



STATE OF ARIZONA

Application for Serial Number
Initiative Petition
A.R.S. § 19-111**RECEIVED**

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By Chris Rhode at 5:24 pm, Jan 11, 2021

The undersigned intends to circulate and file an initiative petition and hereby makes application for the issuance of an official serial number to be printed in the lower right-hand corner of each side of each signature sheet of such petition. Attached hereto is the full title and text, in no less than eight point type, of the measure or constitutional amendment intended to be initiated at the next general election.

☒ **Statutory
Measure**☐ **Constitutional
Amendment**

Date of Application 1/11/2021

Signatures Required 237,645

Deadline for Filing 7/8/2022

Serial Number Issued I-01-2022

The committee will support the Prevent Cruelty to Farm Animals act initiative. The act prohibits a farm owner or operator from knowingly confining calves raised for veal, breeding pigs, or egg-laying hens in a cruel manner and prohibits a business owner or operator from knowingly selling animal products derived from covered animals confined in a cruel manner. Confinement in a cruel manner is confinement that prevents the animal from lying down, standing up, fully extending limbs, or turning around freely, and after May 1, 2023 is further defined based on specific dimensions of usable floor space for each species.

Cameron Harsh

Name of Applicant

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Arizonans Against Farmed Animal Cruelty (Sponsored by World Animal Protection)

Committee Name

100498

Committee ID No.

Ben Williamson

Chairperson

Cameron Harsh

Treasurer

535 8th Ave 3rd Floor

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By submitting this Application for Serial Number and checking all boxes below, I acknowledge the following:



That I have received and will review the accompanying Instructions for Statewide Initiatives, including the Secretary of State's recommended best practices for printing copies of the Statewide Initiative Petition to be circulated.



That at the time of filing, I was provided instructions regarding accurate completion of the Statewide Initiative Petition form.


Applicant Signature

01/05/2021
Date

[STATE NUMBERS TBD]

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AN INITIATIVE MEASURE

Be it enacted by the People of the State of Arizona:

SECTION 1. In Arizona Revised Statutes, **replace** part 07 to article 10 of Chapter 29 of title 13 as follows:

PREVENT CRUELTY TO FARM ANIMALS

13-2910.07

A. THE PURPOSE OF THIS ACT IS TO PREVENT ANIMAL CRUELTY BY PHASING OUT EXTREME METHODS OF FARM ANIMAL CONFINEMENT AND SALE OF THE PRODUCTS OF CRUEL CONFINEMENT, WHICH ALSO THREATEN THE HEALTH AND SAFETY OF ARIZONANS, INCREASE THE RISK OF ILLNESS, AND HAVE NEGATIVE FISCAL IMPACTS ON THE STATE OF ARIZONA.

B.

1. NOTWITHSTANDING ANY PROVISION OF TITLE 3 OR TITLE 13, OR ANY OTHER PROVISION OF LAW, A FARM OWNER OR OPERATOR WITHIN THE STATE OF ARIZONA SHALL NOT KNOWINGLY CAUSE ANY COVERED ANIMAL TO BE CONFINED IN A CRUEL MANNER.

2. NOTWITHSTANDING ANY PROVISION OF TITLE 3 OR TITLE 13, OR ANY OTHER PROVISION OF LAW, A BUSINESS OWNER OR OPERATOR SHALL NOT KNOWINGLY ENGAGE IN THE SALE WITHIN THE STATE OF ARIZONA OF ANY:

(A). SHELL EGG THAT THE BUSINESS OWNER OR OPERATOR KNOWS OR SHOULD KNOW IS THE PRODUCT OF A COVERED ANIMAL THAT WAS CONFINED IN A CRUEL MANNER.

(B). EGG PRODUCTS THAT THE BUSINESS OWNER OR OPERATOR KNOWS OR SHOULD KNOW ARE THE PRODUCT OF A COVERED ANIMAL THAT WAS CONFINED IN A CRUEL MANNER.

(C). WHOLE VEAL MEAT THAT THE BUSINESS OWNER OR OPERATOR KNOWS OR SHOULD KNOW IS THE MEAT OF A COVERED ANIMAL THAT WAS CONFINED IN A CRUEL MANNER.

