

The Political Animal: Wayne Pacelle: Animal Protection Laws Take Effect in January 2020

California Leads the Way Among the States

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EINPresswire.com/ -- By Wayne
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This holiday season, I am grateful for legislative actions crafted not only to end malicious cruelty to animals, but also a variety of forms of large-scale, institutionalized cruelty.



A comprehensive national ban on animal fighting – after a decades-long campaign – went into effect on December 20th. It’s a landmark moment in our national fight against staged blood sports. If properly enforced, this ban would shut down more than 100 cockfighting arenas and festival events in the U.S. territories, including Guam and Puerto Rico. The territories are the only places in the United States where cockfights had been openly staged in recent years, with local and federal authorities standing aside as these bloodbaths occurred.

And just last month, the Preventing Animal Cruelty and Torture Act went into effect, creating for the first time a national anti-cruelty law.

These twin policies – establishing felony-level penalties for malicious abuse and for animal fighting – make it a remarkable month for fortifying the legal framework against animal cruelty.

The states, particularly California, have enacted their own sets of animal welfare policies designed to combat institutionalized animal cruelty. Adopted 15 years ago, but blocked for some years by legal maneuverings by the industry, California’s landmark ban on the sale of foie gras is in force and it has set a new standard of care in animal husbandry, declaring as a matter of law that it’s not acceptable to force-feed animals and harvest their swollen livers for the purpose of offering a delicacy to high-end diners.

Originally adopted nearly 50 years ago, a California law restricted the sale of kangaroo skins to stop the importation of their pelts. The ban was lifted some years ago but went back into effect in 2016. Throughout the country, Australian hunters kill kangaroos by the millions for meat and leather in what’s considered the largest commercial killing of land-based wildlife in the world. A driver of the killing is the athletic shoe industry, even as that sector undergoes a massive transition from leather towards durable, lighter synthetic and plant-based materials. Nike, adidas, and Puma still sell soccer cleats made of kangaroo skin, but no longer legally in the Golden State. Animal Wellness and its sister organization, the Center for a Humane Economy, are launching a campaign, “Kangaroos Aren’t Shoes,” to stop manufacturers from using these marsupial skins in all of their athletic shoe offerings.

California's ban on the sale of fur, adopted earlier this year, does not take effect until January 1, 2023 – a year after the state ban on the sale of pork from factory farms that confine pigs in crates takes hold. The restriction on the sale of pork from gestation crates became law when California voters passed Proposition 12 in November 2018.

Proposition 12, a citizen's initiative, strengthened the existing state law protecting laying hens from extreme confinement. It built on two prior farm animal laws that required anyone producing eggs for the California market (in-state as well as out-of-state producers) to provide more space for hens than the conventional industry standard of 67 square inches per bird, about the size of an 8 ½ x 11 inch sheet of paper.

The California Department of Food and Agriculture undermined the prior laws by determining that hens must each have 116 square inches of space – an allotment bigger than the miserly offerings of the industry but still insufficient for the birds to move and behave normally. The new standard, come January 1st, is 144 square inches. That space allotment is generally understood to require cage-free production. Two years from now, the space allotment goes up to 218 square inches per bird, which signals to producers the end of even the most spacious caging systems.

The original 2008 California farm animal protection ballot measure, Proposition 2, breathed life into an anti-confinement campaign that eventually swept the food industry and caused hundreds of retailers to commit to phase in cage-free purchases in their supply chains. The more recent ballot measure has sent a signal to the industry that the transition must proceed apace, with the law setting a higher bar for the purchasing practices of 40 million consumers.

Costco has already completed a 100 percent transition to cage-free eggs on its shelves and floors. Earlier this year McDonald's reported it is sourcing 700 million eggs – about a third of its total egg purchases – from cage-free operations. McDonalds expects to be entirely cage-free by 2025. But many other major retailers are not reporting on their progress, and some appear to be doing nothing to fulfill their commitments. That's why the legal standards in California and Massachusetts – which in 2016 adopted a similar law with a timeline generally aligned with California's – have so much meaning. These two states are critical to the nation's transition from confinement to cage-free because many national brands do not want to have one set of procurement standards for some states and a different set of standards for the laggards. Indeed, the most progressive animal welfare states are helping to usher in a new era of more humane policies in agriculture.

On January 1st, California revived a decades old but abandoned ban on the sale of alligator and crocodile skins. That measure also takes effect in January. This policy change, given the size of the California market, may substantially reduce the sale of handbags, boots, shoes, and other products made from the skins of these prehistoric-looking animals. Raised on "farms," mainly in the South, these animals are killed and skinned in large numbers. Alligator farmers in Louisiana and other states are thrashing about because of the policy, but California is not obligated to sell products it believes are obtained in inhumane ways or that contribute to the decline of rare species in the wild by creating a market for similar-looking skins.

While the federal government has important constitutional powers to restrict inhumane activities – such as animal fighting and the killing of threatened and endangered species – the states also play a critical role in acting as catalysts for change for animals. Whether it's banning foie gras, crocodile watch bands, or gestation-crate-pork, some states are in the vanguard of animal protection. And they are within their rights to take more protective action than the federal government when they so choose.

Animal Wellness Action is helping animals by promoting legal standards preventing cruelty. You can help animals by [making a donation today](#).

Animal Wellness Action is a Washington, D.C.-based 501(c)(4) organization with a mission of helping animals by promoting legal standards forbidding cruelty. We champion causes that alleviate the suffering of companion animals, farm animals, and wildlife. We advocate for policies to stop dogfighting and cockfighting and other forms of malicious cruelty and to confront factory farming and other systemic forms of animal exploitation. To prevent cruelty, we promote enacting good public policies and we work to enforce those policies. To enact good laws, we must elect good lawmakers, and that's why we remind voters which candidates care about our issues and which ones don't. We believe helping animals helps us all.

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