NOTIFICATION

Addendum

The following communication, dated 22 June 2023, is being circulated at the request of the delegation of the United States of America.

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**Title:** Animal Confinement

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| **Reason for Addendum:** | |
| [ ] | Comment period changed - date: |
| [ ] | Notified measure adopted - date: |
| [ ] | Notified measure published - date: |
| [ ] | Notified measure enters into force - date: |
| [ ] | Text of final measure available from[[1]](#footnote-1): |
| [ ] | Notified measure withdrawn or revoked - date:  Relevant symbol if measure re-notified: |
| [ ] | Content or scope of notified measure changed and text available from1:  New deadline for comments (if applicable): |
| [X] | Interpretive guidance issued and text available from1:  The Sacramento Superior Court has issued a modification of its 28 November 2022 Order in California Hispanic Chambers of Commerce v. Ross (Case No. 34-2021-80003765) concerning enforcement of Proposition 12 with respect to whole pork meat. The Animal Care Program website at CDFA - AHFSS - Animal Care Program will be updated shortly to include the Court's new order. |
| [ ] | Other: |

**Description:** TITLE: Proposition 12, Farm Animal Confinement

AGENCY: Department of Food and Agriculture, State of California

ACTION: Implementation Announcement

SUMMARY: The Sacramento Superior Court has issued a modification of its 28 November 2022 Order in California Hispanic Chambers of Commerce v. Ross (Case No. 34-2021-80003765) concerning enforcement of Proposition 12 with respect to whole pork meat. The Court's new order provides that the previously issued injunction against enforcement expires as scheduled on 1 July 2023, except with respect to certain noncompliant whole pork meat that is already in the stream of commerce (as detailed in the Court's order), which may be sold through 31 December 2023.

Specifically, the Court's new order states:

1 The declaratory and injunctive relief imposed by the Court in its [2 February 2022 Judgment](https://www.cdfa.ca.gov/AHFSS/pdfs/2021-80003765.pdf) and Prohibitory Writ of Mandate, as modified by the Court's 28 November 2022 Order, will expire on 1 July 2023, except with respect to noncompliant whole pork meat that:

2 a. as of 1 July 2023, is in the possession of an "end-user" (Cal. Code Regs., tit. 3, § 1322, subd. (o)) or a "pork distributor" (*id*., subd. (t)) or on the premises of an establishment at which mandatory inspection is provided under the Federal Meat Inspection Act (21 U.S.C. Sec. 601 et seq.) and that holds an establishment number (prefix "M") granted by the Food Safety Inspection Service of the United States Department of Agriculture ("federally-inspected entity");

3 b. is self-certified by the end-user, pork distributor, or other federally-inspected entity to have been in their possession or was in the possession of another end-user, pork distributor, or other federally-inspected entity as of 1 July 2023; and

4 c. is ultimately sold, transferred, exported, or donated on or before 31 December 2023.

Further details and information available -

Link to California Animal Care Program Proposition 12, Farm Animal Confinement website: <https://www.cdfa.ca.gov/AHFSS/AnimalCare/>

Link to view California's [Animal Confinement regulations](http://lists.cdfa.ca.gov/t/188199/278812/2625/3/) (<https://govt.westlaw.com/calregs/Browse/Home/California/CaliforniaCodeofRegulations?guid=I15D32E0034C011ED931ECFCD255CC9C8&originationContext=documenttoc&transitionType=Default&contextData=(sc.Default))>

Link to [Key Terms guidance document](http://lists.cdfa.ca.gov/t/188199/278812/2686/4/)

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1. This information can be provided by including a website address, a pdf attachment, or other information on where the text of the final/modified measure and/or interpretive guidance can be obtained. [↑](#footnote-ref-1)