

Statement

Senator Dianne Feinstein, California

Hearing before the Senate Committee on Agriculture, Nutrition, and Forestry
*Regarding S. 3239 the "Egg Products Inspection Act Amendments of 2012" -
Impact on Egg Producers*

July 26, 2012

Chairwoman Stabenow, Ranking Member Roberts, Members of this Committee, I would like to thank you for this time to discuss the "Egg Products Inspection Act Amendments of 2012."

This is a bipartisan bill cosponsored by Senators Stabenow, Leahy, Blumenthal, Scott Brown, Cantwell, Collins, Kerry, Lautenberg, Lieberman, Menendez, Merkley, Murray, Sanders, Schumer, Vitter, and Wyden.

The United Egg Producers represent approximately 90 percent of the eggs sold in the United States and the Humane Society of the United States is the largest animal welfare organization in the country.

These two groups came together to forge a compromise agreement that will ensure the future of the egg industry and result in a better product. This is the kind of agreement we need more of and we should support their efforts.

In 2008, Californians passed Proposition 2, which among other things, created a requirement that hens be able to stretch their wings and turn around. This initiative passed with an overwhelming majority. Similar measures were also put in place in Michigan, Arizona, Washington, Ohio and Oregon.

The result of these individual state-level initiatives is a patchwork of standards that make it hard for egg producers to know the rules of the road and to conduct interstate commerce. Egg farmers nationwide are stymied as they attempt to upgrade their infrastructure and develop new enterprises. Why grow when the rules of the road might change and invalidate your investments? Why develop a new market, if that market might not be open to you in a few short years?

This legislation addresses these problems. The agreement establishes a single national standard for the treatment of egg-laying hens and the labeling of

eggs. You will hear a lot more detail from the next panel, but let me briefly explain what this bill does:

- The size of hen cages is increased over the next 18 years and enrichments like perches and nests are added so that chickens can engage in natural behaviors.
- The practice of depriving hens of food and water to increase egg production is outlawed.
- Minimum air quality standards are put in place for hen houses, protecting workers and birds.
- And clear requirements for egg labeling are created so consumers know whether the eggs they buy come from hens that are caged, cage-free, free-range, or housed in enriched cages.

I understand there are some who have concerns about this bill. Let me be clear on a few points:

First, this legislation applies only to egg producers and is the result of careful negotiations between animal welfare groups and the only industry that would be affected.

Second, I have heard concerns that this bill would hurt small producers. That is incorrect. Farmers with 3,000 birds or fewer are specifically exempt from the provisions of this legislation. Organic, cage-free, and free-range egg producers will be unaffected by the housing provisions of the bill, except that they may see increased sales, as consumers are able to more clearly tell what is available on store shelves as a result of the labeling provisions. For those who are affected by our bill, there is a long phase-in period – up to 18 years. In this period of time, most producers replace their cages anyway.

Next, the science behind this legislation. This legislation is endorsed by the leading scientists in the egg industry, the American Veterinary Medical Association, and the two leading avian veterinary groups. Studies show that these new cages can result in lower mortality and higher productivity for hens, making them more efficient for egg producers.

Finally, I want to set the record straight with regard to the cost of this bill. The Congressional Budget Office scores this legislation as having no cost and a study by Agralytica, a consulting firm, found that this legislation would not have a substantial price effect on consumers.

It is also important to note that this bill reflects what is already happening in consumer demand. McDonalds, Burger King, Costco, Safeway and other companies are already phasing in new humane handling requirements for the production of the food that they sell.

Further, a survey by an independent research company, the Bantam Group, indicates broad support from consumers. Specifically, they found consumers support the industry transitioning to larger cages with enrichments like perches and nesting boxes by a ratio of 12 to 1.

You will meet several egg producers on the next panel, including Eric Benson, from my home state of California, whom I would like to welcome. They have all come to Washington to be heard.

I would also like to add the most recent list of supporters for this legislation into the hearing record. As of today, it is 13 pages long. This list includes 14 agriculture and egg producer groups, the four major veterinary groups who look at egg and laying hen issues, five consumer groups, and many more.

This compromise represents something unique in animal agriculture. This is an animal welfare group and industry working to forge an agreement that is practical and contains reasonable time frames for producers to implement new cage sizes, new protections for the animals and workers, and clearer labeling. This is a practical, fair-minded deal that solves a real problem for the egg industry.

I encourage the Committee to support this bill.