

March 2, 2026

The Honorable GT Thompson  
Chairman  
House Committee on Agriculture  
1301 Longworth House Office Bldg.  
Washington, D.C. 20515

The Honorable Angie Craig  
Ranking Member  
House Committee on Agriculture  
1010 Longworth House Office Bldg.  
Washington, D.C. 20515

Dear Chairman Thompson and Ranking Member Craig:

The undersigned organizations representing America’s farmers, ranchers, and partners write in strong support of Section 12006 of the Farm, Food, and National Security Act of 2026, which provides much needed certainty in farm country. California’s 2018 ballot measure known as Proposition 12, and the implications of the Supreme Court’s decision in *National Pork Producers Council v. Ross*, has caused significant detrimental impacts and uncertainty on our members’ farms and ranches, especially small and medium-sized farms. We strongly urge Congress to include this critical provision in the Farm Bill reauthorization to prevent an unsustainable patchwork of 50 conflicting state laws that would burden producers, snarl interstate commerce, and increase food affordability.

Proposition 12 prohibits the sale of pork, veal, and eggs produced from animals not housed according to the state’s arbitrary requirements. In May 2023, the U.S. Supreme Court ruled that only Congress has the authority to step in and protect American agriculture from regulatory chaos posed by laws such as Proposition 12.

Both the Trump and Biden Administrations have recognized that this situation is untenable. Secretary of Agriculture Brooke Rollins stated that “[Proposition 12] is not just affecting California. It’s affecting multitudes of other states, multitudes of other parts of the ag community, including our hog family farms.”<sup>1</sup> USDA Deputy Secretary Stephen Vaden similarly warned that if one state can block products from another, the nation “ceases to function as a unified national market,” emphasizing that this “is not a partisan issue.”<sup>2</sup>

These concerns mirror those raised during the Biden Administration. Then-Secretary of Agriculture Tom Vilsack cautioned that failing to address Proposition 12 would create, “chaos in the marketplace.”<sup>3</sup> stressing that “farmers do not need the chaos, they need clarity and certainty.”<sup>4</sup> Our organizations strongly agree on this bipartisan consensus.

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<sup>1</sup> <https://x.com/NPPC/status/1882532927332082071>

<sup>2</sup> <https://www.nationalhogfarmer.com/farming-business-management/vaden-supreme-court-got-prop-12-decision-wrong>

<sup>3</sup> <https://www.reuters.com/markets/commodities/us-agriculture-secretary-sees-chaos-meat-market-without-congressional-action-2024-02-14/>

<sup>4</sup> <https://www.c-span.org/video/?c5107918/user-clip-02-28-24-boozman-vilsack-prop-12>

Without immediate congressional action, agriculture is at risk of arbitrary and conflicting state laws across all 50 states on a myriad of issues. Laws like California's Proposition 12 lack scientific evidence to support their reasoning.

The American Veterinary Medical Association (AVMA), which represents more than 111,000 members, stated that “because no one husbandry style is appropriate for all circumstances, regulations aimed at improving animal welfare should be based upon scientific evidence and the professional judgement of veterinarians.”<sup>5</sup> In a letter to this Committee, AVMA further stated that “the arbitrary housing requirements in Prop 12 do not objectively improve animal welfare and may unintentionally cause harm.”

Nevertheless, since Proposition 12's enforcement, similar ballot measures are being considered in other states, such as Oklahoma. If approved, these would increase sow housing size requirements beyond Proposition 12 for producers to sell in the state. This means that pork producers nationwide, regardless of whether they have converted to be Prop. 12-compliant, would yet again be out of compliance to access another state market. This would harm small and medium-sized farms most severely by imposing massive compliance costs and forcing significant consolidation throughout agriculture.

According to studies by North Carolina State University and Iowa State University economists, constructing new, Proposition 12-compliant barns can cost 25-40% more per sow than other housing styles, not including the estimated 15% higher operating costs per pig caused by reduced productivity.<sup>6</sup>

Not only is the financial burden of Proposition 12 being felt by pork producers, but consumers are now facing much higher prices for covered pork products. The latest reports by the USDA's Office of the Chief Economist and North Dakota State University found that since Proposition 12 was implemented, prices for covered products in California have increased nearly 24% on average, with pork loins still sitting 30% higher due to Proposition 12.<sup>7</sup>

USDA economists have also found that purchase volumes of covered products in California declined by nearly 20% based on Circana scanner data. Another study by economists at Iowa State University and Kansas State University found that if other states adopt similar measures, it could cost U.S. consumers more than \$40 billion over 15 years.<sup>8</sup> With food affordability top of mind for many families, Congress must protect consumers' access to affordable food and

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<sup>5</sup> <https://nppc.org/wp-content/uploads/2024/05/AVMA.2024FBSupportLetter.pdf>

<sup>6</sup> Goodwin, B.K. *California's Proposition 12 and the Impacts on the Pork Industry*.

<https://nppc.org/wp-content/uploads/2023/11/Goodwin-Prop-12-Final.pdf> ; Schulz, L.L, Hadrich, J.C., (2023). *An Economic Assessment of New Swine Gestation Facility Investment*.

<https://npbresearchfile.s3.amazonaws.com/Schulz-Hadrich-An-Updated-Economic-Assessment-of-New-Swine-Gestation-Facility-Investment-Submitted-09292023.pdf>

<sup>7</sup> Lwin, Wuit Yi, Joseph Cooper, Seth Meyer, and Sandro Steinbach. “California Retail Pork Prices and Consumption Two Years into the Proposition 12 Implementation.” ARPC White Paper 2025-03, Department of Agribusiness and Applied Economics, North Dakota State University, July 23, 2025.

<sup>8</sup> Schulz, L.L. and Tonsor, G.T. (2024). *Evaluating the Economic Impacts of Proposition 12, Question 3, and Related Regulations on U.S. Consumers*.

[https://www.porkcdn.com/sites/porkcheckoff/assets/files/-ExecutiveSummarySubmitted05142024\\_1721927678991.pdf](https://www.porkcdn.com/sites/porkcheckoff/assets/files/-ExecutiveSummarySubmitted05142024_1721927678991.pdf)

safeguard the farmers and producers who work every day to provide it.

Section 12006 protects our nation's robust food supply chains and the freedom of farmers across the country to raise food in the best possible way. This approach also continues allowing states to act independently by imposing laws that impact commerce within their borders and regulating practices occurring there. California and other states could continue to regulate pork production within their borders while protecting the rights of other states to make their own determinations.

As the Supreme Court's decision made clear: only Congress has the authority to prevent chaos in the marketplace and provide farmers the certainty they need. If Congress fails to act, the chaos from a segmented market will drive consolidation and force American family farmers out of business, as the rest of agriculture remains exposed. We ask Congress to support Section 12006 in the upcoming Farm Bill and urge you to ensure any Farm Bill reauthorization provides certainty to producers and protects their investments from a 50-state compliance patchwork.

Sincerely,

Agricultural and Food Transporters Conference of American Trucking Associations

American Farm Bureau Federation

American Sheep Industry Association

Livestock Marketing Association

National Cattlemen's Beef Association

National Corn Growers Association

National Milk Producers Federation

National Pork Producers Council

National Sorghum Producers

National Turkey Federation

Rural & Agriculture Council of America

United States Cattlemen's Association