certain fundamental definitions contained in the draft regulations deviate from those contained in the statute and are outside the scope of the Department’s regulatory authority.

In several draft regulations related to the ballot initiative, the Department has exceeded its authority. The Department has a statutory mandate “to adopt regulations to implement, interpret, make specific or otherwise carry out the provisions of [a] statute,” but the Department’s regulations must also be “consistent and not in conflict with the statute.”⁹ While courts afford discretion to rulemaking that involves “a high degree of technical skill and expertise . . . there is no agency discretion to promulgate a regulation which is inconsistent with the governing statute.”¹⁰ The statutory and doctrinal emphasis on the need for agency consistency with the relevant statute means that the Department may not “exceed the scope of authority conferred on the agency by the Legislature,” which includes any effort to use a rule to “vary or enlarge the terms of a legislative enactment.”¹¹ Indeed, agency rules “must conform to the legislative will if we are to preserve an orderly system of government.”¹²

The draft regulations include definitions that are not included in the statute (and were therefore never considered by voters) and undermine certain definitions that are included in the statute. Below is a table outlining terms that are inconsistent with the plain language of the statute.

⁴ “Farm Animal Confinement Bans by State,” ASPCA, accessed July 8, 2021, <https://www.aspc.org/animal-protection/public-policy/farm-animal-confinement-bans>.

⁵ “Confinement Bans by State.”

⁶ Gary Weitzman, “Commentary: Why Prop 12 Is Needed to Fight Animal Cruelty,” *San Diego Union-Tribune*, September 12, 2018, <https://www.sandiegouniontribune.com/opinion/commentary/sd-utbg-prop12-animal-cruelty-20180912-story.html>.

⁷ Weitzman, “Why Prop 12 Is Needed.”

⁸ “Beware of Misinformation from Opponents of California’s Farm Animal Protection Measure,” Prevent Cruelty California, accessed July 8, 2021, <https://preventcrueltyca.com/responses>.

⁹ Cal. Gov’t Code § 11342.2 (West 2021).

¹⁰ *Ontario Cmty. Foundations, Inc. v. State Bd. of Equalization*, 678 P.2d 378, 380–81 (Cal. 1984) (internal citations, emphasis, and quotations omitted).

¹¹ *Agnew v. State Bd. of Equalization*, 981 P.2d 52, 59 (Cal. 1999).

¹² *Morris v. Williams*, 67 Cal. 2d 733, 737, 433 P.2d 697, 700 (1967).

Term	Statute	Proposed Regulation
Egg-laying hen	“Egg-laying hen’ means any female domesticated chicken, turkey, duck, goose, or guinea fowl kept for the purpose of egg production.”	“Egg-laying hen’ means any female domesticated chicken, turkey, duck, goose, or guinea fowl kept for the purpose of egg production pursuant to section 25991(g) of the Health and Safety Code. For purposes of this subsection and this Article, a hen kept for egg production means a sexually mature female confined for the purpose of laying eggs which are intended for use as human food as shell eggs or liquid eggs.”
Kept for the purpose of producing	Not considered	“Kept for the purpose of producing’ for purposes of section 25991(d) of the Health and Safety Code and this Article means keeping a calf of the bovine species that is, or is intended to be, slaughtered at more than 21 days of age or more than 150 pounds in liveweight for the production of food described, advertised, represented, identified, or labeled as veal.”
Ready-to-eat	Not considered	“Ready-to-eat (RTE)’ means in a form that is edible without additional preparation to achieve food safety and may receive additional preparation for palatability or aesthetic, gastronomic, or culinary purposes. RTE product is not required to bear a safe-handling instruction (as required for non-RTE products by sections 317.2(l) and 381.125(b) of Title 9 of

		the Code of Federal Regulations) or other labeling that directs that the product must be cooked or otherwise treated for safety and can include frozen meat products.”
Usable floor space and outdoor enclosures	“‘Usable floor space’ means the total square footage of floor space provided to each covered animal, as calculated by dividing the total square footage of floor space provided to the animals in an enclosure by the number of animals in that enclosure.”	“[Usable] floorspace shall also include ground-space for enclosures that are outdoor pens or pastures accessible at all times by all [calves/pigs] in the enclosure.”

Egg-laying hen

To the definition of “egg-laying hen,” the draft regulations add “a hen kept for egg production means a sexually mature female confined for the purpose of laying eggs which are intended for use as human food as shell eggs or liquid eggs.”¹³ This language exempts chicks, who take up to about 18 weeks to reach sexual maturity.¹⁴ California voters were not given the opportunity to consider this exemption. Accordingly, this language must be removed.

