



Current Hen Housing Requirements by State:

1. **California Current Shell Egg Standards:** All shell eggs produced or sold into California must come from hens with a stocking density of between 322 in² to 116 in² based on # of birds/enclosure.

Food Safety Requirements: FDA Egg Rule, Chick paper swabs, End of lay swabs, Vaccinations.

December 31, 2019 California Prop 12 Standards: All shell eggs and liquid egg products produced or sold into California must come from hens with 144 in² of usable floor space per hen. *

December 31, 2021 California Prop 12 Standards: All shell eggs and liquid egg products produced or sold into California must have 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. * [Link to Prop 12 text](#)

Key Sections / Definitions within law:

(l) "**Liquid eggs**" means eggs of an egg-laying hen broken from the shells, intended for human food, with the yolks and whites in their natural proportions, or with the yolks and whites separated, mixed, or mixed and strained. Liquid eggs do not include combination food products (including pancake mixes, cake mixes, cookies, pizzas, cookie dough, ice cream, or similar processed or prepared food products) **that are comprised of more than liquid eggs, sugar, salt, water, seasoning, coloring, flavoring, preservatives, stabilizers, and similar food additives.**

(o) "**Sale**" means a commercial sale by a business that sells any item covered by this chapter, but does not include any sale undertaken at an establishment at which mandatory inspection is provided under the Federal Meat Inspection Act, or any sale undertaken at an official plant at which mandatory inspection is maintained under the Federal Egg Products Inspection Act. 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 section 25990 of this chapter.

* The California Department of Food and Agriculture and the California Department of Public Health shall jointly promulgate rules and regulations for the implementation of this Act by September 1, 2019. This will determine additional requirements and specifics once completed. Regulations on 144 in² of usable floor space per hen are expected by December 2019 with definitions of egg products and other aspects after that.

2. **Washington: January 1, 2017:** All eggs and egg products in intrastate commerce produced from birds housed in buildings built after January 1, 2012 are Approved and In Compliance with: American Humane Enriched Colony Guidelines or WDA rule.*

Effective January 1, 2024: All shell eggs and egg products produced or sold into Washington must have 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. [Click Link to SHB2049 that established these requirements.](#)

Key Sections / Definitions within law:

(16)(a) **"Egg product"** means any dried, frozen, or liquid eggs, with or without added ingredients, excepting products which contain eggs only in a relatively small proportion, or historically have not been, in the judgment of the director, considered by consumers as products of the egg food industry, and which may be exempted by the director under such conditions as the director may prescribe to assure that the egg ingredients are not adulterated and are not represented as egg products.

(b) **The following products are not included in the definition of "egg product" if they are prepared from eggs or egg products that have been either inspected by the United States department of agriculture or by the department under a cooperative agreement with the United States department of agriculture: Freeze-dried products, imitation egg products, egg substitutes, dietary foods, dried no-bake custard mixes, eggnog mixes, acidic dressings, noodles, milk and egg dip, cake mixes, French toast, balut and other similar ethnic delicacies, and sandwiches containing eggs or egg products.**

(4) No person shall buy, sell, or transport, or offer to buy or sell, or offer or receive for transportation, in intrastate commerce any egg or egg product that was not produced in compliance with the standards required by RCW 69.25.065 and 69.25.107. This prohibition shall not apply to 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 the purposes of this subsection, a sale is deemed to occur at the location where the buyer takes physical possession of an item.