(D). WHOLE PORK MEAT THAT THE BUSINESS OWNER OR OPERATOR KNOWS OR SHOULD KNOW IS THE MEAT OF A COVERED ANIMAL THAT WAS CONFINED IN A CRUEL MANNER, OR IS THE MEAT OF IMMEDIATE OFFSPRING OF A COVERED ANIMAL THAT WAS CONFINED IN A CRUEL MANNER.

C. PARAGRAPH (B)(1) OF THIS SECTION SHALL NOT APPLY DURING:

1. MEDICAL RESEARCH.

2. EXAMINATION, TESTING, INDIVIDUAL TREATMENT, OR OPERATION FOR VETERINARY PURPOSES, BUT ONLY IF PERFORMED BY OR UNDER THE DIRECT SUPERVISION OF A VETERINARIAN WHO IS LICENSED PURSUANT TO TITLE 32, CHAPTER 21 .

3. TRANSPORTATION.
4. A STATE OR COUNTY FAIR EXHIBITION, A 4-H PROGRAM, AND SIMILAR EXHIBITIONS.
5. SLAUGHTER IN ACCORDANCE WITH ANY APPLICABLE LAWS, RULES, OR REGULATIONS.
6. TO A BREEDING PIG DURING THE FIVE (5) DAY PERIOD PRIOR TO THE BREEDING PIG'S EXPECTED DATE OF GIVING BIRTH, AND ANY DAY THAT THE BREEDING PIG IS NURSING PIGLETS;
OR;
7. TEMPORARY PERIODS FOR ANIMAL HUSBANDRY PURPOSES FOR NO MORE THAN SIX HOURS IN ANY TWENTY-FOUR-HOUR PERIOD AND NO MORE THAN TWENTY-FOUR HOURS TOTAL IN ANY THIRTY-DAY PERIOD.

D. A PERSON WHO VIOLATES THIS SECTION IS GUILTY OF A CLASS 1 MISDEMEANOR.

2. IN ADDITION, A VIOLATION OF THIS ARTICLE CONSTITUTES AN UNLAWFUL PRACTICE UNDER A.R.S. 44-1521 *ET SEQ.*

E. THE DIRECTOR OF THE ARIZONA DEPARTMENT OF AGRICULTURE OR THE DIRECTOR'S DESIGNEE SHALL ENFORCE THIS SECTION, AND MAY ADOPT RULES RELATING TO IMPLEMENTING AND ENFORCING THIS SECTION. THE DIRECTOR MAY NOT USE A THIRD PARTY OR PRIVATE INSPECTION OR PROCESS VERIFICATION PROVIDER TO ENSURE COMPLIANCE WITH THIS SECTION.

F. THIS SECTION DOES NOT LIMIT OR REPLACE ANY OTHER STATE STATUTE OR RULE THAT PROTECTS THE WELFARE OF ANIMALS. THIS SECTION DOES NOT PREEMPT A LOCAL GOVERNING BODY FROM ADOPTING AND ENFORCING ITS OWN ANIMAL WELFARE ORDINANCE, RULE, RESOLUTION, OR CHARTER PROVISION THAT IS MORE STRINGENT THAN THIS ARTICLE.

G. THE FOLLOWING DEFINITIONS SHALL GOVERN THIS SECTION:

1. "BREEDING PIG" MEANS A FEMALE PIG OF THE PORCINE SPECIES THAT IS KEPT FOR THE PURPOSE OF COMMERCIAL BREEDING AND THAT IS 6 MONTHS OF AGE OR OLDER OR PREGNANT.

2. "BUSINESS OWNER OR OPERATOR" MEANS ANY PERSON WHO OWNS OR CONTROLS THE OPERATIONS OF A BUSINESS.

