



GUIDANCE FOR CALIFORNIA FAIRS AND 4-H, FFA, GRANGE, INDEPENDENT, OR SIMILAR YOUTH PROGRAMS



DECEMBER 2023



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ANIMAL CARE PROGRAM

ANIMAL CONFINEMENT

GUIDANCE: California Fairs and 4-H, FFA, Grange, Independent, or similar youth programs

Mission of Animal Care Program

To serve animal agriculture producers and California consumers by promoting and protecting the welfare and care of animals in agriculture in order for Californians to have access to food that is sourced from humanely and sustainably raised animals.

Purpose

The purpose of this guidance document is to clarify how Proposition 12 (2018), Farm Animal Cruelty [Chapter 13.8 \(commencing with section 25990\) of Division 20 of the Health and Safety Code \(HSC\)](#) and Animal Confinement regulations, Chapter 10 (commencing with Section 1320) of [Division 2 of Title 3 of the California Code of Regulations \(3 CCR\)](#), impact stakeholders of California fairs and 4-H, FFA, Grange, Independent or similar youth programs. This document outlines how these stakeholders comply with legal requirements in order to ensure *shell eggs*, *liquid eggs*, *whole veal meat* and *whole pork meat* from any youth program animals can be sold in California.

Key terms *italicized* in this guidance are described on [Key Terms for Stakeholders guidance document](#).

Additional guidance video: [Prop 12 Fairs and Exhibitions Guidance for 4H and FFA](#)

1) What is the Animal Care Program?

The California Department of Food and Agriculture's (CDFA) Animal Care Program (ACP) enforces Animal Confinement regulations related to *covered animals* (*egg-laying hens*, *veal calves* and *breeding pigs*) raised in the state and the in-state sales of *covered products* (*shell eggs*, *liquid eggs*, *whole veal meat* and *whole pork meat*) from those *covered animals*. For *whole pork meat*, this includes the *whole pork meat* from a *breeding pig* or her immediate offspring. Proposition 12 established minimum confinement standards for California farms raising *egg-laying hens*, *breeding pigs*, and *veal calves* and made it illegal to engage in a *commercial sale of covered product* if the *covered animals* who produced the *covered product* were not raised according to these standards.

2) How do Animal Confinement laws and regulations affect California Fairs and 4-H, FFA, Grange, Independent, or similar youth programs?

California fairs and 4-H, FFA, Grange, Independent or similar youth programs are required to follow the Animal Confinement regulations as related to *covered animals* raised in and *covered products* sold in California. The most commonly affected fair stakeholder will be California fairs who have a "resale" option for market hogs shown at their fair and youth raising market hogs as their project animals because *whole pork meat* from a market hog processed for "resale" could be sold in California and therefore needs to comply with regulatory requirements.

All *whole pork meat* sold in California is required to be from a *breeding pig* or the immediate offspring of a *breeding pig* raised in compliance with the Animal Confinement standards and traceable through an *audit trail* to a *pork producer* that is a *certified operation* with a valid Certificate of Compliance.

As of January 1, 2024:

- All *pork producers* in California are required to be *certified operations* (have a valid Certificate of Compliance issued by a *certifying agent*).

AND

- Any *whole pork meat* sold in California must be from a *breeding pig* or the immediate offspring of a *breeding pig* raised by a *pork producer* who is a *certified operation*.

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3) How is the “sale” of a market hog at a California Fair auction affected by the Animal Confinement laws?

The sale of a live animal does not fall under the Animal Confinement regulations. However, the *sale of a covered product (whole pork meat from a market hog)* does fall under the definition of “sale” and will need to be *whole pork meat* compliant with Animal Confinement regulatory requirements. For fair stakeholders, this *sale* most commonly happens when a market hog is sold for “resale” at the fair. The *whole pork meat* from market hogs processed for resale can be sold in California commerce. As opposed to market hogs sold for custom slaughter at the fair, this will not fall under Animal Confinement regulations because there is no sale of whole pork meat from a market hog processed for custom slaughter.

If the fair has a “resale” option for market hogs, then a market hog which is slaughtered at an establishment under mandatory inspection by Food Safety and Inspection Service of the United States Department of Agriculture under the Federal Meat Inspection Act (FMIA) has several options for that *whole pork meat*:

1. *Whole pork meat* is then sold into California commerce, such as a grocery store and this is considered a “sale” under Animal Confinement regulations.
2. *Whole pork meat* is then sold to another establishment under mandatory inspection under the FMIA, such as a food processing facility that turns the *whole pork meat* into a noncovered pork product such as cooked pork or ground pork sausage. This is not a sale under Animal Confinement regulations.

OR

3. *Whole pork meat* is then donated to a nonprofit organization that has a tax exemption under section 501(c)(3) of the Internal Revenue Code (26 U.S.C.). This is not a sale under Animal Confinement regulations.

[Refer to Sale Under Animal Confinement guidance document.](#)

4) What is a *breeding pig* under Animal Confinement regulations?

Breeding pig means any female pig of the porcine species kept for the purpose of commercial breeding who is six (6) months or older, or pregnant. A *breeding pig* must be in a compliant *enclosure* for the duration of its production cycle. “Production cycle” means the lifecycle of a commercial *breeding pig* for the generation of immediate offspring. A production cycle for gilts begins when they are 6 months or older and moved into an enclosure for breeding and ends when a litter of piglets is weaned. A new production cycle for sows begins when each litter of piglets is weaned.

5) Who is a *pork producer* under Animal Confinement regulations?

Pork producer means a person engaged in the business of keeping, maintaining, confining and/or housing a female pig of the porcine species that is six (6) months of age or older, or is pregnant, for the purpose of commercial breeding to produce pork meat from the breeding pig or her immediate offspring for human consumption.

