



**THE HUMANE SOCIETY
OF THE UNITED STATES**

1255 23rd St. NW
Suite 450
Washington, DC 20037
P 202-452-1100
F 202-778-6132
humanesociety.org

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Maryland Senate Education, Energy and the Environment Committee
Miller Senate Office Building
11 Bladen St.
Annapolis, Maryland 21401

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RE: Strong support for SB 193

Dear Chair Feldman, Vice-Chair Kagan and members of the committee:

The Humane Society of the United States (HSUS), on behalf of our thousands of supporters across Maryland, thank Senator Lewis Young for introducing SB193. Eggs in Maryland should be safer, more affordable and more humanely produced. SB193 will make safer foods more affordable for Maryland residents, and we wholeheartedly support the passage of this measure.

On many egg factory farms, hens are crammed into cages so small the birds can't spread their wings. Each bird is given less space than the dimensions of an iPad on which to live her entire life. She's forced to eat, sleep, and defecate in the same space and is denied almost everything that is natural to her. These conditions are cruel to the animals and increase the spread of diseases, like Salmonella, which can then sicken people. Extensive research shows that locking hens in cages increases the risk of Salmonella contamination, a bacteria that can be lethal, especially in children and the elderly.

SB193 codifies where the market is already going. More than 200 of the country's largest food companies have committed to switching to a 100 percent cage-free egg supply. This includes Burger King, Unilever, General Mills, Aramark, Costco, and Target, along with Maryland-based Sodexo and Marriott.

Currently, retailers often charge a premium for a dozen cage-free eggs. Because of this artificial premium, lower income Maryland residents have a harder time purchasing cage-free eggs. Since cage-free eggs will become the new standard under SB193, that artificial premium will go away. Retailers will market cage-free as their "value" egg to draw customer foot traffic, just like they do today with eggs from caged hens. So, SB193 will give more access to safer food for Maryland families.

[Egg industry data](#) and consumer data shows that egg prices in California—which has a nearly identical law prohibiting the sale of eggs from hens in cages—changed by less than a penny per egg once the law was implemented. In addition, the hidden costs of such inhumane confinement are increased cruelty and food safety risks. It's animals and consumers who are currently paying those hidden prices.



SB193 is in line with laws enacted in other states. Over the past several years, red, blue and purple states have passed similar measures, like California, Colorado, Oregon, Washington, Nevada, Michigan, Massachusetts, and Arizona. Utah and Rhode Island have also passed cage-free egg standards. These measures all garnered strong bipartisan support.

In addition to aligning with other states, SB193 is farmer-friendly by providing market and regulatory certainty. The bill contains the egg industry's own cage-free standards. The United Egg Producers' commonsense guidelines on cage-free systems allow hens to perform important natural behaviors like extending their wings, walking, perching, dustbathing and laying eggs in nest boxes. SB193 is based on these guidelines. It also contains an exemption for small and family farmers with flocks fewer than 3,000 birds. Additionally, the bill only applies to egg-laying hens, not broiler chickens (i.e., birds who are used for their meat). So, it wouldn't impact Perdue or any other broiler producer.

By ensuring better welfare standards for birds, this bill will make safer food more affordable for Maryland families. Maryland has consistently been a leader in protecting animals from abuse and in promoting ethical business practices, and SB193 fits perfectly with that tradition. SB193 will restrict conduct within the state that is contrary to ethical norms in Maryland—conduct that facilitates animal cruelty is bad for the public good in our state, and we expect better of ourselves and our neighbors.

We do request a few technical amendments to clarify the following provisions of the bill, and will work with our sponsors and the amendment office to provide these for the committee:

- The exemption language for small producers, moving it from the definition section to the main body of the bill;
- The definition of sale to make it clear it occurs where the buyer takes possession of the eggs;
- The definition of business operator, to make it clear that it includes all sellers of eggs including retailers, wholesalers, distributors, and others, to ensure that the sales ban is even-handed and applies no matter where the eggs were produced.
- We are also happy to amend the penalty provisions to be a lower, tiered amount.

It is also important to stress that the fiscal note, as drafted, demonstrates a degree of confusion about how the inspection process will occur. Most cage-free eggs are already certified by the United Egg Producers, and in states where this law has taken effect – such as California – the agriculture agency often utilizes that existing inspection and certification process, without having to hire the staff to manage the inspections directly. The legislation already allows the MDA to use third party inspectors, but we are happy to discuss clarifying language if needed to reassure the Department that they will not need four new staff to implement this bill.

For the foregoing reasons, we kindly urge you to vote yes on SB193.

Sincerely,
Jennifer Bevan-Dangel, Maryland State Director, The Humane Society of the United States