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(A). "CAGE-FREE HOUSING SYSTEM" MEANS AN INDOOR OR OUTDOOR CONTROLLED ENVIRONMENT FOR EGG-LAYING HENS WITHIN WHICH:

- (i). THE HENS ARE FREE TO ROAM UNRESTRICTED;
- (ii). THE HENS ARE PROVIDED ENRICHMENTS THAT ALLOW THE HENS TO EXHIBIT NATURAL BEHAVIORS, INCLUDING, AT A MINIMUM, SCRATCH AREAS, PERCHES, NEST BOXES, AND DUST BATHING AREAS; AND
- (iii). FARM EMPLOYEES CAN PROVIDE CARE WHILE STANDING WITHIN THE HENS' USABLE FLOOR SPACE.

(B). "CAGE-FREE HOUSING SYSTEM" INCLUDES, TO THE EXTENT THEY COMPLY WITH THE REQUIREMENTS OF THIS PARAGRAPH:

(I). MULTI-TIERED AVIARIES IN WHICH HENS HAVE UNFETTERED ACCESS TO MULTIPLE ELEVATED PLATFORMS THAT PROVIDE HENS WITH USABLE FLOOR SPACE BOTH ON TOP OF AND UNDERNEATH THE PLATFORMS;

(II). PARTIALLY-SLATTED SYSTEMS IN WHICH HENS HAVE UNFETTERED ACCESS TO ELEVATED FLAT PLATFORMS UNDER WHICH MANURE DROPS THROUGH THE FLOORING TO A PIT OR LITTER REMOVAL BELT BELOW; AND

(III). SINGLE-LEVEL ALL LITTER FLOOR SYSTEMS BEDDED WITH LITTER AND IN WHICH HENS HAVE LIMITED OR NO ACCESS TO ELEVATED FLAT PLATFORMS.

(C). "CAGE-FREE HOUSING SYSTEM" DOES NOT INCLUDE SYSTEMS COMMONLY DESCRIBED AS BATTERY CAGES, COLONY CAGES, ENRICHED CAGES, ENRICHED COLONY CAGES, MODIFIED CAGES, CONVERTIBLE CAGES, FURNISHED CAGES, OR SIMILAR CAGE SYSTEMS.

4. "CALF RAISED FOR VEAL" MEANS ANY CALF OF THE BOVINE SPECIES KEPT FOR THE PURPOSE OF PRODUCING THE FOOD PRODUCT DESCRIBED AS VEAL.

5. "CONFINED IN A CRUEL MANNER" MEANS ANY ONE OF THE FOLLOWING ACTS:

(A) CONFINING A COVERED ANIMAL IN A MANNER THAT PREVENTS THE ANIMAL FROM LYING DOWN, STANDING UP, FULLY EXTENDING THE ANIMAL'S LIMBS, OR TURNING AROUND FREELY; OR

(B) AFTER MAY 1, 2023, CONFINING A CALF RAISED FOR VEAL WITH LESS THAN 43 SQUARE FEET OF USABLE FLOOR SPACE PER CALF; OR

(C) AFTER MAY 1, 2023, CONFINING A BREEDING PIG WITH LESS THAN 24 SQUARE FEET OF USABLE FLOOR SPACE PER PIG; OR

(D) AFTER MAY 1, 2023 CONFINING AN EGG-LAYING HEN WITH LESS THAN THE AMOUNT OF USABLE FLOOR SPACE PER HEN REQUIRED BY THE 2017 EDITION OF THE UNITED EGG PRODUCERS' ANIMAL HUSBANDRY GUIDELINES FOR U.S. EGG-LAYING FLOCKS: GUIDELINES FOR CAGE-FREE HOUSING, OR IN AN ENCLOSURE OTHER THAN A CAGE-FREE HOUSING SYSTEM.

6. "COVERED ANIMAL" MEANS ANY CALF RAISED FOR VEAL, EGG-LAYING HEN, OR BREEDING PIG THAT IS KEPT ON A FARM.

7. "EGG-LAYING HEN" OR "HEN" MEANS A FEMALE DOMESTICATED CHICKEN, TURKEY, DUCK, GOOSE, OR GUINEA FOWL KEPT FOR THE PURPOSE OF EGG PRODUCTION.

