

**SB 1019 A STAFF MEASURE SUMMARY**

Carrier: Sen. Roblan

**Senate Committee On Environment and Natural Resources****Action Date:** 04/08/19**Action:** Do pass with amendments. (Printed A-Eng.)**Vote:** 5-0-0-0**Yeas:** 5 - Bentz, Dembrow, Olsen, Prozanski, Roblan**Fiscal:** Fiscal impact issued**Revenue:** No revenue impact**Prepared By:** Beth Patrino, LPRO Analyst**Meeting Dates:** 4/4, 4/8**WHAT THE MEASURE DOES:**

Prohibits person buying, selling, transporting in intrastate commerce, or receiving egg or egg product not produced in compliance with specified laws under conditions meeting or exceeding enclosure standards adopted by Oregon Department of Agriculture (ODA). Makes exception for sale of egg or egg products produced at an official plant as defined in federal law where mandatory inspection is maintained under federal Egg Products Inspection Act. States that state laws governing processing and sale of eggs are in addition to, not in lieu of, other animal welfare statutes. Defines "cage-free housing system." Directs ODA to adopt rules to require that egg-laying hens be housed in cage-free housing systems and establish usable floor space requirements. Requires ODA adopt rules that establish a usable floor space requirement that equals or exceeds standard in specified guidelines. Requires ODA to impose a civil penalty for violations. Establishes exemptions from prohibition on confinement of egg-laying hens. Makes changes operative January 1, 2024. Requires ODA to adopt rules no later than January 1, 2023 to become effective January 1, 2024. Changes from January 1, 2026 to January 1, 2024 repeal date for law expressing legislative finding that no less than 25 percent of the enclosures used to confine egg-laying hens should, no later than January 1, 2020, meet standards equivalent to the requirements for certification of enriched colony facility systems established in the American Humane Association's farm animal welfare certification program. Repeals existing prohibition against selling products of improperly confined egg-laying hen effective January 1, 2024.

**ISSUES DISCUSSED:**

- Similar legislation has already passed in California; pending legislation in Washington
- Market trend toward requiring cage-free housing of egg-laying hens

**EFFECT OF AMENDMENT:**

Revises definitions of "cage-free housing system" and "total square feet." Clarifies that ODA must adopt rules to require enclosures provide egg-laying hens with usable floor space that equals or exceeds space required in specified guidelines for cage-free housing. Establishes operative date of January 1, 2024 for specified provisions of Act.

**BACKGROUND:**

There are three common housing systems for egg-laying hens in commercial use: cages, free-range, and barns.

In 2011, the legislature adopted Senate Bill 805 prohibiting the confinement of egg-laying hens in an enclosure that did not comply with rules adopted by the Oregon Department of Agriculture (ODA). Hen enclosures constructed or acquired on or after January 1, 2012 were required to meet, or be converted into, enclosures meeting standards for certification of enriched colony facility systems established in American Humane Association's (AHA) farm animal welfare certification program. Effective January 1, 2017, the measure prohibited the confinement of egg-laying hens in enclosures that provided less than 116.3 square inches of individually

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usable floor space per hen. The measure also established housing system conversion goals for both January 1, 2020, and January 1, 2023.

Senate Bill 1019-A would direct ODA to adopt rules requiring that egg-laying hens be housed in a cage-free housing system effective January 1, 2024. The measure would also create exceptions to the cage-free housing requirement.