

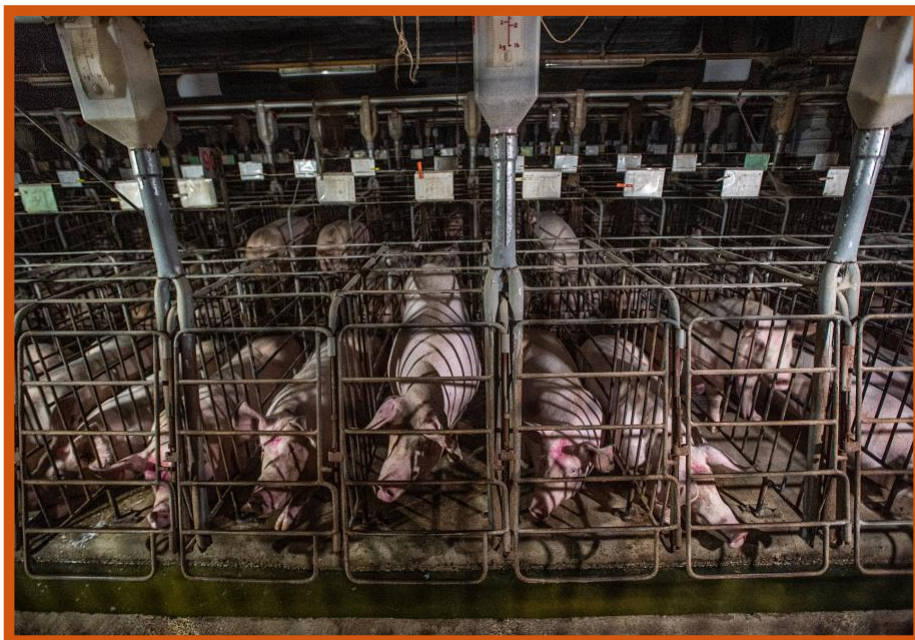
## Save Our Bacon Act an Assault on American Values

*Fight China's takeover of U.S. agriculture, stand up for American farmers, and defend states' rights and animal welfare*

### The Facts about Prop 12, Question 3, and NPPC's Push for the SOB Act

H.R. 4673, the Save Our Bacon (SOB) Act, now Section 12006 of the House Farm Bill (H.R. 7567), threatens our food supply chain by giving away more of the U.S. pork market to foreign-owned conglomerates — Chinese-owned Smithfield Foods and Brazilian-owned JBS, which together control 40% of U.S. pig production. Through Smithfield Foods, a former U.S. company purchased by the Chinese over a decade ago, **China now controls around 25% of American pork and owns 265,000 acres of U.S. land for pig production — that's 1 in 4 U.S. pigs.** This is unparalleled foreign infiltration of any commodity in American agriculture.

- The National Pork Producers Council (NPPC) and its foreign partners are pushing to expand cheap and unsanitary factory farming practices that confine animals in 2 x 7 ft. coffin-sized gestation crates — undercutting thousands of small and mid-sized American farmers who use more humane production methods. That's partly why voters in two states, California and Massachusetts, voted to require the pork sold inside their borders to be sourced from farms that allow pregnant sows “to stand up, lie down, turn around, and freely extend their limbs” — a modest improvement providing a minimum of 24 sq. ft. of space per sow.
- The laws passed in landslides: **63% of voters** supported Proposition 12 in California and **78% of voters** supported Question 3 in Massachusetts. But if the House Farm Bill passes with Section 12006 intact, the democratic will of millions of voters will be overturned, all to give away more U.S. market share to powerful non-American special interests. If “food security is national security,” this level of outside control of a major commodity is a time bomb.



- Besides California and Massachusetts, **nine other states** (Arizona, Colorado, Florida, Maine, Michigan, New Jersey, Ohio, Oregon, and Rhode Island) have also ended the use of gestation crates, meaning that their pork producers are set up well to sell in California and Massachusetts. Passing the SOB Act will especially disadvantage producers from these states, who today have access to premium markets.

