



Thank you, Chairman Thompson, Ranking Member Craig, and House Ag Committee, to allow me to testify on this important issue.

My name is Matt Schuiteman, and I live and farm with my wife Minde and our 7 children near Sioux Center in Sioux County, Iowa. I am here today representing my farm, my county, and the Iowa Farm Bureau, where I currently serve as a member of the Board of Directors. Sioux County is the heart of the hog industry - our county is consistently one of the top five pork producing counties in the United States, and beyond that, Iowa represents almost 40% of all hog production in the country.

I have been involved in the hog industry my entire life. I was born and raised on a farrow-to-finish operation and continued to farrow pigs until 2018. I have witnessed firsthand the transformation of the swine industry from outdoor production facilities with barns and feeding floors to fully indoor facilities that are entirely contained and climate controlled. I have raised hogs in all types of environments, outdoors and indoors, on cement and on grass pasture. I believe my life experiences allow me the opportunity to evaluate the effects of initiatives like California's Prop. 12 in unique ways.

I believe that US pork production has never been as environmentally friendly, safe, and humane as it is today. The number of hours spent developing the modern practices and building management systems we use today can't be overstated. I remember well the process of adapting our own operation to indoor production. We spent a great deal of both time and capital in our quest to ensure that we provide our pigs with the best environment that we possibly could. This involved new technologies such as computer thermostats and devices that measure both the volume and air movement patterns of airflow in a hog barn. I say this to emphasize the point that producers employ all available resources to ensure the maximum comfort of their pigs. Comfortable pigs are healthy pigs.

Advancement in technology is very apparent when one considers the growth of pork production in the United States. I was a member of the FFA in the early 1990s, and one of my projects was raising a group of pigs. At that time, efficient sows would produce 20 pigs per year, and efficient pigs would reach a market weight of 240 lbs between 6 and 7 months. Today, we have sows producing as many as 33 pigs per year, and efficient pigs can reach a market weight of 300 lbs in 5 ½ months. Incredible gains in efficiencies made possible in large part due to the environmental technologies developed and deployed in the buildings where these pigs are raised.

The most important thing I've learned from a lifetime of being around pigs is that it's critical for producers to have full control over the environment where they raise pigs. Every farm and building are different, and the owners and managers of those farms and buildings know best how to manage the unique, individual environments that they encounter to give their animals the best possible environment. I find the lack of this full control to be one of the bigger problems with Prop. 12. It is not possible for someone who lives thousands of miles away from a farm to know how best to manage the environment of each individual building on that farm.



Where I live in Northwest Iowa, our climate is notoriously extreme. It's not uncommon to have temperatures above 100 degrees in the summer, and as low as 20 degrees below zero in the winter. When dealing with this incredible amount of variance, we employ vast variety of management strategies, tailored to both extremes. Agriculture is an industry where there is no one-size-fits-all answer for our barns, where pigs will grow from 13 lbs to 300 lbs, all under the same roof. Managing a barn full of 13 lb pigs is much different than managing a barn full of market-ready, 300 lb pigs. When the rates at which barns may be stocked are determined arbitrarily, it not only produces economic harm to the producer, but can also be incredibly detrimental to the pigs themselves, for different reasons at various ages and stages of growth. The decision of how many pigs to put in a barn at any given time in a production cycle should be left to the owners and managers of these farms and facilities who are working with these animals daily.

Much of the regulation in Prop. 12 centers around the housing of breeding stock. Management and husbandry of swine breeding stock is an area rife with misconceptions and misinformation. In a sense, the intent behind giving sows more room to move around is pure. The swine industry has for years spent both capital and human resources to identify the best way to house the breeding herd. These efforts have always revolved around three principles: 1) The comfort of the animal; 2) The productivity of the animal; and 3) The health and safety of the stockman. Over time, individual confinement of breeding females has been proven to be the best mix of those three principles. At the same time it has been recognized that some freedom of movement can aid the health and longevity of the female while making minimal sacrifices to her production.

