

HSUS Battles Over States' Rights To Set Livestock Standards



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WASHINGTON, D.C.

Would you like someone in California or maybe New York dictating how you can raise your livestock and poultry? That question is at the heart of a battle brewing in Congress over a provision inserted in the House version of the farm bill.

The Humane Society of the United States (HSUS) wants to make sure that a new California law stays on the books and is not repealed by the Protect Interstate Commerce Act (PICA), offered by Rep. Steve King, R-Iowa. The California law will require that only eggs from hens housed in cage sizes specified by California be allowed to be sold to their millions of consumer by 2015 – regardless if they are produced in Iowa, South Dakota, Missouri or any other state.

King argues the U.S. Constitution, under the Commerce Clause, reserves the regulation of interstate commerce to the Congress, not the states. His amendment would simply prohibit states from entering into trade protectionism by forcing what can often be cost prohibitive production methods on farmers in other states. It would apply to all agricultural products listed in section 206 of the Agriculture Marketing Act of 1946.

“The impact of their large market would compel producers in other states to invest billions to meet the California standard of ‘means of production,’” King emphasizes. His own state of Iowa – now the largest egg producer in the United States – would be particularly hard hit.

Iowa’s egg farmers raise nearly 60 million laying hens producing nearly 15 billion eggs per year. That’s almost one out of every five eggs produced in the United States.

King also has said his amendment will “shut down” HSUS and other “radical organizations from creating a network of restrictive state laws that will slowly push agriculture production towards its demise.”

Now HSUS is fighting back hard – rallying other members of Congress to oppose the measure when – or if – the final farm bill makes its way to a final conference committee. More than 160 House Democratic and Republican law-

makers have expressed opposition to the amendment in a letter to House leadership.

Similar legislation is not included in the Senate version of the farm bill.

John Goodwin, director of HSUS animal cruelty policy, said the King amendment includes a definition of agriculture so broad it would override any state law regulating agricultural products and end-products. He also tried to paint Congressman King as anti-animal welfare.

“King has opposed every piece of federal legislation that would protect animals,” Goodwin told reporters during a recent teleconference. “When states try to implement their own standards, he attempts a radical federal overreach.”

HSUS claims King’s amendment would remove numerous state animal protection laws on puppy mills, farm animal confinement, shark finning, horse slaughter, and dog meat, as well as a wide range of other laws related to food safety, environmental protection, worker safety, and labeling.

In addition, HSUS recently held a press conference with state legislators to urge stripping the amendment out of the farm bill.

Oregon State Sen. Bruce Starr (R) said, “The proper role of state legislatures is to respond to wishes of constituents in their state and pass laws appropriately. It is inappropriate for the Congress to pass federal legislation that basically wipes those laws off the books.”

Illinois State Sen. Pamela Althoff (R) said, “From a state perspective, I have great concerns with the proposed amendment and what it does to my state’s ability to respond to my constituency. Historically, states have always had broad powers to regulate power. This amendment would undermine that authority.”

Ironically, HSUS has not said much recently about what many described as their own doomed attempt at “radical federal overreach” for egg production standards.

HSUS sponsored an amendment – in an alliance with the United Egg Producers – that would have nationalized standards for hen cages. That provision was opposed by a majority of animal agriculture groups and never made its way into either the House or Senate farm bills. Δ

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