



Four Meaningful Legal Victories For Farmed Animals

JUNE 29, 2021 /

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July 28, 2021 update:

On July 28, 2021, Animal Outlook and our coalition partners achieved another courtroom victory for farmed animals. The United States Court of Appeals for the Ninth Circuit rejected another challenge from the meat industry to California's Proposition 12, a law that bans the intensive confinement of egg-laying hens, mother pigs and calves used for veal. In its [opinion](https://animaloutlook.org/wp-content/uploads/2021/07/NPPC-v.-Ross-Ninth-Circuit-Opinion-07282021.pdf) (<https://animaloutlook.org/wp-content/uploads/2021/07/NPPC-v.-Ross-Ninth-Circuit-Opinion-07282021.pdf>), the Ninth Circuit ruled that Proposition 12's ban on the sale of the products of cruel confinement does not violate the Commerce Clause of the U.S. Constitution.

The Ninth Circuit's opinion effectively ends the National Pork Producers Council's attempt to overturn the will of Californians who voted in 2018 to protect millions of farmed animals from cruel confinement.



Legal victories: In the past week, Animal Outlook has achieved four meaningful victories for farmed animals through the legal system.

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The Supreme Court of the United States Rejects Meat Industry Challenge to California Law Prohibiting Cruel Confinement of Farmed Animals

On June 28, 2021, the Supreme Court of the United States rejected (https://www.supremecourt.gov/orders/courtorders/062821zor_6j37.pdf) the North American Meat Institute's (NAMI) challenge to California's Proposition 12.

Proposition 12, due to go into effect on January 1, 2022, strengthens existing California law to ban the intensive confinement of egg-laying chickens, mother pigs and calves used in the veal industry. The law also prohibits the sale in California of eggs, pork and veal from facilities that confine animals in cruel cages. Voters adopted Proposition 12 in 2018.

When NAMI sued California in an attempt to stop the state from implementing Proposition 12, Animal Outlook voluntarily intervened in the lawsuit (<https://animaloutlook.org/legal-advocacy/#prop12>) on behalf of the State of California to defend Proposition 12 and protect the millions of hens, pigs and calves used to produce meat and eggs sold in California. We were joined by Animal Equality, Animal Legal Defense Fund, Compassion in World Farming, Farm Sanctuary, the Humane League and the Humane Society of the United States.

In rejecting NAMI's challenge, the Supreme Court upheld an appellate court's denial of NAMI's claim that Proposition 12 violated the United States Constitution. The Supreme Court's decision affirms the right of states to pass laws protecting animals, public health and safety. While an appeal in a second lawsuit against Proposition 12, brought by the National Pork Producers Council, still looms, the Supreme Court's decision against NAMI is a resounding victory for animals.[1]

District Court Denies the United States Department of Agriculture's Attempt to Dismiss Two Lawsuits Aimed at Reducing the Suffering of Pigs at Slaughter

On the same day the Supreme Court denied NAMI's challenge to Proposition 12, a federal district court judge in New York rejected (https://www.biologicaldiversity.org/programs/environmental_health/pdfs/Dkt-50_Order-denying-



The first (<https://animaloutlook.org/wp-content/uploads/2020/03/pig-line-speeds-farm-sanctuary-v-usda-complaint.pdf>) of these cases, which Animal Outlook brought in 2019 along with Animal Equality.

Animal Legal Defense Fund, Center for Biological Diversity, Farm Sanctuary, Mercy For Animals and North Carolina Farmed Animal Save, challenges the USDA's decision to deregulate pig slaughterhouses by allowing them to operate at unlimited slaughter line speeds and by reducing the number of federal inspectors overseeing the slaughter process.

The second [lawsuit \(https://animaloutlook.org/wp-content/uploads/2020/03/downed-pigs-farm-sanctuary-v-perdue-complaint.pdf\)](https://animaloutlook.org/wp-content/uploads/2020/03/downed-pigs-farm-sanctuary-v-perdue-complaint.pdf), which Animal Outlook brought in 2020, challenges the USDA's decision to deny protections to "downed" pigs. These are pigs who suffer from an illness or injury that renders them unable to stand or walk, which subjects them to heightened cruelty in slaughterhouses. The case challenges both the USDA's denial of a petition asking it to prevent the slaughter of these helpless pigs, and its violation of a federal law that requires it to investigate and report to Congress on humane handling and other issues related to non-ambulatory farmed animals, and then to promulgate any regulations needed to protect these animals. Animal Outlook brought this case along with Animal Legal Defense Fund, Animal Welfare Institute, Compassion in World Farming, Farm Forward, Farm Sanctuary and Mercy For Animals.

Animal Outlook has documented firsthand the horrors facing pigs, including "downed" pigs, in high speed slaughterhouses. Our 2015 [investigation \(https://animaloutlook.org/investigations/hormel/\)](https://animaloutlook.org/investigations/hormel/) at Quality Pork Processors revealed workers beating, shocking, dragging and improperly stunning pigs on their way to slaughter. "Downed" pigs, unable to walk the final feet to the slaughter line, often faced the worst abuses, as workers beat them, dragged them with metal hooks in their mouths and subjected them to other egregious abuses.