One thing that must be understood in this conversation is that the group dynamic of any given female breeding herd. Pigs are very much a hierarchical species and always changing. A pen of females housed as a group will always establish a social hierarchy within that group. This will include a few females that are "in charge," and a few at the bottom of the social ladder. Often, sows who find themselves on the lowest rungs of the hierarchy are pushed away from feed and water, and in many cases, targeted and physically harmed by others in the group. Production systems have been designed, and are constantly tweaked with this reality in mind.

In my own experience, that social hierarchy can mean the difference between a female that can produce 15 pigs in one litter vs a female that only has five, or in many cases, will end up aborting her entire litter altogether. Beyond the wellbeing of the sows, the economic impact of the social interactions in female breeding swine is also incredibly significant. This is another reason why the decision on how to best house female pigs needs to be solely with the producer or manager of the herd.

Aside from the social dynamics, there are two other aspects that must be dealt with when making housing decisions. The first is the safety and survivability of piglets. Proper housing of an expectant female will significantly impact how many offspring she can have. The gestation phase of a sow is commonly reported as being "3 months, 3 weeks, 3 days", or roughly 115 days total. Around that 115 day mark, the pregnancy becomes full term, and labor commences. It is common at this point for a sow to be moved into a farrowing stall for the labor and nursing of the new litter of pigs. Confinement of the sow at this point is critical to the survival of her piglets.



Practically, sows weigh 400 lbs. or more; conversely, their offspring commonly have a birth weight of about 3 lbs. Imagine standing next to something that is more than 100 times bigger than yourself. That can help provide a picture of what baby pigs see when they look up at their mother. When these piglets nurse, the mother lays on her side - so imagine again something that much larger crashing to its side directly next to you. Hopefully both are paying attention and able to move out of the way quickly enough to avoid being crushed. This is the life of a newborn pig. This is the reason that the pork industry utilizes farrowing stalls, which confine the mother while giving large, comfortable areas for the newborn baby pigs to lay down and rest, free from the fear of being crushed.

The nursing process is a fascinating one. Often, the sow kicks off the process by eating or drinking. After standing for a bit, she'll start grunting, talking to her piglets, telling them that she is getting ready to feed them. The piglets hear and respond by gathering around her. She starts to lay down, and as she does, she selects which side she wants to lay on to expose her underline so her pigs can nurse. This is the most dangerous part of the process for piglets. Sometimes, piglets move with the sow and get safely into position to begin nursing.

Unfortunately, there are other, all too often times where piglets get caught and trapped under the sow as she lays down, resulting in injury, or frequently death. I have many times been present during this process, and have many times had to save a piglet from being crushed. Sometimes the mother sow will hear the piglet squeal and make necessary adjustments, but many times human intervention is the only way a pig can be saved from this situation.

The final aspect considered in the housing decision is the safety of the owner and/or manager of the herd. Sows are large, and can reach sizes of 400 lbs or more. The sheer size of sows pose a risk to the stockman when undertaking everyday herd management activities. Breeding females also become more aggressive during breeding and farrowing - the times when the most direct and hands on management practices are needed. The stockman must be able to safely stay in close proximity to the sows to ensure that they can receive the proper care and management that are required during these key times in the production cycle.

Regulations dictating how sows are housed and managed during the production cycle add significant safety risk to those who are actually providing care to the herd. These decisions must stay on the farm and with the people who assume the risks that come with hands on management.

The Supreme Court's ruling on Proposition 12 has highlighted an area in federal law that allows individual states to influence business practices across the entire nation. This ruling makes it clear that Congress is uniquely positioned to address this issue and help maintain a consistent approach to interstate commerce.

Currently, there is a possibility that states could create a complicated landscape for interstate trade by passing laws that limit or restrict the sale of goods originating in other states. Such state-specific regulations could disrupt the longstanding balance that has facilitated commerce between states.



Delays in addressing this issue may make it more difficult to resolve conflicting state laws in the future. The longer these inconsistencies persist, the more challenging it may become for businesses to navigate various regulations and maintain efficient operations.

Small farms and family businesses may be particularly affected if state laws set standards that are hard for them to meet. This can lead to further consolidation, as smaller producers might struggle to keep up with larger operations that have more resources. Many times these smaller producers choose to stay in business by adopting their operation towards a niche market. Government involvement in setting standards can infringe on the opportunities that these niche markets offer to producers. When this happens the opportunity for profit from these adaptations disappears for the producers who are involved.

