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California Proposition 2 (2008)

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Proposition 2, or the Standards for Confining Farm Animals ^[1], appeared on the [November 2008 ballot](#) in [California](#), where it passed with 63.5% of the vote.

Prop 2 creates a new state statute that prohibits the confinement of farm animals in a manner that does not allow them to turn around freely, lie down, stand up, and fully extend their limbs.

Voters in other states have voted to [eliminate calf and pig crates](#), but Proposition 2 in California in 2008 is the first time voters will have been asked to eliminate the practice of confining chickens in battery (small, confining) cages.

The hotly-contested battle over the proposition led to both an hour-long [Oprah](#) show airing on October 14 and, through September 30, \$14 million raised by the two sides of the issue.^[2] ^[3]

Election results

California Proposition 2		
	Votes	Percentage
✔ Yes	8,009,556	63.5%
No	4,622,352	36.5%
Total votes	12,631,908	100%

Specific provisions of the act

The proposed act prohibits the confinement of farm animals in a manner that does not allow them to turn around freely, lie down, stand up, and fully extend their limbs.^[4] Additionally, the measure:

- Imposes a misdemeanor penalty and a fine of up \$1,000 or imprisonment in county jail for up to six months to those who have been found to violate the act.
- Bans dense confinement for egg-laying poultry, gestation crates for sows and veal crates for veal calves.

Estimated fiscal impact studies

As released by Secretary of State, Debra Bowen's office, on July 22, the fiscal impact on state and local government revenues is:

- Potential unknown decrease in state and local tax revenues from farm businesses, possibly in the range of several million dollars annually.
-

Animals on the Ballot



Alaska

Wolf & Bear Protection

California

Proposition 2

Massachusetts

Greyhound Protection

North Dakota

Captive Hunting

Previous years

Potential minor local and state enforcement and prosecution costs, partly offset by increased fine revenue.

A May 2008 study by Promar International that was commissioned by opponents to Prop. 2 estimated the fiscal impact of the measure on the California agriculture industry and consumers. This study concluded:

- 95% of the California egg industry and accompanying economic output would be lost by 2015.
- The total current economic output of the industry is \$648 million and 3,561 jobs.
- Egg production costs would increase by 76%. ^[5]

The University of California Agricultural Issues Center (AIC), attached to UC-Davis, issued a July 2008 study about the fiscal impact. That study said:

- The best evidence from a variety of sources suggests that (non-organic) non-cage systems incur costs of production that are at least 20 percent higher than the common cage housing systems. This is due to higher feed costs, higher hen laying mortality, higher direct housing costs, and higher labor costs.
- The study also estimated that the California egg industry would relocate to other states during the 5-year adjustment period.
- The study concluded that the cost to consumers of the cheapest California-produced eggs would increase by at least 25%. However, since the egg industry shall have relocated to other states, in the opinion of the study, they conclude that the cost of eggs to California consumers will increase by about 1 cent per egg. ^[6]

The Humane Society of the United States (HSUS), a key supporter of Proposition 2, has filed a lawsuit against UC-Davis relative to this study. The Humane Society had filed a [California Public Records Act](#) request seeking documents from the university to establish whether any funding for the study came from industry opponents of Prop. 2, versus entirely from the university's normal revenue streams (taxpayers, tuition, etc.). The university did not deliver the requested documents promptly, which led to the HSUS's lawsuit, since the HSUS wants the documents prior to the election. ^[7]

Animal confinement practices in California



Currently in California, chicken farmers are allowed to raise chickens in what are called "battery cages". These are stacked wire enclosures where 95% of laying hens live out their lives, with six to eight hens to a cage. According to the United Egg Producers, a trade association, about 30 farms in California produce most of the state's annual 5-billion-egg harvest, an average of more than 600,000 hens per farm. ^[8]

Calves may be raised in veal crates and sows may be raised in gestation crates.

Egg production

Currently, about half the eggs consumed in California are produced outside the state. The provisions of Proposition 2 would not apply to out-of-state egg producers.

Egg production in the state is concentrated in Sonoma County, the Central Valley and Southern California. San Joaquin County produced an estimated 34.5 million dozen eggs in 2007, worth more than \$25 million to farmers. Eggs account for a little more than 1 percent of California's \$32 billion annual farm production. The state's egg industry employs about 3,000 people.

The top ten egg-producing states in the country, ranked by number of active hens, are:

- Iowa, 52.6 million laying hens
- Texas, 14.1
- Ohio, 25.6
- Florida, 10.4
- Indiana, 23.8
- Nebraska, 9.9
- Pennsylvania, 20.5
- Minnesota, 9.7
- California, 18.3
- Georgia, 9.5

Only three of the top 10 egg-producing states allow for citizen initiative (California, Florida and Nebraska).