Kept for the purpose of producing

In Article 2, Section 1321 (s), the Department has created a definition for “kept for the purpose of producing,” exempting veal calves under 21 days of age or under 150 pounds. According to the USDA’s Food Safety and Inspection Service, “bob” veal requires that a calf be slaughtered before reaching 21 days of age or 150 pounds.¹⁵ While less than 21 day old calves may not typically be confined, California voters were not given the opportunity to consider this exemption. Given that most of these voters were in favor of preventing cruelty to farmed animals, it is reasonable to believe that cruel confinement for some of the youngest and smallest (and therefore most vulnerable) animals directly contradicts the will of the people. This added definition must be removed.

Ready-to-eat

Article 2, Section 1321(u) exempts “ready-to-eat” products. Exempting ready-to-eat products will confuse, if not mislead, consumers. For example, a California consumer who purchases a product such as jerky at a local grocery store will reasonably believe that the food was not derived from cruelly confined animals. The consumer would be mistaken, however, should the added definition of “ready-to-eat” remain in the regulations. This definition not only deviates from the intent of the statute, which does not distinguish ready-to-eat from other types of meat, but ensures that only consumers savvy enough to read the regulations associated with the statute will know which products are regulated. Consumers should be confident that the Department will uphold its duty to protect them; therefore, the “ready-to-eat” definition cannot stand.

¹³ CDFA, *Department of Food and Agriculture Animal Health and Food Safety Services Proposed Regulations Animal Confinement* (Sacramento, CA: CDFA, 2021), 3.

¹⁴ “Laying Hens,” General Afitex, accessed July 8, 2021, <https://generalafitex.com/en/aviculture-en/hatching-eggs-layer.html>.

¹⁵ “Veal from Farm to Table,” USDA Food Safety and Inspection Service, last modified August 6, 2013, <https://www.fsis.usda.gov/food-safety/safe-food-handling-and-preparation/meat/veal-farm-table>.

Usable floorspace and outdoor enclosures

The statute, born of the ballot initiative, states clearly that “confining a calf raised for veal with less than 43 square feet of usable floor space per calf” or “confining a breeding pig with less than 24 square feet of usable floor space per pig” is unlawful. Notably, the statutory definition of “usable floorspace” does not include outdoor pens or pastures accessible to animals. In other words, outdoor pens and pastures are *additional to* the minimum usable floor space available to each animal. This is important because outdoor spaces should be used for enrichment, not to satisfy a legal definition of usable floorspace, as such spaces are *accessible to* but not certain to be used by animals.¹⁶ Historically, outdoor access has conferred “free-range” status on animals, even if their access is through a small passage from their indoor enclosure, and they never step foot outside.¹⁷ As Mark Kastel of the Cornucopia Institute has stated, the term “access” (or “accessible,” in the Department’s draft regulations) often means a few small doors that lead to a screened-in porch with cement, dirt, or a modicum of grass.¹⁸ And industrial fans that suck ammonia out of the building often create “hurricane winds” through the doorways, “and the birds don’t really want to walk through that.”¹⁹ Furthermore, during extreme weather, animals cannot (or at least should not) go outside, plainly illustrating that accessible outdoor space does not equal usable space.

III. The statute clearly defines “whole pork meat,” and industry interests should not dictate modifications that undermine the will of California voters.

The plain language of the statute contains the only exceptions to the definition of “whole pork meat” that were presented to California voters:²⁰ “combination food products, including soups, sandwiches, pizzas, hotdogs, or similar processed or prepared food products that are comprised of more than pork meat, seasoning, curing agents, coloring, flavoring, preservatives, and similar meat additives.” The Department’s proposed regulations, however, attempt to limit the scope of the term “whole pork meat” by incorporating an industry-supported exemption for “ready-to-eat” products and exempting ground pork meat, which the statute does not contemplate.

This departure from the statutory language defies California law: “Regulations that alter or amend [a] statute, or enlarge or impair its scope, are invalid.”²¹ The proposed exemptions narrow the statutory definition of “whole pork meat,” which covers “any uncooked cut . . . comprised entirely of pork meat, except for seasoning . . . and similar meat additives.”²² The regulations must cover any ready-to-eat or ground pork meat that satisfies these basic criteria. California courts have invalidated similar rules that impaired or narrowed a statute’s scope.²³ For

¹⁶ Jodi Henke, “The Definition of Free-Range Chickens,” *Successful Farming* (podcast), March 8, 2021, <https://www.agriculture.com/podcast/living-the-country-life-radio/the-definition-of-free-range-chickens>.

¹⁷ Henke, “Definition of Free-Range Chickens.”

