

A photograph of a pink pig standing on a dark wooden slatted floor in a farm or processing facility. A metal water nozzle is suspended above the pig. The background shows a white wall and a metal railing.

## FOODSERVICE OPERATORS' GUIDE TO PROP 12-COMPLIANT SOURCING

**FIND OUT HOW THE NEW REGULATIONS  
COULD AFFECT YOUR BUSINESS**





On Jan. 1, 2024, California's Proposition 12 — also known as Prop 12 — went into full effect, requiring farm owners, operators and distributors that provide products involving farm animals, such as egg-laying hens, veal calves and commercial breeding pigs, to provide specific humane living conditions for the animals.<sup>1</sup>

Although retailers were allowed to sell noncompliant pork products that had already been put into the supply chain through the end of 2023, pork growers and distributors are now required to possess valid certificates of compliance — and the animal products they

obtain must come from compliant producers, according to the California Department of Food and Agriculture.

Foodservice operators may find they face supply chain and other challenges in the coming months as a number of companies enact changes to meet the new requirements.

Some pork providers, however — such as the Clemens Food Group family of brands, which includes Hatfield, Prima Porta and Farm Promise products — were already compliant before the Prop 12 guidelines went into effect.

Since 1895, Clemens Food Group has been committed to being a responsible steward of the animals in its care. Clemens has routinely received the highest possible third-party audit scores for its animal care. The company's practices also have garnered recognition from a number of entities — including the prestigious Richard L. Knowlton Innovation Award, which honors innovation, business success, leadership and industry contribution excellence in the U.S. meat industry.



## UNDERSTANDING PROP 12

Proposition 12 — the Farm Animal Confinement Initiative — was approved by California voters in 2018.<sup>2</sup> The law, which amends previous health and safety code requirements in the state, involves stipulations for larger living spaces and other humane conditions for animals, which can reduce the amount of stress they experience and lower their risk of disease and injury, improving their overall health.

Farm owners and operators are prohibited from knowingly causing any covered animal to be confined in a manner other than what is specified; and business owners and operators aren't allowed to knowingly sell shell or liquid eggs or whole pork or veal meat from covered animals that have been confined in another manner.

The law affects both producers operating in the state and ones that plan to sell their products in it, according to the National Agricultural Law Center. Organizations may not be exempt just because they're located outside of California.<sup>3</sup>

# WHY YOU MAY WANT TO CONSIDER PARTNERING WITH A PROP 12-COMPLIANT PROVIDER

As all the currently noncompliant companies attempt to meet the new animal care-related requirements, foodservice operators may find working with a manufacturer that is already Prop 12 compliant can offer a number of advantages, including:

## EASY, RELIABLE SOURCING

Providers that aren't Prop-12 compliant may need to pause some of their services until they've made the necessary operational changes — which could cause operators to experience supply chain delays or more severe disruptions.

Obtaining pork and other products from a Prop 12-compliant provider can help guarantee continuous access to the ingredients you need for your menu.

## AN OPPORTUNITY TO BUILD TRUST

In recent years, consumers have shown a growing interest in how their food is produced; 75% of adults say they're somewhat or very concerned about the way the meat and dairy industries treat animals, according to a 2023 survey.<sup>4</sup>

Purchasing pork products from a supplier who meets Prop 12's animal welfare criteria can demonstrate to customers you share their values, potentially enhancing your brand reputation. You'll be able to highlight the use of humanely sourced pork in your menu verbiage and other collateral.

## REGULATORY COMPLIANCE

Working with a supplier already in compliance with Prop 12 requirements will help you avoid legal issues and penalties, as well as the hassle of having to alter your purchasing strategies in the new regulatory environment.

By leading the way in Prop 12 animal welfare compliance, you'll also contribute to establishing a high industry standard and encouraging widespread improvements in animal welfare practices.

## QUALITY ASSURANCE

Complying with the Prop 12 guidelines can potentially correlate to higher overall production standards and may allow you to both utilize and provide better quality products. By lowering animals' stress levels, the Prop-12 living space regulations may also help reduce the likelihood an animal will experience stress-related issues that can lead to conditions such as pale, soft, exudative (PSE) meat. Healthier, less stressed animals tend to have better nutritional profiles, which can result in superior pork taste and texture.

