

Summary of Legal Casework to Overturn Consequential State Farm Animal Welfare Laws, including Prop 12

23 straight losses for the National Pork Producers Council and its surrogates in the federal courts

Voters from Arizona to California to Florida and Massachusetts passed landmark anti-confinement measures in the first two decades of the 21st century to give farm animals modest space allotments to allow them to move. Those measures played a role in triggering many of America's biggest food retailers, starting in 2012, to start to adopt cage-free (hens) and crate-free (sows) food procurement policies, starting with McDonald's in 2012 announcing a policy opposing gestation crates and then in 2015 opposing the use of cages for hens.

Subsequent to the first tranche of pronouncements from major food retailers, voters in Massachusetts passed Question 3 in a 2016 ballot measure by a margin of 78% to 22%, to create in-state production and in-state sales standards limiting uses of gestation crates, veal crates, and battery cages. Two years later, California voters, by a margin of 63% to 37%, passed a very similar measure in the form of Prop 12.

Animal-agriculture trade associations and agribusiness companies spent handsomely to try defeat the measures and came up well short, as they had on three prior farm animal welfare ballot measures in Florida (Amendment 10 in 2002), Arizona (Prop 204 in 2006) and California (Prop 2 in 2008).

The National Pork Producers and its surrogates also came up short in attempts on the 2014 and 2018 Farm bills to preempt state farm animal welfare laws, and concomitantly, they filed a raft of legal actions to try to nullify the laws in the federal courts.

The U.S. Supreme Court granted certiorari in NPPC v. Ross in 2022 and ruled in May 2023 that California's Prop 12 was a proper exercise of state authority. Pulling together the preceding and succeeding cases, these agribusiness interests – and their allies in the USDA and the U.S. Department of Justice during both the Biden and Trump administrations—have come out on the losing side of 23 straight federal court cases challenging statewide ballot measures and closely related laws enacted by state legislators and governors.

This report enumerates these cases and provides shorthand summaries on the legal theories advanced by the NPPC and its allies that were rejected by the federal courts. These agribusiness interests have spent countless tens of millions of dollars on these legal cases, in failed campaigns to defeat the ballot measures, and in failed federal political lobbying campaigns (including hefty PAC giving and fundraising for their allies in Congress). During this quarter-century of political competition, a steadily growing roster of states have banned gestation crates. Ohio became the 11th state to restrict the use of gestation crates in pig production in January 2026.



CITATIONS

California's Prop 2

Cramer v. Harris et al. –Plaintiff filed a lawsuit challenging the constitutionality of California’s Proposition 2, which requires California egg farmers to house egg-laying hens in less restrictive enclosures. Plaintiff argued that because Proposition 2 did not specify a minimum cage size for egg-laying hens a reasonable person could not discern whether the enclosures being used were compliant with Proposition 2 and that the law was, therefore, void for vagueness.

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 F. App’x. 634 (9th Cir. 2015)

Missouri v. Harris - Several states, including Missouri, challenged California legislation (AB 1437) which required that all eggs sold in California meet specific animal care standards for egg-laying hens. The plaintiff states argued that this law would force egg producers in their states to incur significant costs to comply with California's standards or lose access to the California market, thereby violating the Commerce and Supremacy Clauses of the U.S. Constitution.

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)

California's Prop 12

North American Meat Institute v. Becerra – Plaintiff sued to block Prop 12, arguing it forced out-of-state producers to change their methods to sell in California, violating the Commerce Clause.

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 – The plaintiffs argued that because California imports most of its pork, the law forces out-of-state producers to change their methods, creating a massive, unconstitutional burden on interstate commerce and operating "extraterritorially," thus violating the dormant Commerce Clause.

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)

05/11/23 – Supreme Court upholds dismissal of the Prop 12 challenge. *Nat'l Pork Producers Council v. Ross*, 598 U.S. 356 (2023)

Iowa Pork Producers Association v. Bonta – IPPA argued that Prop 12 violates the dormant Commerce Clause by imposing unconstitutional, costly burdens on out-of-state pork producers to comply with California's market regulations.

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)

6/25/24 - United States Court of Appeals for the 9th Circuit affirms lower court dismissal. No. 22-55336 (9th Cir. 2024)

6/30/25 - Supreme Court denies cert.

Triumph Foods, LLC v. Bonta - Pork industry plaintiff filed suit arguing that California's Prop 12 was preempted by the Federal Meat Inspection Act and violated the dormant Commerce Clause.

03/02/26 - District Court for the Central District of California dismisses plaintiff's claims with leave to amend.

Docket number: 2:25-cv-09063-CAS-AJRx

United States v. California – The federal government filed suit arguing that the state's ban on sale of non-cage-free eggs was preempted by the federal Egg Products Inspection Act.

03/18/26 - District Court for the Central District of California dismisses plaintiff's claims with leave to amend. Case No. 2:25-cv-06230-MCS-AGR

Massachusetts' Question 3

Massachusetts Restaurant Association v. Healey – Plaintiff challenged a Massachusetts law prohibiting the sale of non-compliant pork, veal, and eggs, similar to California's Prop 12. Industry plaintiffs argued it violated the dormant Commerce Clause by regulating out-of-state producers.

08/10/22 – parties agree to stay action pending outcome of NPPC v Ross. Only remaining issue is “Transshipped Whole Pork Meat” which is pending state amendment of regulations. Civil Action No. 4:22-cv-11245-MRG

Triumph Foods, LLC v Campbell - Plaintiffs argued the Act violated the Constitution by regulating interstate commerce by forcing out-of-state producers to change practices and was preempted by the Federal Meat Inspection Act

07/22/24 - District Court grants summary judgment to the state upholding Q3. 742 F. Supp 3d 63 (D Mass 2024) Appeal pending.

10/3/25 - United States Court of Appeals for the First Circuit upholds District Court grant of summary judgment. **Docket No.: No. 24-1759**