¹⁸ Anders Kelto, “Farm Fresh? Natural? Eggs Not Always What They’re Cracked Up to Be,” *The Salt* (blog), December 23, 2014, <https://www.npr.org/sections/thesalt/2014/12/23/370377902/farm-fresh-natural-eggs-not-always-what-they-re-cracked-up-to-be>; Tara Lewis, *Free Range or Free Reign? False Advertising in the Egg Industry* (Washington, DC: Georgetown University Law Center, 2017), 10, <https://aldf.org/wp-content/uploads/2018/06/False-Advertising-in-the-Egg-Industry-Lewis.pdf>.

¹⁹ Lewis, *Free Range or Free Reign?*

²⁰ “California Code, Health and Safety Code – HSC § 25991, FindLaw, last modified January 1, 2019, <https://codes.findlaw.com/ca/health-and-safety-code/hsc-sect-25991.html>.

²¹ *Ass’n of California Ins. Companies v. Jones*, 386 P.3d 1188, 1196 (Cal. 2017).

²² CDFA, *Title 3. Food and Agriculture: Proposed Regulations – Animal Confinement* (Sacramento, CA: CDFA, 2021), 4, http://www.cdfa.ca.gov/ahfss/pdfs/regulations/AnimalConfinement1stNoticePropReg_05252021.pdf.

²³ See *Center for Biological Diversity v. Department of Fish & Wildlife*, 361 P.3d 342, 358–62 (Cal. 2015) (invalidating regulation defining “take” that exempted takings to protect species from harm where the legislature’s definition lacked such a limited scope); *Home Depot, U.S.A., Inc. v. Contractors’ State License Bd.*, 41 Cal. App. 4th 1592, 1600–02 (1996) (invalidating regulation requiring that contractors work on projects involving more than two unrelated trades where the statute required contractors to principally work on projects involving more than two unrelated trades); *Henning v. Div. of Occupational Saf. & Health*, 219 Cal. App. 3d 747, 758–63

example, where a rule (contractors' projects *must* engage more than two unrelated trades) narrowed a statutory definition (contractors need only *primarily* work on projects engaging more than two unrelated trades), the California Court of Appeals condemned the effort to "rewrite the statute to conform to an assumed intent that does not appear from its plain language"²⁴—as is the Department's effort here. Indeed, the Department is trying to comprehensively expunge an entire category of pork from the proposed regulatory scope—an effort to rewrite the animal confinement statute that ignores, and violates, the statute's plain language.

Additionally, the proposed regulations concerning whole pork meat are inconsistent with those concerning liquid eggs and shell eggs, and this inconsistency must be remedied to uphold the purpose of the statute. In Article 1, Section 1320(u) of the proposed regulations, the Department provides that "liquid eggs" include "any mixture . . . of two or more of the products specified in this subsection" and "any product, or mixture of products . . . to which has been added no more than sugar, salt, water, seasoning, coloring, flavoring, preservatives, stabilizers, or other similar food additives."²⁵ In its Notice of Proposed Action, the Department acknowledges that narrowing the definition of "shell eggs" or "liquid eggs" would not "coincide with the intent of the Act that was overwhelmingly passed by voters to ensure eggs purchased and consumed by Californians were not from egg-laying hens confined in a cruel manner."²⁶ The Department, however, refrains from applying this logic to the definition of "whole pork meat." Instead, despite considerations to include "raw ground pork" on the list of covered products, the Department chose to exclude it.

The divulgence buried in the Department's Notice of Proposed Action (a lengthy, technical document that the average consumer will not have reviewed) is troubling: **CDFA considers a "higher-cost" alternative and acknowledges that "benefits may be larger . . . if more covered animals are not raised in a cruel manner."**²⁷ That higher-cost alternative included raw ground veal and raw ground pork, meaning "foods composed of raw ground veal or pork plus seasonings, coloring, curing agents, etc.," would have been considered cuts of "whole veal meat" and cuts of "whole pork meat" and thus subject to the statute's requirements. In this section of the Notice of Proposed Action the Department reveals that it has prioritized costs over the will of Californians. Should these regulations move forward as drafted, consumers will probably never know that the raw ground pork they purchase from the grocery store does not come from pigs protected by Proposition 12. By limiting the products covered under the statute through its regulations and skirting responsibility to uphold the ballot initiative's purpose, the Department effectively changes the plain meaning of the law. The very alternative that CDFA chose to forego is what California consumers should reasonably expect to be in place.