Proponents and supporters

The YES! on Prop 2 campaign is run by Californians for Humane Farms, sponsored by The Humane Society of the United States, Farm Sanctuary, and other animal protection groups, family farmers, veterinarians and public health professionals.

Joe Ramsey is the official sponsor of the initiative. In addition to humane societies and animal welfare groups, the measure is also backed by the California Veterinary Medical Association, the Center for Food Safety, the Center for Science in the Public Interest, the Consumer Federation of America, Clean Water Action, the Sierra Club, the United Farm Workers, and the Union of Concerned Scientists.^[9] The measure has also been endorsed by several politicians, including the **California Democratic Party** and U.S. Senator Dianne Feinstein.^[10]

Jennifer Fearing is the campaign manager for the "Yes on Prop 2" campaign.^[11]

See also: [List of Proposition 2 supporters](#).

On October 7, the Yes on Prop 2 campaign released two commercials in support of the ballot initiative. ^[31]  and ^[32] 

Supporting arguments

- Prop 2 prevents cruelty to animals, since it is simply wrong to confine animals in tiny cages barely large enough for their bodies. To emphasize this argument, supporters of Prop 2 released a video on October 14 that according to the [Los Angeles Times](#) shows "egg-laying hens crammed into filthy cages, while, nearby, discarded birds are left to die in piles of corpses."^[12]
- Prop 2 improves our health and food safety by requiring better conditions for animals.
- Prop 2 supports family farmers, who are driven out of business when factory farms cut corners and put profits ahead of animal welfare and our health.
- Prop 2 protects air and water and safeguards the environment.
- Prop 2 is a reasonable and common-sense reform, which will take effect in 2015 and won't be costly to implement.
- The price of cage-free eggs will go down.^[13]
- See [California Proposition 2 videos](#)

Donors to Proposition 2

Through September 27, \$5,248,759 had been donated to support Proposition 2.^[14]

Notable donors and donations to the campaign in support of Proposition 2 through September 27 include:

- [Humane Society of the United States](#), \$3,665,000
- Farm Sanctuary, \$275,000.

- The Fund for Animals, \$250,000.
- Tobey Maguire (of Spiderman fame), \$5,000.
- Leslie Alexander, \$100,000.^[15]

Path to the ballot

On February 28, 2008, supporters of the measure submitted 790,486 signatures to qualify the measure for the ballot. This compared to a requirement of 433,971 [valid signatures](#). In early April 2008, the [Secretary of State of California](#) announced that the signatures were sufficient and the measure would proceed to the November ballot.^[16]^[17]^[18]^[19]

Initiative supporters say that their petition drive was invigorated in February when a video of sick cows being abused at a packing plant in Chino, California surfaced and was widely viewed on the internet.^[20]

The signatures were gathered by a combination of volunteers throughout the state, plus paid signature gatherers employed by [Progressive Campaigns, Inc.](#) at a cost of \$416,756.^[21]

Opposition and opposing arguments

Californians for SAFE Food has been formed to oppose the initiative.^[22] When the signatures to qualify the measure for the ballot were turned in, the group released a statement,^[23] saying, "This measure is primarily an effort to ban the use of a scientifically proven method for housing egg-laying hens. If implemented it would trigger unintended consequences which are likely to include increased farm costs, decreased in-state production and higher egg prices for California families."

Opposing arguments

- If it passes, egg supply will go down and egg prices will go up.
- Some egg farmers in California who already practice cage-free chicken farming are fearful that the ballot language is ambiguous and that their farming would also be subject to the provisions of the initiative.^[24]
- If chickens are not in cages, they are more vulnerable to attacks by predators, including other chickens;
- Veal crates and gestation crates for pigs are practically non-existent in California or are being voluntarily phased out this year.^[25]
- The initiative doesn't require farmers to keep chickens outdoors. Battery cages have been banned in Europe effective 2012. Farmers making the transition there are not providing free range conditions for their chickens but are instead finding other ways to keep chickens in barns.^[8]
- If egg companies don't want to deal with the new regulations, they can move to other states or Mexico, taking their benefits to local economies with them.^[8]
- According to a study put out by the University of California-Davis, if Prop 2 passes, it is likely that it would force the state's \$300 million egg industry to move out of the state or out of business entirely.
- The cost of producing eggs would increase by 20% or more.
- The egg business would have to invest about \$500 million on new ways to house chickens.^[26]
- Consumers would buy trucked-in eggs from other states and Mexico which would be more exposed to salmonella, and the hens more vulnerable to bird flu.^[27]
- According to the [National Taxpayers Union](#), Proposition 2 would place additional regulations on how livestock owners must handle their farm animals, which could increase food costs.^[28]

