

HOUSE No. 4146

The Commonwealth of Massachusetts

PRESENTED BY:

Daniel Cahill

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act to upgrade hen welfare and establish uniform cage-free standards.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Daniel Cahill</i>	<i>10th Essex</i>	<i>10/1/2019</i>

HOUSE No. 4146

By Mr. Cahill of Lynn, a petition (subject to Joint Rule 12) of Daniel Cahill for legislation to further regulate the prevention of cruelty to farm animals. Environment, Natural Resources and Agriculture.

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-First General Court
(2019-2020)**

An Act to upgrade hen welfare and establish uniform cage-free standards.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 Chapter 333 of the acts of 2016 is hereby amended by striking section 5 in its entirety and
2 inserting in its place the following:-

3 For purposes of this Act, the following terms shall have the following meanings:

4 (A) “Breeding pig” means any female pig of the porcine species kept for the purpose of
5 commercial breeding.

6 (B) “Business owner or operator” means any person who owns or controls the operations
7 of a business.

8 (C) “Calf raised for veal” means any calf of the bovine species kept for the purpose of
9 commercial production of veal meat.

10 (D) “Cage-free housing system” means an indoor or outdoor controlled environment for
11 egg-laying hens within which hens are free to roam unrestricted except by exterior walls, are

12 provided enrichments that allow them to exhibit natural behaviors, including, at a minimum,
13 scratch areas, perches, nest boxes and dust bathing areas and within which farm employees can
14 provide care while standing within the hens' usable floor space; provided, cage-free housing
15 system includes, to the extent that such systems comply with the requirements of this paragraph,
16 multi-tiered aviaries, partially-slatted systems, single level all litter floor systems and any future
17 systems that will comply with the requirements of this paragraph; provided, however, cage-free
18 housing system does not include systems commonly described as battery cages, colony cages,
19 enriched cages, enriched colony cages, modified cages, convertible cages, or furnished cages, or
20 similar cage systems.

21 (E) "Covered animal" means any breeding pig, calf raised for veal, or egg-laying hen that
22 is kept on a farm.

23 (F) "Confined in a cruel manner" means any of the following acts:

24 (1) Confining a calf raised for veal or a breeding pig in a manner that prevents the animal
25 from lying down, standing up, fully extending the animal's limbs, or turning around freely; or

26 (2) Confining an egg-laying hen:

27 (a) in an enclosure other than a cage-free housing system; or

28 (b) with less than:

29 (i) 1 square foot of usable floor space per hen in multi-tiered aviaries, partially-slatted
30 cage-free housing systems, or any other cage-free housing system that provides hens with
31 unfettered access to vertical space; or

32 (ii) 1.5 square feet of usable floor space per hen in single-level, all-
33 litter

34 floor cage-free housing systems, or any other cage-free housing system that does not
35 provide hens with unfettered access to vertical space.

36 (G) “Egg-laying hen” means any female domesticated chicken, turkey, duck, goose, or
37 guinea fowl kept for the purpose of commercial egg production.

38 (H) “Enclosure” means any cage, crate, or other structure used to confine a covered
39 animal or animals. “Enclosure” includes what is commonly described as a “gestation crate” or
40 “stall” for pigs during pregnancy, a “veal crate” for calves raised for veal, and a “battery cage,
41 enriched cage, or colony cage” for egg-laying hens.

42 (I) “Farm” means the land, building, support facilities, and other equipment that are
43 wholly or partially used for the commercial production of animals or animal products used for
44 food; and does not include live animal markets or establishments at which inspection is provided
45 under the Federal Meat Inspection Act.

46 (J) “Farm owner or operator” means any person who owns or controls the operations of a
47 farm.

48 (K) “Fully extending the animal’s limbs” means fully extending all limbs without
49 touching the side of an enclosure.

50 (L) “Multi-tiered aviary” means a cage-free housing system in which hens have
51 unfettered access to multiple elevated platforms that provide hens with usable floor space both
52 on top of and underneath the platforms.

53 (M) “Partially-slatted system” means a cage-free housing system in which hens have
54 unfettered access to elevated flat platforms under which manure drops through the flooring to a
55 pit or litter removal belt below.

56 (N) “Person” means any individual, firm, partnership, joint venture, limited liability
57 corporation, estate, trust, receiver, syndicate, association, or other legal entity.

58 (O) “Pork meat” means meat, as defined in 105 CMR 531.012 as of June 1, 2015, of a pig
59 of the porcine species, intended for use as human food.

60 (P) “Sale” means a commercial sale by a business that sells any item covered by Section
61 3, but does not include any sale undertaken at an establishment at which inspection is provided
62 under the Federal Meat Inspection Act. For purposes of this section, a sale shall be deemed to
63 occur at the location where the buyer takes physical possession of an item
64 covered by Section 3.

65 (Q) “Shell egg” means a whole egg of an egg-laying hen in its shell form, intended for
66 use as human food.

67 (R) “Single-level all litter floor system” means a cage-free housing system bedded with
68 litter, and in which hens have limited or no access to elevated flat platforms.

69 (S) “Turning around freely” means turning in a complete circle without any impediment,
70 including a tether, and without touching the side of an enclosure or another animal.

71 (T) “Uncooked” means requiring cooking prior to human consumption.

72 (U) “Usable floor space” means the total square footage of floor space provided to each
73 hen, as calculated by dividing the total square footage of floor space provided to the hens in an
74 enclosure by the number of hens in that enclosure; provided, usable floor space shall include
75 both ground space and elevated level or nearly level flat platforms upon which hens can roost;
76 provided, however, usable floor space shall not include perches or ramps.

77 (V) “Veal meat” means meat, as defined in 105 CMR 531.012 as of June 1, 2015, of a
78 calf raised for veal, intended for use as human food.

79 (W) “Whole pork meat” means any uncooked cut of pork (including bacon, ham, chop,
80 ribs, riblet, loin, shank, leg, roast, brisket, steak, sirloin or cutlet) that is comprised entirely of
81 pork meat, except for seasoning, curing agents, coloring, flavoring, preservatives and similar
82 meat additives. Whole pork meat does not include combination food products (including soups,
83 sandwiches, pizzas, hot dogs, or similar processed or prepared food products) that are comprised
84 of more than pork meat, seasoning, curing agents, coloring, flavoring, preservatives and similar
85 meat additives.

86 (X) “Whole veal meat” means any uncooked cut of veal (including chop, ribs, riblet, loin,
87 shank, leg, roast, brisket, steak, sirloin or cutlet) that is comprised entirely of veal meat, except
88 for seasoning, curing agents, coloring, flavoring, preservatives and similar meat additives. Whole
89 veal meat does not include combination food products (including soups, sandwiches, pizzas, hot
90 dogs, or similar processed or prepared food products) that are comprised of more than veal meat,
91 seasoning, curing agents, coloring, flavoring, preservatives and similar meat additives.