The Notice of Proposed Action provides that the Department's decision to exclude raw ground pork was "based on informal feedback from pork stakeholders."²⁸ **Thus, the very stakeholders that directly influenced the Department to narrow the scope of products that the proposed regulations cover, defying the plain language of the statute, are the corporations that profit from the excluded products.** For example, Los Angeles is the second-largest market for dinner sausage in the United States, with sales of \$140.8 million in 2020.²⁹ The Department must not prioritize these significant, profit-based industry interests and

(1990) (invalidating regulation that exempted some asbestos contractors from state agency registration when statutes required all asbestos contractors to register).

²⁴ Home Depot, 41 Cal. App. 4th, at 1602.

²⁵ CDFA, *Department of Food and Agriculture Animal Health and Food Safety Services Proposed Regulations*, 4.

²⁶ CDFA, Title 3. *Food and Agriculture: Proposed Regulations – Animal Confinement*, 26–28.

²⁷ CDFA, Title 3. *Food and Agriculture: Proposed Regulations – Animal Confinement*, 28.

²⁸ CDFA, Title 3. *Food and Agriculture: Proposed Regulations – Animal Confinement*.

²⁹ "Consumption Stats," National Hot Dog and Sausage Council, accessed July 9, 2021, <https://www.hot-dog.org/media/consumption-stats>.

those of out-of-state producers over the unequivocal will of California voters—which is itself now statutory. As evidenced in the Notice of Proposed Action, the Department has opted not to proceed with regulations that would protect more animals and, in its own words, result in larger benefits.³⁰ To properly remedy this clear conflict of interest, the Department should adopt “Alternative 2” described in its Notice of Proposed Action. Specifically, raw ground veal, raw ground pork, and their products (foods composed of raw ground veal or pork plus seasonings, coloring, curing agents, etc.) should be considered cuts of “whole veal meat” and cuts of “whole pork meat” and thus subject to the statute’s requirements.”³¹

As the Department states in its Notice of Proposed Action in the section concerning eggs, inconsistency will also lead to consumer confusion, promote cheating, and present greater enforcement challenges.³² Accordingly, the Department makes clear that “liquid eggs” must be defined in a way that is comprehensible not only to producers, processors, and handlers but to consumers.³³ The same must be true for the definition of “whole pork meat.” In its Notice of Proposed Action, the Department rejects Alternative 1 in part because it would result in a “mix of compliant and noncompliant covered products sold in California and it would be difficult for the consumer to know if they were purchasing shell eggs, liquid eggs, whole veal meat, and whole pork meat from animals not confined in a cruel manner.”³⁴ By further narrowing the definition of “whole pork meat,” the Department risks greater confusion. Additionally, cheating risks and enforcement challenges will not be resolved by further limiting the products covered under the statute.

II. Adequate enforcement of the ballot initiative’s plain language requires that certifying standards and procedures be timely, uniform, legitimate, and crafted with the intent to prevent extreme cruelty.

By voting overwhelmingly in favor of Proposition 12, Californians made clear that they do not want products from animals subjected to extremely cruel confinement. To uphold the will of the people, measures must be in place to ensure proper enforcement of the statute.

Delaying Enforcement Until 2023

The promulgation of regulations has been delayed for more than a year, as they were originally scheduled for release in September 2019. Notably, the law for veal calves and egg-laying hens in areas with less than 1 square foot of usable floor space per hen went into effect in January 2020. Due to the failure to finalize regulations by the statutory date, the law has taken effect without guidance on enforcing it. The statute for breeding pigs and egg-laying hens in areas other than indoor or outdoor cage-free housing systems is set to take effect in January 2022.

Delaying certification requirements for facilities with egg-laying hens, veal calves, and breeding pigs until 2023 is directly at odds with the will of California voters, who made clear that these animals should not endure extreme confinement beginning in 2020. Should the Department move forward with the 2023 plan, a stop-gap enforcement mechanism must be implemented. Self-certification is not a sufficient enforcement mechanism; third-party enforcement is necessary to prevent conflicts of interest and preserve the integrity of the statute.

³⁰ CDFA, *Title 3. Food and Agriculture: Proposed Regulations – Animal Confinement*.

³¹ CDFA, *Title 3. Food and Agriculture: Proposed Regulations – Animal Confinement*.

³² CDFA, *Title 3. Food and Agriculture: Proposed Regulations – Animal Confinement*.

³³ CDFA, *Department of Food and Agriculture Animal Health and Food Safety Services Division Initial Statement of Reasons* (Sacramento, CA: CDFA, 2021), 138,

http://www.cdfa.ca.gov/ahfss/pdfs/regulations/AnimalConfinementISOR_05252021.pdf.

³⁴ CDFA, *Title 3. Food and Agriculture: Proposed Regulations – Animal Confinement*.