- Los Angeles pundit George Skelton says, "I'm for chicken compassion. But I feel more compassionate about the chicken farmer in this bankrupting economy."^[29]
- See [California Proposition 2 videos](#)

Donors to opposition campaign

Through September 27, \$6,894,966 had been donated to oppose Proposition 2.^[30]

As of September 27, examples of groups that have contributed over \$100,000 include:

- Demler Enterprises and Demler Eggs^[31]
- Cal-Maine Foods
- Braswell Milling
- Moark, LLC
- Gemperle Enterprises
- United Egg Producers
- J S West Milling Company
- Valley Fresh Foods
- Nucal Foods
- Foster Poultry Farms
- Quality Eggs of New England
- Tampa Farm Service

Complaint Filed

On September 3, the Prop. 2 campaign filed a complaint with the [Fair Political Practices Commission](#) saying that they believe "the No on Prop 2 campaign has used the United Egg Producers as a conduit to launder out-of-state contributions to the campaign in direct violation of California finance laws."

What's at issue is a \$250,000 donation from the U.S. Poultry and Egg Association. That group gave its donation to United Egg Producers rather than to the No on 2 committee. The "Yes on 2" committee believes that doing so violates a provision of the state's campaign finance laws.^[32]

Polling information

See also *[Polls, 2008 ballot measures](#)*.

Month of Poll	Polling organization	In Favor	Opposed	Undecided
July 2008	Field	63 percent	24 percent	13 percent ^[33]
September 2008	SurveyUSA	72 percent	10 percent	17 percent
October 18-28	Field	60 percent	27 percent	13 percent ^[34]

Newspaper endorsements

Editorial boards in favor

- The San Diego Union-Tribune^[35]
- The New York Times^[36]
- The San Jose Mercury News^[37]
- The Santa Cruz Sentinel^[38]
- The Paradise Post^[39]

- [The Los Angeles Daily News](#)^[40]
- [The Whittier Daily News](#)^[41]
- [The San Francisco Bay Guardian](#)^[42]

Editorial boards opposed

- [The Los Angeles Times](#)^[43]
- [The San Francisco Chronicle](#)^[44]
- [The Press Telegram](#)^[45]
- [Orange County Register](#)^[46]
- [Bakersfield Californian](#)^[47]
- [Colusa County Sun-Herald](#)^[48]
- [North County Times](#)^[49]
- [Hollister Free Lance](#)^[50]
- [Long Beach Press-Telegram](#)^[51]
- [Milpitas Post](#)^[52]
- [Modesto Bee](#)^[53]
- [Antelope Valley Press](#)
- [Redding Record Searchlight](#)^[54]
- [The Madera Tribune](#)^[55]
- [Napa Valley Register](#)^[56]
- [Sacramento Bee](#)^[57]
- [Santa Rosa Press Democrat](#)^[58]
- [The Union Democrat](#)^[59]
- [Visalia Times-Delta](#)^[60]
- [Fresno Bee](#)^[61]
- [The Eureka Reporter](#)^[62]
- [The Record](#)^[63]
- [Chico Enterprise Record](#)^[64]
- [The Press-Enterprise](#)^[65]
- [Marin Independent Journal](#)^[66]
- [Monterey County Herald](#)^[67]
- [The Signal Santa Clarita Valley](#)^[68]
- [Daily Breeze](#)^[69]
- [The Reporter](#)^[70]
- [Merced Sun-Star](#)^[71]
- [The Californian](#)^[72]

External links

Basic information

- [California Voter's Guide for Proposition 2](#)
- [California voter online guide to Proposition 2](#)
- [Fiscal Impact Statement](#)
- [UC Davis Study Citing Economic Effects](#)*[CaliforniaPropositions.org Prop 2 information page](#)
- [Institute of Governmental Studies Library Hot Topic: Proposition 2](#)

Supporters

- [Yes on 2 -- Californians for Humane Farms](#)
- [Campaign expenditures of Californians for Humane Farms](#)
- [Large donors to Californians for Humane Farms](#)
- [A vote for 20 million animals](#)
- [Undercover video said to be from a California egg farm](#) from Chicago group [Mercy for Animals](#)

Opponents

- [Californians for SAFE Food](#)
- [Study Commissioned by Egg Industry Citing Negative Economic Impact](#)
- [The Truth About Proposition 2: Putting Our Food Safety & Public Health At Risk](#)
- [Large donors to Californians for SAFE Food](#)
- [Expenditures of Californians for SAFE Food](#)
- [The Libertarian Party of California](#)