Prop 12 has had substantial economic impacts on the supply chain. Data is hard to come by, but so far the analysis points the same direction: it's bad for pig welfare, it's bad for pig farmers, it's bad for pork consumers. And this will have negative long-term consequences for the industry if we don't find a fix.

Despite being billed as animal welfare regulation, Prop 12 has been shown to have serious negative animal welfare outcomes for pigs. Research results presented by the Pipestone System at the 2024 Minnesota Pork Congress show that animal health outcomes in Prop 12 barns in their system are worse than traditional stall and pen barns according to several key metrics. In Prop 12-compliant barns, 10.2% of the herd gets treated for lameness in a ten week period, versus only 3.5% of the herd in stall barns<sup>1</sup>. The percentage of animals culled for lameness in a Prop 12 barn was shown to be double (1.2% vs. 0.45%) that of stall barns, as well as the percentage of animals that died due to lameness (1.11% vs. 0.45%). Farmers are always going to do their best to care for their pigs, but the reality is, according to this research, Prop 12's requirements resulted in worse animal welfare outcomes for pigs in the Pipestone system.

Prop 12 has also resulted in negative economic outcomes for pig farmers. The same Pipestone research showed that, in part due to increased incidences of lameness, a 5,000 sow farm required 105 more anti-inflammatory injections and 160 more antibiotic injections per week compared to a stall barn. Additionally, sow death loss was nearly 2% higher in Prop 12 barns versus stall barns, due significantly to lameness. Setting aside the mental health impacts of these losses to pig farmers, these represent substantial economic losses that must be made up somehow. If these losses are made up with a premium to farmers, those premiums come from higher prices for consumers.

Finally, Prop 12 has been harmful to consumers in California. According to an early 2024 analysis authored by economists in the USDA's Office of the Chief Economist, prices for pork products in California covered by Prop 12 were 20% higher than they would have been from July 1, 2023, to February 4, 2024, due to Prop 12<sup>2</sup>. Pork loins specifically saw an incredible 41% increase in price in California due to Prop 12. This increase was far greater than the 7.7% long-run price increase that was predicted by California's official forecast conducted by researchers at

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<sup>1</sup> [https://youtu.be/ISllygZTuZY?si=yDQ3h4G\\_12iSmLig&t=1223](https://youtu.be/ISllygZTuZY?si=yDQ3h4G_12iSmLig&t=1223)

<sup>2</sup> [https://s.giannini.ucop.edu/uploads/pub/2024/03/19/v27n3\\_2\\_e40mBEN.pdf](https://s.giannini.ucop.edu/uploads/pub/2024/03/19/v27n3_2_e40mBEN.pdf)



UC-Davis (3). We'll see what the price increases end up being when the dust settles, but we know that immediately following implementation, this was harmful to California's consumers, most of whom did not know why their pork got more expensive and likely attributed the increases to economy-wide inflation.

When I travelled to California last year with Iowa Farm Bureau to learn about Prop 12, I was shocked to discover that there was no Prop 12 labelling on pork packaging whatsoever. Come to find out, there is no legal requirement to label the packaging, and voluntary labels weren't being used. If this was truly something that consumers wanted and valued, wouldn't the retailers capitalize on those consumer preferences to recoup some of the cost?

There are many different management systems that have been designed and implemented in the swine industry, including systems that have been developed specifically for markets with requirements like Prop. 12. It's important to provide freedom for both pork producers and consumers. Some consumers will demand products that need to be priced with a premium to compensate for less efficient production methods, where as other consumers will simply demand access to the most affordable source of protein they can purchase. There's ample opportunity for both the production and the consumption of pork produced in a variety of ways, but it's best that we simply allow such production and consumption methods to take shape as the market demands, as opposed to arbitrarily shaping them before the market gets a say.

We need Congress to pass a fix to the prop 12 issue, it is your job to help protect Iowa farmers from overreach by states who want to harm animal agriculture.

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<sup>3</sup> [https://s.giannini.ucop.edu/uploads/pub/2021/08/17/v24n6\\_2.pdf](https://s.giannini.ucop.edu/uploads/pub/2021/08/17/v24n6_2.pdf)