

Statement on Biden Administration Catering to the Whims of the Pork Producers Council and Farm Bureau In SCOTUS Case

Impacts of ruling on animal welfare, states' rights, and climate change could be devastating as a result of Biden position

WASHINGTON, D.C., UNITED STATES, June 21, 2022 /EINPresswire.com/ -- Today, in response to the federal government's filing of a brief urging the U.S. Supreme Court to strike down California's Proposition 12, a voter-approved ballot measure to promote food safety and animal welfare, Wayne Pacelle, president of [Animal Wellness Action](#) and the [Center for a Humane Economy](#), released the following statement:



The Biden administration's support of Big Ag's court case could mean more suffering for animals--and for people.

"The Biden Administration's pandering to Big Agriculture knows no bounds, and the latest example is the U.S. Solicitor General's work with the Agriculture Secretary to try to overturn a landslide vote of Californians to halt the sale of pork and eggs that comes from animals dangerously trapped and overcrowded in crates and cages so small that the animals can barely move. Big Ag has made pleadings in 10 federal court cases aimed at overturning Prop 12 and its antecedents and it has lost every one of them.

"It is shocking that the Biden Administration is attacking the rights of states to enact anti-cruelty and food safety laws, especially in the absence of even a single federal farm animal protection statute and a general federal dereliction of duty when it comes to safeguarding animals reared for food. Millions of people every year are sickened by a range of bacteria and viruses that flow from factory farms. The state's interest in protecting the interests of Californians could not be more apparent.

"When Vice President Harris served as California Attorney General, her office successfully fended off attempts to reverse California's farm animal confinement standards; a prohibition on the sale of foie gras and the force-feeding of birds; and bans on the sale of shark fins, elephant ivory



It is shocking that the Biden Administration is attacking the rights of states to enact anti-cruelty and food safety laws, especially in the absence of even a single farm animal protection statute."

*Wayne Pacelle, president,
Animal Wellness Action*

and rhinoceros' horns. These important animal protection policies are all at risk if this attack on states' rights prevails before the Supreme Court this fall. Where is Vice President Harris when so much is at stake for California and other states?"

The case is National Pork Producers Council, et al., Petitioners v. Karen Ross, in Her Official Capacity as Secretary of the California Department of Food & Agriculture, et al., No. 21-468.

Here is a roster of cases brought in the wake of Prop 2, A.B. 1437, and Prop 12, with all decisions favoring the state of

California and adverse to the plaintiffs.

Cramer v. Harris et al. – egg producer lawsuit against California's Prop 2

-10/02/14 - District Court dismisses the case for lack of standing. Cramer v. Harris, No. CV 12-3130-JFW, 2012 WL 13059699 (C.D. Cal. Sept. 12, 2012).

-02/04/15 - United States Court of Appeals for the 9th Circuit upholds dismissal. No. CV 12-3130-JFW, 2012 WL 13059699 (C.D. Cal. Sept. 12, 2012), *aff'd sub. nom.* Cramer v. Harris, 591 Fed. App'x. 634 (9th Cir. 2015).

Missouri v. Harris - six states challenged AB 1437

-06/30/14 - District Court dismisses the case for lack of standing. State of Missouri v. Harris, No. 2:14-cv-00341-KJM-KJN (E.D. Cal. Jun. 30, 2014).

-01/17/16 - United States Court of Appeals for the 9th Circuit upholds dismissal. State of Missouri *ex rel.* Koster v. Harris, No. 14-17111 (9th Cir. 2016).

-05/30/17 - Supreme Court denies cert. 847 F.3d 646 (9th Cir. 2017), *cert denied sub. nom.*, Missouri *ex rel.* v. Becerra, 137 S. Ct. 2188 (2017).

Missouri v. California – similar coalition of states as in the Missouri v. Harris.

-10/02/14 - District Court dismisses the case for lack of standing. State of Missouri, et al. v. Harris, et al., No. 2:14-cv-00341-KJM-KJN (E.D. Cal. Oct. 2, 2014).

-11/17/16 - United States Court of Appeals for the 9th Circuit upholds dismissal. State of Missouri v. Harris, No. 14-17111 (9th Cir. Nov. 11, 2016).

-01/07/19 – Supreme Court denies cert. 139 S. Ct. 859 (2019)

North American Meat Institute v. Becerra – meat industry challenge to Proposition 12.

-11/22/19 – District Court denied NAMI's request for preliminary injunction. N. Am. Meat Inst. v. Becerra, 420 F. Supp. 3d 1014 (C.D. Cal. 2019) .

-10/15/20 - United States Court of Appeals for the 9th Circuit affirms denial. N. Am. Meat Inst. v. Becerra, No. 19-56408 D.C. No. 2:19-cv-08569-CAS-FFM (9th Cir. Oct. 15, 2020).

-06/28/21 - Supreme Court declined to review the denial of NAMI's requested preliminary injunction. 825 F. App'x 518 (9th Cir. 2020).

Natl. Pork Producers Council v. Ross – pork industry challenge to Proposition 12.

-04/27/20 - District Court for the Southern District of California dismisses plaintiffs claims . 456 F. Supp. 3d 1201 (S.D. Cal. 2020).

-07/28/20- United States Court of Appeals for the 9th Circuit affirms lower court dismissal. Nat'l Pork Producers Council v. Ross, 2021 WL 3179247 (9th Cir. July 28, 2021).

Iowa Pork Producers Association v. Bonta – Iowa pork industry challenge to Proposition 12, filed in May 2021.

-08/23/21 – District Court of the Northern District of Iowa dismisses complaint. Iowa Pork Producers Association v. Bonta No. 21-CV-3018-CJW-MAR (N.D. IA. Aug. 23, 2021).

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