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3. ↑ [Press Democrat, "Millions spent on chicken-cage ballot initiative", October 12, 2008](#)
4. ↑ [FAQ about initiative's provisions](#)
5. ↑ [\[2\]](#) [Economic Impact on California of the Treatment of Farm Animals Act, Promar International, May 16, 2008](#)
6. ↑ [\[3\]](#) [Sumner, Daniel A. et al, Economic Effects of Proposed Restrictions on Egg-laying Hen Housing in California, University of California Agricultural Issues Center, July 2008](#)
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8. ↑ [8.0 8.1 8.2 Los Angeles Times, "Chicken Run", July 5, 2008](#)
9. ↑ [List of sponsors of the Prevention of Farm Animal Cruelty Initiative](#)
10. ↑ [California Democratic Party, U.S. Senator Dianne Feinstein and Senator Barbara Boxer Endorse State Anti-Cruelty Ballot Measure](#), June 19, 2008
11. ↑ [Jennifer Fearing personnel profile](#)
12. ↑ [Los Angeles Times, "Footage of mistreated hens released in support of Proposition 2", October 14, 2008](#)
13. ↑ [San Francisco Chronicle, "Prop. 2: Caging of farm animals under debate", September 30, 2008](#)
14. ↑ [Sacramento Bee, "Ballot Watch: Proposition 2: Standards for confining farm animals", September 27, 2008](#)
15. ↑ [Official record of donations to California Proposition 2](#)
16. ↑ [Secretary of State's ballot qualification notice](#)

17. ↑ [Nearly 800,000 signatures turned in to qualify anti-cruelty measure for November ballot](#)
18. ↑ [Anti-Cruelty Measure Certified for California's November Ballot](#), April 10, 2008
19. ↑ [Los Angeles Times, "Animals in the voting booth"](#), April 8, 2008
20. ↑ [Press-Enterprise, "Prop. 2 petition drive lagged until cow abuse video surfaced"](#), August 17, 2008
21. ↑ [Campaign expenditure details](#)
22. ↑ [Group forms to fight California ballot initiative](#), Daily Herd, Jan. 8, 2008
23. ↑ [United Egg Producers, "Measure threatens science-based farm practices"](#) February 25, 2008
24. ↑ [[* Inside Bay Area, "Some cage-free egg producers fear effects of Prop. 2"](#), September 25, 2008
25. ↑ [California Farmer, Group Formed to Fight Ballot Measure](#), May 1, 2008
26. ↑ [Record Net, "Measure could send egg industry packing, study says"](#), July 23, 2008
27. ↑ [Press Telegram, "Uncertain animal benefits"](#), September 29, 2008
28. ↑ [National Taxpayers Union, "General Election Ballot Guide 2008, The Taxpayer's Perspective"](#)
29. ↑ [Los Angeles Times, "Proposition 2: Good for chickens, bad for chicken farmers"](#), October 20, 2008
30. ↑ [Sacramento Bee, "Ballot Watch: Proposition 2: Standards for confining farm animals"](#), September 27, 2008
31. ↑ [Official record of \\$5,000+ donors opposing Proposition 2](#)
32. ↑ [California Majority Report, "Yes on Prop 2 Campaign Files FPPC Complaint Today, Alleging Money Laundering by United Egg Producers"](#), Septembver 3, 2008
33. ↑ [July 22 Field Poll results on Proposition 2](#)
34. ↑ [Field Poll for the Sacramento Bee, October 31, 2008](#)
35. ↑ [San Diego Union Tribune, "Ban on inhumane confinement is sensible"](#), September 15, 2008
36. ↑ [New York Times, "Standing, Stretching, Turning Around"](#), October 8, 2008
37. ↑ [Mercury News, "Editorial: Vote yes on Proposition 2 to let chickens spread their wings"](#), October 2, 2008
38. ↑ [Santa Cruz Sentinel, "Proposition 2 makes humane sense"](#)
39. ↑ [Paradise Post, "We support Prop 2 but not Prop 3"](#)
40. ↑ [Los Angeles Daily News, "Yes on Prop 2; It's a feel-good egg"](#)
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43. ↑ [Los Angeles Times, "No on Proposition 2"](#), September 25, 2008
44. ↑ [San Francisco Chronicle, "Why Proposition 2 is a bad idea"](#), September 24, 2008
45. ↑ [Press Telegram, "Uncertain animal benefits"](#), September 29, 2008
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Additional reading

- [Prop. 2 mandates cage-free chickens](#) [↗](#)
- [Opposition groups say Proposition 2 is something to cluck about](#) [↗](#)
- [The battle over Prop. 2](#) [↗](#)
- [Proposition 2 causes a flap over costs, benefits](#) [↗](#), Los Angeles Times
- [Prop 2: For animals and our humanity](#) [↗](#)
- [The Barnyard Strategist](#) [↗](#)

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