Under Animal Confinement regulations, the *pork producer* is the producer who is keeping a *breeding pig* (the gilt or sow who is bred, gestates, and produces piglets) and is not the producer who is only keeping gilts and barrows for feeding or finishing purposes.

6) How is a *pork producer* a *certified operation* under Animal Confinement regulations?

Whole pork meat sold in California needs to be traceable through an *audit trail* back to a *pork producer* who has a valid Certificate of Compliance as a *certified operation*. Regardless of whether the *pork producer* is located within or outside of California, the *whole pork meat* sold in California commerce needs to be from a *breeding pig* or immediate offspring of a *breeding pig* who was kept in compliance with Animal Confinement standards. The verification of the *pork producer* following these confinement standards is done through a third-party *certification* which includes an on-site inspection.

Refer to additional guidance documents:

[Pork Producer Guidance](#)

[Pork Producer On-Site Inspection Guidance](#)

[Sow Housing Guidance](#)

7) I am a *pork producer* keeping *breeding pigs* for the production of immediate offspring that will be show in California fairs as a part of a 4-H, FFA, Grange, Independent, or similar youth program. What do I need to do?

When the *pork producer* is located within California:

- As of January 1, 2024, all *pork producers* in California are required to be *certified operations*.
- To ensure *whole pork meat* from the immediate offspring of the *breeding pigs* can be sold in California commerce, provide a copy of your Certificate of Compliance issued to you by the *certifying agent* who *certified* your operation with the bill of sale when selling market hogs to 4-H, FFA, Grange, Independent or similar youth programs.

When the *pork producer* is located outside of California:

- As of January 1, 2024, *whole pork meat* sold in California is required to be from a *pork producer* that is a *certified operation*.
- To ensure *whole pork meat* from the market hogs can be sold in California commerce, provide a copy of your Certificate of Compliance issued to you by the *certifying agent* who *certified* your operation with the bill of sale when selling market hogs to 4-H, FFA, Grange, Independent or similar youth programs.

8) What do 4-H, FFA, Grange, Independent, or similar youth program exhibitors, leaders, or parents need to do when purchasing market hogs from *pork producers* for the upcoming fair season?

- As of January 1, 2024, all *pork producers* in California are required to be *certified operations*.
- As of January 1, 2024, *whole pork meat* sold in California is required to be from a *pork producer* that is a *certified operation*.
- To ensure *whole pork meat* from the market hog has access to the resale market after the fair, ask for a copy of the Certificate of Compliance from the *pork producer* who is providing the market hogs to be included with the bill of sale.
- If your fair has a resale option, then the buyer of market hogs who processes these market hogs into *whole pork meat* to be sold into California commerce may require evidence of this Certificate of Compliance.

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9) What should a Fair CEO/Manager or Junior Livestock Auction Committee that manages a livestock auction do to facilitate the processing options offered when market hogs are sold at the fair?

Consider the processing options for the market hogs offered by your fair – is there a custom slaughter option and resale option?

A. If the only option for buyers of market hogs at the fair is custom slaughter, then no additional action will need to be taken because *whole pork meat* produced from custom slaughter cannot be sold in California commerce. Therefore, there is no *sale* under Animal Confinement regulations.

OR

B. If market hogs sold at the fair have the possibility of being processed for resale through a facility under mandatory inspection under the FMIA and the *whole pork meat* entering California commerce, then the *whole pork meat* needs to be from a *pork producer* who is a *certified operation*. ACP recommends the fair communicates directly with the facility providing the slaughter service to align expectations of paperwork collected by the fair. Refer to question 3 above in the guidance document.

10) What are the exceptions to Animal Confinement standards as related to California Fairs and 4-H, FFA, Grange, Independent, or similar youth programs?

The exceptions to Animal Confinement standards are specified in [Health and Safety Code section 25992](#) and [3 CCR section 1324.1\(a\)](#). The exceptions apply to covered animals:

- During medical research.
- During examination, testing, individual treatment, or operation for veterinary purposes.
- During transportation.
- During rodeo exhibitions, state or county fair exhibitions, 4-H programs, and similar exhibitions.
- During the slaughter of a covered animal in accordance with the provisions of Chapter 6 (commencing with Section 19501) of Part 3 of Division 9 of the Food and Agricultural Code, relating to humane methods of slaughter, and other applicable laws and regulations.
- To a breeding pig during the five-day period prior to the breeding pig's expected date of giving birth, and any day that the breeding pig is nursing piglets.
- During temporary periods for animal husbandry purposes for no more than six hours in any 24-hour period, and no more than 24 hours total in any 30-day period.

11) What do I need to do as a 4-H, FFA, Grange, Independent, or similar youth program exhibitor, leader, or parent planning to include a breeding pig project for youth participating in the upcoming fair season?

- A *breeding pig* which is kept as part of a 4-H, FFA, Grange, Independent, or similar youth program breeding project is exempt from Animal Confinement standards.
- Therefore, the *commercial sale* of *whole pork meat* from the *breeding pig* and immediate offspring of the *breeding pig* while she is part of a 4-H, FFA, Grange, Independent, or similar youth program breeding project, is exempt from the requirement to obtain a valid Certificate of Compliance.
- ACP recommends youth keeping a *breeding pig* as part of their 4-H, FFA, Grange, Independent or similar youth program provide to the buyers of the breeding pig's immediate offspring a simple letter that accompanies the bill of sale explaining that the immediate offspring (market hog) is compliant with Animal Confinement requirements under HSC section 25992(d) and 3 CCR section 1324.1(a)(4). The purpose of this letter is to ensure the buyers of the breeding pig's immediate offspring (market hogs) have access to resale markets if that is an option at their fair.