8. "EGG PRODUCTS MEANS EGGS OF AN EGG-LAYING HEN BROKEN FROM THE SHELLS, INTENDED FOR HUMAN FOOD, WHETHER IN LIQUID, SOLID, DRIED, OR FROZEN FORM; WHETHER RAW OR COOKED; AND WITH THE YOLKS AND WHITES IN THEIR NATURAL PROPORTIONS, OR WITH THE YOLKS AND WHITES SEPARATED, MIXED, OR MIXED AND STRAINED. "EGG PRODUCTS" DO NOT INCLUDE COMBINATION FOOD PRODUCTS (INCLUDING PANCAKE MIXES, CAKE MIXES, COOKIES, PIZZAS, COOKIE DOUGH, ICE CREAM, OR SIMILAR FOOD PRODUCTS) THAT ARE COMPRISED OF MORE THAN EGG PRODUCTS, SUGAR, SALT, WATER, SEASONING, COLORING, FLAVORING, PRESERVATIVES, STABILIZERS, AND SIMILAR FOOD ADDITIVES.

9. "ENCLOSURE" MEANS A STRUCTURE USED TO CONFINA A COVERED ANIMAL OR ANIMALS.

10. "FARM" MEANS THE LAND, BUILDING, SUPPORT FACILITIES, AND EQUIPMENT THAT ARE WHOLLY OR PARTIALLY USED FOR THE COMMERCIAL PRODUCTION OF ANIMALS OR ANIMAL PRODUCTS USED FOR FOOD OR FIBER "FARM" DOES NOT INCLUDE LIVE ANIMAL MARKETS, ESTABLISHMENTS AT WHICH MANDATORY INSPECTION IS PROVIDED UNDER THE FEDERAL "MEAT INSPECTION ACT", 21 U.S.C. SEC. 601 ET SEQ., OR OFFICIAL PLANTS AT WHICH MANDATORY INSPECTION IS MAINTAINED UNDER THE FEDERAL "EGG PRODUCTS INSPECTION ACT", 21 U.S.C. SEC. 1031 ET SEQ.

11. "FARM OWNER OR OPERATOR" MEANS ANY PERSON WHO OWNS OR CONTROLS THE OPERATIONS OF A FARM.

12. "FULLY EXTENDING THE ANIMAL'S LIMBS" MEANS FULLY EXTENDING ALL LIMBS WITHOUT TOUCHING THE SIDE OF AN ENCLOSURE OR ANOTHER ANIMAL, INCLUDING, FOR EGG-LAYING HENS, FULLY SPREADING BOTH WINGS WITHOUT TOUCHING THE SIDE OF AN ENCLOSURE OR ANOTHER ANIMAL.

13. "PERSON" MEANS ANY INDIVIDUAL, FIRM, PARTNERSHIP, JOINT VENTURE, ASSOCIATION, LIMITED LIABILITY COMPANY, CORPORATION, ESTATE, TRUST, RECEIVER, OR SYNDICATE.

14. "PORK MEAT" MEANS MEAT, AS DEFINED IN ARS 3-2001(16), OF A PIG OF THE PORCINE SPECIES INTENDED FOR USE AS HUMAN FOOD.

15. "SALE" MEANS A COMMERCIAL SALE BY A BUSINESS THAT SELLS ANY ITEM COVERED BY THIS SECTION, BUT DOES NOT INCLUDE ANY SALE UNDERTAKEN AT AN ESTABLISHMENT AT WHICH MANDATORY INSPECTION IS PROVIDED UNDER THE FEDERAL "MEAT INSPECTION ACT", 21 U.S.C. SEC. 601 ET SEQ., OR ANY SALE UNDERTAKEN AT AN OFFICIAL PLANT AT WHICH MANDATORY INSPECTION IS MAINTAINED UNDER THE FEDERAL "EGG PRODUCTS INSPECTION ACT", 21 U.S.C. SEC. 1031 ET SEQ. FOR PURPOSES OF THIS SECTION, A SALE SHALL BE DEEMED TO OCCUR AT THE LOCATION WHERE THE BUYER TAKES PHYSICAL POSSESSION OF AN ITEM COVERED BY THIS SECTION.

16. "SHELL EGG" MEANS A WHOLE EGG OF AN EGG-LAYING HEN IN ITS SHELL FORM, IF THE EGG IS INTENDED FOR USE AS HUMAN FOOD.

