NOTIFICATION

Addendum

The following communication, dated 13 June 2022, is being circulated at the request of the delegation of the United States of America.

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**Title:** Proposition 12, Farm 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| [ ] | Notified measure withdrawn or revoked - date: Relevant symbol if measure re-notified:  |
| [X] | Content or scope of notified measure changed and text available from1: <http://www.cdfa.ca.gov/ahfss/regulations.html><https://members.wto.org/crnattachments/2022/TBT/USA/modification/22_4060_00_e.pdf>New deadline for comments (if applicable): 24 June 2022 |
| [ ] | Interpretive guidance issued and text available from1:  |
| [ ] | Other:  |

**Description:** California's Department of Food and Agriculture, Animal Health and Food Safety Services is proposing to adopt new Chapter 10 (commencing with section 1320) of Division 2 of Title 3 of the California Code of Regulations to implement Health and Safety Code sections 25990 through 25994, Farm Animal Cruelty, which mandates farm animal confinement standards and directs the Department and the Department of Public Health to jointly promulgate regulations to implement the provisions for specified farm animals and the sale of specified products derived from them.

The Department will accept written comments on the proposed changes between Friday 10 June 2022 and Friday 24 June 2022.

The proposal pertains to the action described in the Informative Digest published in the California Regulatory Notice Register on 28 May 2021 [[Notice File No. Z2021-0518-22, Register 2021, No. 22-Z](https://oal.ca.gov/wp-content/uploads/sites/166/2021/05/2021-Notice-Register-Number-22-Z-May-28-2021.pdf), page 594], relating to the Department's proposed regulations to implement, interpret, or make specific the requirements relating to the confinement of egg-laying hens, veal calves, and breeding pigs, and/or selling specified whole veal meat, whole pork meat, shell eggs, and liquid eggs in California in accordance with [sections 25990, 25991, 25992, 25993.1, and 25994](https://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?sectionNum=25991.&nodeTreePath=23.42&lawCode=HSC) of California's Health and Safety Code.

The proposed modifications are necessary to further clarify the intent of the regulatory text and to make the requirements consistent throughout the Chapter. All documents which are being incorporated by reference into modified proposed text were listed in the original Notice File (at <https://www.cdfa.ca.gov/ahfss/pdfs/regulations/AnimalConfinement1stNoticePropReg_05252021.pdf>) under Materials Relied Upon (page 6), their necessity was described in the Initial Statement of Reasons (at <https://www.cdfa.ca.gov/ahfss/pdfs/regulations/AnimalConfinementISOR_05252021.pdf>) under each section where documents are referenced, and have been available to the public upon request. No new documents of reference are included in this modified proposed text.

All comments received by 24 June 2022 and pertaining to the indicated changes will be reviewed and responded to by the Department as part of the compilation of the final rulemaking file. Please limit your comments to the modifications to the text.

Materials regarding this proposal can be found by accessing the following Internet address: <http://www.cdfa.ca.gov/ahfss/regulations.html>.

WTO Members and their stakeholders are asked to submit comments via e-mail to the USA TBT Enquiry Point at [usatbtep@nist.gov](http://usatbtep@nist.gov) by or before [4pm](http://time-time.net/times/time-zones/usa-canada/current-eastern-time-est.php) [Eastern Time](https://24timezones.com/time-zone/et) on 24 June 2022. Comments received within the comment period by the USA TBT Enquiry Point from WTO Members and their stakeholders will be shared directly with the California Department of Food and Agriculture ([CDFA](https://www.cdfa.ca.gov/)) per the instructions included on page one (1) of the file "[Second 15-day Comment Period Documents](http://www.cdfa.ca.gov/ahfss/pdfs/regulations/AnimalCare-Second_15-day_Comment_Period_Documents.pdf)".

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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)