3. **Oregon: January 1, 2017:** All Eggs and Egg Products sold in the state must be the product of hens that comply with the following: **a.** Enclosures constructed or acquired before January 1, 2012 must be UEP Certified. **b.** Enclosures constructed or acquired after January 1, 2012 must meet American Humane enriched colony guidelines. (At least 116.3 in² and 17.7 in high). Effective January 1, 2024: All shell eggs and egg products produced or sold into Oregon must have 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. [Click the link to SB1019 that established these requirements.](#)

Key Sections / Definitions within law:

SECTION 3. (1) Except as provided under subsection (2) of this section, a person may not buy, sell, offer to buy or sell, transport or offer to transport in intrastate commerce, or accept receipt of, an egg or egg product that was not produced in compliance with ORS 632.845. (2) Subsection (1) of this section does not apply to a sale of eggs or egg products at an official plant, as defined in 21 U.S.C. 1033, where mandatory inspection is maintained under the federal Egg Products Inspection Act (21 U.S.C. 1031 et seq.). For purposes of this subsection,

sale occurs at the location where the buyer takes physical possession of the eggs or egg products.

(6) **“Egg products”** has the meaning given that term in ORS 632.705, except that “egg products” does not include the following products when those products are prepared from [inspected] egg products or eggs inspected by the United States Department of Agriculture, or by the State Department of Agriculture under a cooperative agreement with the United States Department of Agriculture: [and contain no more restricted eggs than are allowed in the official standards for United States Consumer Grade B shell eggs:] (a) Freeze-dried products; (b) Imitation egg products; (c) Egg substitutes; (d) Dietary foods; (e) Dried no-bake custard mixes; (f) Eggnog mixes; (g) Acidic dressings; (h) Noodles; (i) Milk and egg dips; (j) Cake mixes; (k) French toast; (l) Balut; and (m) Sandwiches containing eggs or egg products.

4. **Massachusetts Effective January 1, 2022:** Shell eggs cannot be produced or sold in the state unless they are sourced from production systems of 1.5 feet², or more, per bird. Work is under the way to establish cage free allowance (1.0 ft² per hen) as standard.
5. **Ohio:** Agreement with HSUS until 2020 that no new permits will be issued for conventional cages on new farms.
6. **Michigan Effective December 31, 2024:** All shell eggs sold in Michigan must come from flocks in cage-free housing systems with no less than the amount of usable floor space per hen as provided in the housing guidelines for cage-free production contained in "Animal Husbandry Guidelines for U.S. Egg-Laying Flocks", 2017 edition, published by United Egg Producers.
7. **Rhode Island Effective June 30, 2026:** Rhode Island egg farmers must comply with the 2016 version of UEP Certified Cage Free Guidelines.
8. **Colorado Effective January 1, 2023:** All shell eggs and egg products produced or sold in Colorado must come from flocks with no less than one square foot of usable floor space per hen. **Effective January 1, 2025:** All shell eggs and egg products produced or sold in Colorado must come from flocks in a cage free housing system and have no less than one square foot of usable floor space per hen with unfettered access to vertical space, such as a multi-tiered aviary or a partially slatted system; or have no less than one and one-half square feet of usable floor space per hen in a cage free system that does not provide unfettered access to vertical space such as a single level all litter floor system.

Key Sections / Definitions within law: (5)(a)“Egg Product” means an egg of an egg laying hen that is separated from the shell and intended for human food, whether in liquid, solid, dried, or frozen form, whether raw or cooked, and with: (1) The egg yolk and white in their natural proportions; or (II) the yolk and egg white separated, mixed, or mixed and strained. **(b) “Egg Products” does not include combination foods products**, including pancake mixes, cake mixes, cookies, pizzas, cookie dough, ice cream, that include egg as one of multiple

ingredients in the product; except that merely adding sugar, salt, water, seasoning, coloring, flavoring, preservatives, stabilizers, or similar food additives does not make an egg product a combination food product. (11) "Sale" means a commercial sale by a business that sells any item covered by part 2. "Sale" does not include any sale undertaken at an official plant where mandatory inspection is maintained under the federal "Egg Products Inspection Act"

Arizona, and Maine are all pursuing Cage Free with 12/31/2024 compliance dates. Hawaii is pursuing Cage Free with a 12/31/25 compliance date.

Additional questions, please contact Chad Gregory or Oscar Garrison at UEP (770) 360-9220

Revised: 7-7-20 OSG to include Colorado.