17. "TURNING AROUND FREELY" MEANS TURNING IN A COMPLETE CIRCLE WITHOUT ANY IMPEDIMENT, INCLUDING A TETHER, AND WITHOUT TOUCHING THE SIDE OF AN ENCLOSURE OR ANOTHER ANIMAL.

18. "UNCOOKED" MEANS REQUIRING COOKING PRIOR TO HUMAN CONSUMPTION.

19. "USABLE FLOOR SPACE" MEANS THE TOTAL SQUARE FOOTAGE OF FLOOR SPACE PROVIDED TO EACH COVERED ANIMAL, AS CALCULATED BY DIVIDING THE TOTAL SQUARE FOOTAGE OF FLOOR SPACE PROVIDED TO THE ANIMALS IN AN ENCLOSURE BY THE NUMBER OF ANIMALS IN THAT ENCLOSURE. IN THE CASE OF EGG-LAYING HENS, "USABLE FLOOR SPACE" INCLUDES BOTH GROUND SPACE AND ELEVATED LEVEL FLAT PLATFORMS UPON WHICH HENS CAN ROOST, BUT DOES NOT INCLUDE PERCHES OR RAMPS.

20. "VEAL MEAT" MEANS MEAT, AS DEFINED IN ARS 3-2001(16), OF A CALF RAISED FOR VEAL INTENDED FOR USE AS HUMAN FOOD.

21. "WHOLE PORK MEAT" MEANS ANY UNCOOKED CUT OF PORK, INCLUDING BACON, HAM, CHOP, RIBS, RIBLET, LOIN, SHANK, LEG, ROAST, BRISKET, STEAK, SIRLOIN, OR CUTLET, THAT IS COMPRISED ENTIRELY OF PORK MEAT, EXCEPT FOR SEASONING, CURING AGENTS, COLORING, FLAVORING, PRESERVATIVES, AND SIMILAR MEAT ADDITIVES. "WHOLE PORK MEAT" DOES NOT INCLUDE COMBINATION FOOD PRODUCTS, INCLUDING SOUPS, SANDWICHES, PIZZAS, HOT DOGS, OR SIMILAR PROCESSED OR PREPARED FOOD PRODUCTS, THAT ARE COMPRISED OF MORE THAN PORK MEAT, SEASONING, CURING AGENTS, COLORING, FLAVORING, PRESERVATIVES, AND SIMILAR MEAT ADDITIVES.

22. "WHOLE VEAL MEAT" MEANS ANY UNCOOKED CUT OF VEAL, INCLUDING CHOP, RIBS, RIBLET, LOIN, SHANK, LEG, ROAST, BRISKET, STEAK, SIRLOIN, OR CUTLET, THAT IS COMPRISED ENTIRELY OF VEAL MEAT, EXCEPT FOR SEASONING, CURING AGENTS, COLORING, FLAVORING, PRESERVATIVES, AND SIMILAR MEAT ADDITIVES. "WHOLE VEAL MEAT" DOES NOT INCLUDE COMBINATION FOOD PRODUCTS, INCLUDING SOUPS, SANDWICHES, PIZZAS, HOT DOGS, OR

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By Chris Rhode at 5:25 pm, Jan 11, 2021

SIMILAR PROCESSED OR PREPARED FOOD PRODUCTS, THAT ARE COMPRISED OF MORE THAN VEAL MEAT, SEASONING, CURING AGENTS, COLORING, FLAVORING, PRESERVATIVES, AND SIMILAR MEAT ADDITIVES.

H. IF ANY PROVISION OF THIS ACT, OR THE APPLICATION THEREOF TO ANY PERSON OR CIRCUMSTANCES, IS HELD INVALID OR UNCONSTITUTIONAL, THAT INVALIDITY OR UNCONSTITUTIONALITY SHALL NOT AFFECT OTHER PROVISIONS OR APPLICATIONS OF THIS ACT THAT CAN BE GIVEN EFFECT WITHOUT THE INVALID OR UNCONSTITUTIONAL PROVISIONS OR APPLICATION, AND TO THIS END THE PROVISIONS OF THIS ACT ARE SEVERABLE.