

# Five States Join Lawsuit Against California's Ag Standards

JORDAN SHAPIRO, Associated Press

JEFFERSON CITY, Mo. (AP) — Five other states on Thursday joined Missouri's effort to strike down a California law barring the sale of eggs produced by hens kept in cages that don't meet size and space requirements.

[Missouri Attorney General Chris Koster filed a lawsuit last month](#) [1] in California challenging the egg law that is set to take effect in 2015. Attorneys general for the states contend the California law violates the interstate commerce clause of the U.S. Constitution by effectively imposing new requirements on out-of-state farmers.

"This case is not just about farming practices. At stake is whether elected officials in one state may regulate the practices of another state's citizens, who cannot vote them out of office," Koster said in a written statement.

Nebraska, Alabama, Oklahoma, Kentucky and Iowa joined Missouri's lawsuit. Missouri is behind only Iowa in the number of eggs sold in California. Iowa is the top egg producer in the nation.

The Humane Society of the United States criticized the state's attempt to block the law and said it was a waste of taxpayer dollars. President and CEO Wayne Pacelle said states are letting politics "trump their better judgment" about having minimal standards for animal care.

"It's just not appropriate to jam six or eight birds in tiny spaces so they cannot move," he said.

California voters approved a ballot initiative in 2008 that required egg-laying hens, pigs and calves to be raised with enough space to allow the animals to lie down, stand up, turn around and fully extend their limbs.

After voters approved the initiative, concerns were raised that the measure would put California egg farmers at a competitive disadvantage with counterparts in other states. Pacelle said there also were food safety concerns about eggs produced in conditions that did not meet California's rules. California legislators expanded then the law to ban the sale of eggs in the state from any hens that were not raised in compliance with California's animal care standards.

The six states suing to block the law produce 20 billion eggs a year, of which nearly 2 billion are sold in California. Koster contends Missouri farmers would have to spend about \$120 million to remodel their cages to comply with California's law or forgo sales to one of their most important markets.

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