The Phyllis Schlafly Report

Trump Cracks California's Egg Regulations

By John and Andy Schlafly

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No one had the guts until Trump to place the blame for higher egg prices right where they belong: on California's animal rights regulations that add enormous costs to poultry farms nationwide. California has been misusing its ballot initiative process to regulate farmers in other states, and it's costing everyone when we buy eggs at our local grocery stores.

Egg prices have declined recently under Trump, but they are still far higher than they should be. Some blame the avian flu, yet even after that flu has subsided, egg prices remain 69% higher today than they were a year ago.

California regulations require that all eggs sold in the Golden State, which is America's largest consumer market, be laid only by cage-free hens. This is an enormously costly burden on poultry farmers nationwide, as some of their eggs are inevitably sold in California and thus poultry farmers in Iowa and elsewhere are forced by California to conform to its regulations.

At first, it seems impossible for animal rights zealots in California to dictate how chickens are housed in Iowa, Ohio, Indiana, Pennsylvania, and Texas, which are the top five egg-producing states in our country, in that order. Trump carried all five states in 2024, most by double-digits.

California imports up to 70% of its eggs from other states, while California is our largest consumer of eggs and nearly every other product. The U.S. Supreme Court has so far allowed California to regulate the production of goods produced elsewhere but sold in California, despite how those regulations burden farmers and residents of the other 49 states.

New automobiles today contain ugly warnings based on overregulation by California of out-of-state car manufacturers. California dictates that silly statements must be provided for virtually every product to caution about trace carcinogen levels that the federal government has found too low to worry about.

California provides for lawsuits in California state court against any out-of-state supplier, such as a farmer in Iowa, whose products might find their way to customers in California. Midwestern farmers cannot survive lawfare brought against them in California for violating its ridiculous regulations.

The Supreme Court has refused to stop this racket, ruling against one legal challenge in 2023, and on June 30 denying a petition by Iowa pork producers whom California has ordered to maintain their pigs with a minimum amount of spacing between them. Only one Justice, Brett Kavanaugh, voted in favor of Iowa pig farmers against the California regulators.

Enter Donald Trump, who criticized high egg prices during his campaign. His Department of Justice filed a lawsuit in federal court on July 9 seeking an injunction against California laws dictating how egg-producing chickens must be housed in the Midwest and elsewhere.

This lawsuit properly challenges two ballot initiatives funded by liberals in California, known as Proposition 2, which went into effect beginning in 2015, and Proposition 12, which took full effect beginning in 2024. Egg prices shot up as these laws, including a similar one passed by the California legislature, are enforced by private lawsuits seeking big judgments.

Proposition 2, as enforced against egg-producers by a California statute enacted in 2010, prohibits the sale of eggs in California unless the chickens have mobility for a majority of the day in "(a) Laying down, standing up, and fully extending his or her limbs; and (b) Turning around freely." California punishes violators with fines, imprisonment, and private lawfare that would bankrupt any Iowa farmer.

Trump's new lawsuit against California points out that egg production there sharply declined by 35% within a year and a half after this measure and a similar California statute took effect. Within two years, the average cost of eggs to Americans was 20% higher than it would have been without those laws, Trump's DOJ explains.

In 2018 California made this suffocating regulation even worse by enacting Proposition 12. This proposition requires full mobility by the egg-laying hen without constant contact with other chickens or any restraint at all times of the day and night.

The hen must be able to roam freely, where it might be snatched by a chicken hawk, or reside in an expensive "cage-free housing system." This law incorporates guidelines requiring each hen to have "a minimum of 1 square foot of usable floorspace per hen in multitiered aviaries and partially slatted systems," while "providing a minimum of 1.5 square foot of usable floorspace per hen in single-level floor systems."

Trump's winning argument is that federal law preempts these bizarre California regulations. We have a national economy, and no single state should be able to regulate producers in the other 49 states.

California Gov. Gavin Newsom complains that Trump is picking on California. But Newsom and his fellow liberals have been picking on the Midwest, and Trump's lawsuit protects poultry farmers.

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