CDFA has implemented similar mechanisms in response to earlier public comment. Article 2, Section 1321.9 (c), for example, states that “the Department’s decision to deny, suspend, or revoke a registration shall remain in effect pending the outcome of an appeals process.” In previous drafts released by CDFA, producers could maintain production activities through an appeals process. The revised proposed regulations allow CDFA to enforce the statute in the face of uncertainty. Mercy For Animals is grateful that the Department implemented this impactful suggestion. A stop-gap enforcement measure will serve a similar purpose. We urge the Department to add stronger measures to ensure proper enforcement of the statute prior to 2023.

Uniform Training and Standards

As detailed in Mercy For Animals’ previous informal comments (Appendix A), uniform training and standards for all certifiers are essential to ensuring compliance with the statute. While this may initially require increased capacity within the Department, in the long run it will ensure a more efficient, systematic enforcement scheme while creating jobs for Californians. The state’s unemployment rate appears to be stabilizing, but it is still quite high at 8.3 percent as of March 2021.³⁵

Article 5, Section 1326.4 (d) states: “If the certifying agent is a government entity other than the Department, it may use its own authorized procedures for application review in lieu of this section’s requirements as long as such review includes an on-site verification of an applicant’s compliance with the Act.” This section should be amended to include clear, uniform standards for all certifying agents. As written, this section provides ample opportunity for government certifiers to vary in their interpretation of compliance and thus compromise product consistency and jeopardize the health and safety of California consumers—in direct conflict with the ballot initiative’s purpose.

This is especially concerning because the Department is not to be held responsible for any failure to comply on the part of the certifying agent, per Article 5, Section 1326.10 (b)(1). Without uniformity for certifying agents and with no recourse for CDFA, should third-party certifying agents fail, noncompliance is more likely. Californian consumers should be assured that all products are held to the same quality standard, as this is what they voted for. This begins with uniform training and standards for all certifying agents.

Risk of “Certifier Shopping”

Article 5, Section 1326.7(b)(2) provides that upon receipt of a notification of noncompliance, an applicant may “correct noncompliances and submit a new application to another certifying agent.”³⁶ Allowing an applicant to choose whether to submit a new application to the agent who previously issued a notice of noncompliance or a different agent threatens the legitimacy of the certifying process. An applicant who previously failed to comply with the statute should not be able to take advantage of the lack of uniformity in certifier training and standards by targeting other agents who may be more lenient. Further, on-site inspections by a certifying agent or an authorized representative of the Department should be random and unannounced.

Certifier Expertise in Reducing Animal Cruelty

Certifiers must uphold the ballot initiative’s intent—to prevent animal cruelty. Thus, their expertise must center on prevention rather than “animal production and covered product distribution techniques.” Article 5, Section 1326.10(a) of the proposed regulations inadequately

³⁵ California Employment Development Department, “California Unemployment Rate Decreases to 8.3% in March” (news release), Ca.gov, April 16, 2021, <https://www.edd.ca.gov/newsroom/unemployment-march-2021.htm>.

³⁶ CDFA, *Department of Food and Agriculture Animal Health and Food Safety Services Proposed Regulations*, 43.

lists the requirements for accredited certifying agents. Since the ballot initiative's purpose is to "prevent animal cruelty by phasing out extreme methods of farm animal confinement,"³⁷ accredited certifying agents should be required to demonstrate expertise in animal welfare. Experience in "animal production and covered product distribution techniques" does not guarantee that a certifier understands how to humanely handle a farmed animal, how to recognize when a farmed animal is in pain or suffering, or how to mitigate any such pain or suffering. It does not guarantee that the certifier can fulfill the requirements of the statute enacted to protect farmed animals. The regulations must include a requirement that accredited certifying agents have expertise in animal welfare such that they can prevent animal cruelty.

Mercy For Animals thanks the Department for consideration of the above comments and encourages collaboration with the State Department of Public Health in revising the regulations. New regulations that uphold the purpose of the ballot initiative must be released. If they are not, the Department will have failed in its duty to ensure that animal cruelty is prevented "by phasing out extreme methods of farm animal confinement, which also threaten the health and safety of California consumers, and increase the risk of foodborne illness and associated negative fiscal impacts on the State of California."³⁸

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "AJ Albrecht". The signature is fluid and cursive, with a large loop at the end.

AJ Albrecht, Esq.
Director of Government Affairs
Mercy For Animals

³⁷ CDFA, "Proposition 12 Implementation," Ca.gov., accessed July 9, 2021, <https://www.cdfa.ca.gov/ahfss/Prop12.html>.

³⁸ Cal. Initiative 17-0026.