- Despite false claims by the NPPC and its surrogates, no pork producers are being forced by California or any other state to convert their operations. **Over 45% of U.S. pork production already comes from gestation-crate-free operations**, and California and Massachusetts together account for only 6% of the U.S. market, so the supply of gestation-crate-free pork exceeds demand by seven times. The SOB Act reverses a 25-year national trend away from extreme confinement and undermines the growing market consensus against these practices.
- Not only is California now being supplied by many pig-producing companies that oppose overturning Prop 12 (such as the Clemens Food Group and Iowa Select Farms), but even companies that supported overturning Prop 12 (like Tyson and Seaboard) are supplying California with pork. These companies are all reporting year-over-year increased profits. Meanwhile there are 48 states, five U.S. territories, and 139 countries with no restrictions on the sale of pork from gestation crates, leaving **192 out of 194 markets open to producers that still use gestation crates**.
- The NPPC and its allies have lost 23 court challenges to Prop 12 and similar laws, culminating in *NPPC v. Ross* (2023), in which the Supreme Court upheld their constitutionality. In his opinion for the Court, joined by Justices Clarence Thomas and Amy Coney Barrett, Justice Neil Gorsuch wrote, “Companies that choose to sell products in various States must normally comply with the laws of those various States. While the Constitution addresses many weighty issues, the type of pork chops California merchants may sell is not on that list.”
- According to Agriculture Secretary Brooke Rollins, approximately 27% of U.S. pork producers have made or are making investments to comply with Prop 12, and California has already certified 1,300 compliant suppliers and distributors. The SOB Act would undercut their investments and put the livelihoods of thousands of farmers at risk. These producers depend on the premium markets that Prop 12 created, and repealing the law would likely either push them into bankruptcy or force them into contract production arrangements with Smithfield or other foreign-owned conglomerates — accelerating consolidation trends since the 1970s that have driven more than 90% of pig farmers off their land.
- Despite some claims to the contrary, national retail pork prices dropped in 2025. And since 2018 (the year voters approved Prop 12), the retail prices of beef and chicken — neither of which is subject to any state welfare standards — have risen faster than the price of pork covered by Prop 12: 25% for beef and 24% for chicken, compared to just 8-11% for bacon and chops.
- The SOB Act is wildly politically unpopular. The House and Senate versions combined have only 32 cosponsors out of 435 members of Congress, and the measure is not bipartisan in either chamber. Meanwhile, 32 Senate Democrats, 182 House Democrats, and 14 House Republicans have signed letters in opposition to the legislation. Congress also rejected earlier versions of the SOB Act in the 2014 and 2018 Farm Bills as overreaching and anti-democratic.
- About 60 major food retailers representing over 90% of U.S. pork sales have made public declarations in opposition to gestation crates. The egg and veal industries support the portions of Prop 12 that apply to them, and no other commodity group has raised any issues with state agriculture laws that impose limits on sales of agricultural commodities. The NPPC and its foreign backers, in practical terms, are on a solo flight in this legislative initiative.

*“Sow gestation stalls... are like living in an airline seat and never being allowed to walk in the aisle.”*

— Dr. Temple Grandin, professor of Animal Science, Colorado State University



The SOB Act contains no restrictions on foreign ownership, effectively clearing the path for China’s high-rise mega-farm model — 25-story factory skyscrapers housing over 1 million pigs — to come to America.

### MYTHS vs. FACTS: The “Prop 12 Fix”

MYTH	FACT
<p>✗ Prop 12 will create chaos in the marketplace and devastate the pork industry.</p>	<p>✓ Prop 12’s implementation has been seamless. Over 1,300 producers and distributors are certified compliant, there have been no pork shortages in California, and major producers report increased profits. The National Pork Board’s own CEO said producers are doing “spectacularly well.”</p>
<p>✗ The Supreme Court told Congress to fix this issue through legislation.</p>	<p>✓ The Supreme Court upheld Prop 12 as constitutional and a proper exercise of state authority. The Court, in no way, directed Congress to overturn it.</p>
<p>✗ Prop 12 harms farmers by telling them how to farm and forces costly conversions.</p> <p>✗ Prop 12 will lead to a patchwork of 50 different state regulations.</p>	<p>✓ No farmer is compelled to comply with Prop 12. Compliance is voluntary and market-driven. Producers who converted report lower costs than predicted (\$800/sow vs. the NPPC’s claimed \$3,500). Hoop barns cost 30% less to build than gestation crate facilities. Small and mid-size farms are finding new profitable market opportunities, while former NPPC president Randy Spronk himself converted and found it economically viable. Economists confirm that only farms that find conversion profitable will do so, no one is forced to convert, and producers who don’t wish to comply can sell into 48 other states and over 100 export markets.</p> <p>✓ Only two states have pork sales standards, and the statutes are aligned. No other state has proposed similar legislation in nearly a decade and none is planned. The top pork-producing states (IA, NC, MN, IN) and the most populous states (TX, NY, PA, IL) do not even have a ballot initiative process. There is no patchwork and no prospect of one.</p>
<p>✗ Fixing Prop 12 will help American farmers compete and protect food security.</p>	<p>✓ The SOB Act benefits China, not American farmers. China’s CCP-controlled Smithfield Foods owns a quarter of U.S. pork. Chinese state media openly stated the EATS Act “will greatly increase China’s share of the U.S. pork market.” Without state welfare standards, nothing prevents China from bringing its 25-story pig factory skyscrapers, with zero animal welfare laws, to American soil.</p>

Prepared by Animal Wellness Action and the Center for a Humane Economy