Six Midwest states ask Supreme Court to end livestock-housing rules

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Six states in the Midwest are part of a new legal effort to end laws in Massachusetts and California that regulate the housing of hens, calves and pigs in agricultural operations. Two separate lawsuits were filed directly with the U.S. Supreme Court in December. Indiana is leading the multi-state complaint against the Massachusetts law, which bans the sale of egg, pork and veal from farms (inside or outside the state) that don’t meet certain animal-confinement standards. These rules were established by Massachusetts voters in 2016 via a ballot referendum.

Nebraska, North Dakota and Wisconsin are among the 12 states joining Indiana in the lawsuit. They argue that the Massachusetts regulations have no “discernible impact on product quality or safety” and violate the U.S. Constitution’s Commerce Clause. In 2016, a federal appeals court ruled that a group of states had no standing in their complaint against a similar California law.

However, those California regulations are being challenged again, by a group of states that includes Indiana, Iowa, Nebraska, North Dakota and Wisconsin. In the December filings, the plaintiff states include economic analyses detailing the impact of California’s and Massachusetts’ regulations on their consumers and farmers.

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