The District Court's decision yesterday means that Animal Outlook and our coalition partners can continue vigorously fighting for suffering pigs in the courtroom. Combined, these two cases could potentially impact 12 million pigs per year.[2]

Animal Outlook Beats Back Cooke Aquaculture's Attempts to Dismiss Lawsuit Over True North Salmon

Just days before the Proposition 12 and pig slaughter decisions, the Superior Court of the District of Columbia denied an attempt by Cooke Aquaculture to dismiss Animal Outlook's lawsuit against it for making misleading and deceptive advertising claims about its True North salmon.

Specifically, Cooke and its corporate affiliates falsely claim to produce salmon using methods which are "sustainable," "natural," and follow "optimal" animal welfare standards. The video Animal Outlook captured in our 2019 [investigation \(https://animaloutlook.org/investigations/aquaculture/\)](https://animaloutlook.org/investigations/aquaculture/) at Cooke



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The Superior Court rejected all four motions by Cooke, including its attempts to have our case dismissed.

The matter now proceeds toward trial and Animal Outlook will continue advocating for the often-overlooked animals who suffer (<https://animaloutlook.org/muddying-the-waters-aquacultures-plague-on-welfare-environment-health/>) in aquaculture.[3]

Despite These Victories, the Fight Continues

While we celebrate these recent victories, the fight for farmed animals continues. Across the country, billions of chickens, fish, pigs, cows, sheep and other animals are confined to cruel pens; beaten, abused and neglected; and forced to their deaths with violence. Every day, Animal Outlook's legal advocacy department seeks ways to use the legal system on their behalf and to end animal exploitation.

Thanks to our generous supporters, Animal Outlook's investigators and legal team work to expose the truth about factory farming and animal cruelty, and to serve justice for suffering animals. Help make lasting change for animals by giving (<http://animaloutlook.org/donate>) today.

[1] The Proposition 12 intervenors are represented by [Riley, Safer, Holmes and Cancila](#) (<https://www.rshc-law.com/>) along with the Humane Society of the United States.

[2] The animal group coalition in the pig line speeds and “downed” pigs cases are represented by [Lewis and Clark Law School’s Animal Law Litigation Clinic](#) (https://law.lclark.edu/centers/animal_law_studies/animal_law_clinics/animal-law-litigation-clinic/).

[3] Animal Outlook is represented by [Richman Law and Policy](#) (<https://www.richmanlawpolicy.com/>) in the Cooke Aquaculture lawsuit.



[\(https://animaloutlook.org/author/will/\)](https://animaloutlook.org/author/will/)

Will Lowrey
[\(https://animaloutlook.org/author/will/\)](https://animaloutlook.org/author/will/)

Will joined Animal Outlook in 2019 as legal counsel for litigation and

undercover investigations. Prior to law school, Will spent almost two decades in the corporate world, but left that career to pursue an interest in animal law after many years of volunteering for animal causes. Prior to joining us, Will clerked for a judge in the Superior Court in New Jersey and interned with an Attorney General’s animal law unit and a non-profit conducting civil litigation on behalf of animals. Will received a J.D. from Vermont Law School and a B.S. in criminal justice from Virginia Commonwealth University.

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Comments ²

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JUNE 30, 2021 AT 4:17 PM ([HTTPS://ANIMALOUTLOOK.ORG/LEGAL-VICTORIES-FARMED-ANIMALS/#COMMENT-22242](https://animaloutlook.org/legal-victories-farmed-animals/#comment-22242))

YES! Fight fight on!

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Maylen Hayes

JULY 29, 2021 AT 6:49 PM ([HTTPS://ANIMALOUTLOOK.ORG/LEGAL-VICTORIES-FARMED-ANIMALS/#COMMENT-23385](https://animaloutlook.org/legal-victories-farmed-animals/#comment-23385))

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The image shows the cover of the "VEGAN STARTER GUIDE" from AnimalOutlook.org. The cover features a collage of images related to veganism: people eating at a table, a bowl of pasta, a person petting a dog, and a salad. The title "VEGAN STARTER GUIDE" is prominently displayed in large white letters. Below the title, a subtitle reads "THE HOW'S AND WHY'S OF PLANT-BASED EATING". At the bottom, the text "FOR YOUR HEALTH, THE PLANET, AND ANIMALS" is visible, along with the "TryVeg.com" logo and a "GET STARTED!" button.

[\(https://tryveg.com/literature/vegan-starter-guide/\)](https://tryveg.com/literature/vegan-starter-guide/)

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Animal Outlook is a national nonprofit 501(c)(3) animal advocacy organization based in Washington, DC. Working to end animal abuse since 1995, Animal Outlook exposes cruelty to farmed animals and promotes vegan eating. Our mission is to change the world for animals. [Learn more \(/about\)](#)

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