In addition, the Prop-12 measures encourage ecological and ethical farming practices, which could provide long-term environmental gains — an element that increasingly appears to factor into consumers' purchasing decisions. Products that contained ESG-related claims averaged 28% cumulative growth between 2017 to 2022.<sup>5</sup>

## LONG-TERM COST SAVINGS

Having to switch suppliers unexpectedly because of Prop 12 non-compliance could result in substantial last minute-purchasing costs and lost time.

Vendors that are currently compliant, however, can help you stay on budget by providing more cost predictability — and allowing you to avoid market-related price spikes that pop up as Prop 12 compliance expands.



## CLEMENS' COMMITMENT TO HUMANELY PRODUCED, HIGH-QUALITY PORK PRODUCTS

Clemens Food Group has worked for years to establish beneficial living conditions for all the hogs it owns and obtains from suppliers. These efforts include:

- 1** Clemens was one of the first companies in the nation to require all of its team members, farmers and livestock handlers to obtain National Pork Board PQA Plus Program certification, which through advanced animal care and handling instruction helps provide participants with the skill and understanding to properly care for the animals they raise.
- 2** All livestock truck drivers must be certified through the National Pork Board's Transport Quality Assurance (TQA) Program, which helps pig transporters, producers and handlers understand the best way to manage and move animals, and how their actions can affect the animals' well-being.
- 3** Clemens also requires all its animal caretakers to complete animal welfare and biosecurity trainings every year. The company also participates in the We Care program — a collective effort from the National Pork Board, its Producers Council and state organizations that represent pig farms — to promote responsible pork production practices.
- 4** All of Clemens' producer partners must provide the company with proof of a Veterinary Client Patient Relationship (VCPR), stating a veterinarian with first-hand knowledge about pigs' health makes all medical judgments regarding their treatment and their caretaker agrees to follow the veterinarian's instructions.

For more than a decade, the company also has been researching gestation and farrowing systems in the United States, Europe and Canada.



## CLEMENS: AN INDUSTRY LEADER IN ANIMAL CARE

Clemens Food Group met its previously established goal to transition all company-owned and contracted hogs to group housing — commonly referred to as “open pen gestation” — by the end of 2022. Approximately 6.3 million hogs are provided annually through its group-housed care program, which is based on the Ohio Livestock Care Standards, a series of animal welfare-based guidelines established by the state of Ohio in 2011.<sup>6</sup>

In accordance with the Prop 12 requirements, each sow is housed in a pen that offers more than 24 square feet of floor space, allowing them to stand and turn around freely at all times.

Pork raised for Clemens by family farmers are fed a diet formulated with input from an accredited nutritionist or pig nutrition professional, which is adjusted over time to meet the animal’s changing needs and does not include any additional hormones or steroids. Veterinary and animal care experts, in tandem with Clemens’ full-time Doctor of Veterinary Medicine and staff, evaluate animal care best practices for the company on an ongoing basis.

To confirm the highest care and handling practices are always in use, Clemens administers annual farm and plant audits, conducted by leading independent animal welfare experts. All producers who provide pigs are required to be audited by a third party every three years.

Clemens also is continuing to test new technologies and practices that may help further increase the well-being of its animals.

By working with a supplier that’s currently Prop 12-compliant and displays a clear commitment to providing high-quality, humane animal care, foodservice operators and buyers can potentially realize the numerous advantages — ranging from stable operations to savings and increased trust in the marketplace.

# CLEMENS FOOD GROUP

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CONTACT CLEMENS FOOD GROUP  
FOR MORE INFORMATION ABOUT ITS  
PROP 12 COMPLIANT PRODUCTS.

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**[ClemensFoodservice.com](https://ClemensFoodservice.com)**

<sup>1</sup> Food Safety News, “California’s Prop 12 is now the law of the land,” Jan. 2, 2024

<sup>2</sup> California Department of Food and Agriculture, Animal Care Program, Proposition 12, Farm Animal Confinement

<sup>3</sup> Farm Animal Housing in 2024: Laws, Proposals and Challenges, the National Agricultural Law Center, March 26, 2024

<sup>4</sup> “Organic Trade Association hails long-awaited organic animal welfare rule,” The Organic Trade Association, Oct. 25, 2023

<sup>5</sup> “Consumers care about sustainability—and back it up with their wallets,” McKinsey & Company, Feb. 6, 2023

<sup>6</sup> Livestock Care Standards, Ohio Department of Agriculture