

EATS Act press release - Center for a Humane Economy report debunks NPPC claims

NPPC's EATS Act Rationale Built on a House of Cards: Act based on series of false assumptions, would aid China's infiltration of American agriculture

WASHINGTON, D.C., UNITED STATES, August 16, 2023 /EINPresswire.com/ -- A new report issued today by the [Center for a Humane Economy](#) and [Animal Wellness Action](#) reveals that a diversified pig production sector already in place can meet the modest demand created by Prop 12 in California and Question 3 in Massachusetts for more humanely raised pork.



Pork producers are going to extreme lengths to support extreme confinement. Animal groups are trying to stop them.

Nearly 40 percent of breeding sows are already in group housing systems, rather than gestation crates, and a market analysis shows that California and Massachusetts together will require just 6% of total U.S. pork production to come from facilities that allow the sows an opportunity to lie

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down, stand up, and turn around. The report reveals that the industry has been in transition for more than two decades since Florida banned the use of gestation crates in 2002 and that it has existing capacity to supply gestation-crate free pork in two states.

In promoting the EATS Act, the National Pork Producers Council (NPPC) and some of its legislative allies have falsely stated that California “doesn't like bacon,” that the farm-animal ballot measures ban farrowing crates, and that the two ballot measures will require that farmers in Iowa and Kansas must change their production practices and conform to California's rules. Those false claims are

debunked in the new report released today, with the analysis conducted by two agricultural

veterinarians steeped in animal agriculture and based in the Midwest.

The new report from the Center, which can be [viewed here](#), notes that EATS, or the Exposing Agricultural Trade Suppression (EATS) Act, would not only unwind two landslide state elections, but would undo more than 1,000 other state laws according to an analysis from a team of legal analysts at Harvard University.

“The National Pork Producers Council is spinning an enormous yarn,” said Dr. Jim Keen, D.V.M., Ph.D., director of veterinary science for the Center for a Humane Economy and the primary author of the new report.

“The trade association has exaggerated the market impact of ballot measures in California and Massachusetts by 300 percent,” he said. “A highly diversified pork industry has ample capacity right now to accommodate the market demand for Prop 12 and Question 3 without any meaningful changes to the current animal housing set ups.”

Dr. Keen worked for two decades at the U.S. Meat Animal Research Center in Clay Center, Nebraska, and as a faculty member of the University of Nebraska College of Veterinary Medicine and Biomedical Sciences.

The report notes that the pork industry, as a matter of law, is already selling pork from the offspring of overcrowded, immobilized breeding sows in 48 states and 139 nations without any animal welfare restrictions or minimum space allotments.

“U.S. pig producers can sell pork from intensively confined pigs in 187 of 189 markets and NPPC’s doomsday about market disruptions is groundless,” said Wayne Pacelle, president of the Center for a Humane Economy. “The EATS Act is a pig in a poke. Not since the fictional orations from Squealer in George Orwell’s *Animal Farm* have we heard such misdirection and propaganda from the pig barnyard.”

The report notes that Prop 12 and Question 3 exempt all combined and canned pork products, which represents about 42% of pork sales in California and Massachusetts, meaning that nearly half of the pork sold in these two states need not come from farms providing some ample living space to the sows. It also notes that nearly 40 percent of sows are already in group housing and minor adjustments on these farms would allow producers to sell whole pork cuts to California and Massachusetts.

“A national industry with 40 percent of breeding sows already in group housing can accommodate two states that need just six percent of pork coming from gestation-crate-free housing,” added Pacelle.

“Through its total control of Smithfield Foods, the Chinese Government already controls a quarter of U.S. pig production,” added Dr. Thomas Pool, senior veterinarian with Animal

Wellness Action and a former Colonel and commander of the U.S. Army Veterinary Command. "The EATS Act has the perverse effect of nullifying U.S. elections and benefitting a foreign government that wants no humane standards in agriculture. China is building high-rise factory farms that bear no resemblance to the farming practices that my family has observed for 100 years in southwest Oklahoma."

Dr. Pool is a graduate of the Oklahoma State University College of Veterinary Medicine.

Keen and Pool note that the EATS Act has the potential to drive thousands more pig farmers out of business by accelerating consolidation in American agriculture and turn many who stay in the business into contract farmers answering to Chinese- and Brazilian-owned companies (Smithfield and JBS). These two companies already control 40 percent of the value of the U.S. pork industry (Smithfield 26% and JBS 14%).

The authors of the report also conclude that any price increases in pork in California or Massachusetts would be contrived and based on the false assumptions by pork industry leaders. The 40 percent of the industry relying on group housing is already competitive on inputs and pricing with the remainder of the industry relying on gestation crates.

The report also notes the deep reservoir of public opposition to the use of gestation crates and the thorough judicial repudiation of the claims that Prop 12 was an unconstitutional intrusion into interstate commerce.

The NPPC lost five of five ballot measures on gestation-crate confinement, each one by double-digit margins, with landslide votes in California (63% "Yes" vote) and Massachusetts (78% "Yes" vote). It lost 12 of 12 court cases challenging Prop 2 and Prop 12, with a SCOTUS ruling delivering the final judicial blow to the NPPC, with conservative justices Gorsuch, Thomas, and Coney Barrett arguing that Prop 12 was a proper and constitutional exercise of state authority. The NPPC also lost the debate with 60 major food retailers, including giants in food retail such as McDonald's, Costco, and Safeway that have strong anti-gestation-crate policies. In July, Governor Phil Murphy signed a ban on gestation crates in New Jersey after the Assembly passed a ban on gestation crates 73 to 1 and the Senate passed the measure 35 to 1.

ABOUT

Animal Wellness Action is a Washington, D.C.-based 501(c)(4) whose mission is to help animals by promoting laws and regulations at federal, state and local levels that forbid cruelty to all animals. The group also works to enforce existing anti-cruelty and wildlife protection laws. Animal Wellness Action believes helping animals helps us all. Twitter: @AWAction_News

Center for a Humane Economy is a Washington, D.C.-based 501(c)(3) whose mission is to help animals by helping forge a more humane economic order. The first organization of its kind in the animal protection movement, the Center encourages businesses to honor their social responsibilities in a culture where consumers, investors, and other key stakeholders abhor

cruelty and the degradation of the environment and embrace innovation as a means of eliminating both. The Center believes helping animals helps us all. Twitter: @TheHumaneCenter

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