



**THE HUMANE SOCIETY**  
OF THE UNITED STATES

## Undercover at the Largest U.S. Egg Producer

Cal-Maine Foods is the nation's largest egg producer, with roughly 26 million laying hens (almost 10 percent of all laying hens in the U.S.). For 28 days concluding in November 2010, an HSUS undercover investigator was employed at one of Cal-Maine's two battery cage factory farms in Waelder, Texas. Video footage and photographs documenting the systematic abuse of animals at this facility were taken during the course of the investigation. Cal-Maine's 2010 Annual Report to shareholders says that the company's shell eggs are sold to "a majority of the largest food retailers in the U.S." Cal-Maine sells eggs to major grocery retailers, including Florida-based Publix and Texas-based H-E-B.

The abuse documented at Cal-Maine reinforces the existing body of evidence documenting the inherent cruelty in the cage confinement of egg-laying hens. The cages used by Cal-Maine at the Waelder facility confine several birds each – generally providing 67 square inches for each hen, smaller than a regular piece of paper but meeting the meager recommendation for cage size set by the United Egg Producers, the egg industry's trade organization.



The HSUS investigator was told that the 18 Cal-Maine barns at this facility cage more than one million laying hens. (In each barn, the investigator calculated approximately 10,272 cages – for a total of about 185,000 cages.) Just five workers at the facility are

responsible for checking these one million hens for illness, injuries and death. Given this untenable bird-to-worker ratio, it is no wonder that HSUS' investigator found many of the same animal welfare problems at Cal-Maine that have been documented at cage egg facilities time and time again, such as in February and March 2010 at Iowa farms owned and run by the country's second- and third-largest egg producers: [Rose Acre Farms and Rembrandt Enterprises](#).

### Our findings at Cal-Maine include the following:

- Birds producing eggs for human consumption confined in overcrowded cages with the rotting corpses of other birds—some of whom had clearly been dead for days or even weeks.

- Dead hens, trapped under the trough feeders of their cages, had died with their heads on the egg conveyor belts – exposing passing eggs to the decaying bird.
- Birds trapped by their wings, necks and legs in the thin, rusty wires of the battery cages.
- Birds with severely injured legs, unable to reach food or water.
- Birds suffering from severe, bloody uterine prolapses enduring the pain of other hens in the overcrowded cages stepping on them.
- Hens in the bottom two tiers of battery cages often covered in feces from birds in cages above them.
- Escaped hens often becoming covered in liquid manure from the filth of the shallow manure scraping pits. These hens can go from barn-to-barn through manure trenches or on egg conveyors.
- Hens drowning, unable to escape the manure trench that runs underneath the cages and into the pipe leading to the outside lagoon.
- Discarded dead hens left on floors, cage ledges and tops, and carts.
- Eggs covered in blood and feces.



At Congressional hearings in September 2010, the [FDA](#) testified about filthy conditions—rodent and fly infestations, sick and dead hens, and enormous manure handling problems—inspectors found in Iowa battery-cage barns that were responsible for the massive egg recall in August 2010. Such problems are endemic to the intensive egg-production industry.

During the HSUS investigator’s employment at Cal-Maine, he was told that a large pipe bringing manure-flushing water into the 18 barns had been broken for a week. As a result, manure in the shallow trenches built up and overflowed onto the barn floors.

Flies in a recently emptied laying barn were so thick they covered the floor as if something had been spilled. Escaped hens, often coated in thick, liquid manure from the trenches, were able to move from barn to barn using trenches or the main egg conveyor belt. These problems present opportunities for disease transmission, potentially leading to food safety issues.

On November 9, 2010, Cal-Maine voluntarily recalled 288,000 eggs under the labels Sunny Meadow, Springfield Grocer, Sun Valley, and James Farm because of positive *Salmonella* test results found at the supplier.

Cal-Maine contributed roughly a half million dollars to oppose California’s [Proposition 2](#) in 2008, a successful ballot measure that bans the cage confinement of hens statewide by 2015. Since then, California also passed a [law](#) requiring all whole eggs sold by that date to be cage-free. Cal-Maine opposed Prop 2 despite numerous scientific studies showing that confining hens in cages results in higher rates of [Salmonella](#) infection than using cage-free systems. But in its own 2010 Annual Report, Cal-Maine acknowledges that a more enlightened public is insisting that its food be ethically-sourced and that demand for its own cage-free eggs is on the increase: “Farmhouse and other non-EB specialty eggs accounted for 7.5% of our shell egg dollar sales in fiscal 2010, as compared to 6.3% in fiscal 2009. They are intended to meet the demands of consumers who are sensitive to environmental and animal welfare issues.”

Additionally, Cal-Maine is a defendant in an ongoing major egg price-fixing class action lawsuit. In 2008, The HSUS uncovered apparent violations of antitrust laws by the egg industry's primary trade association, [filing legal petitions](#) with the U.S. Department of Justice and the Federal Trade Commission alleging that the United Egg Producers (UEP)—the nation's largest egg trade association—and its member companies [created a program](#) in order to cover and conceal their price-fixing scheme. Shortly thereafter, egg buyers filed 21 class action lawsuits against UEP and its members alleging a similar pattern of conduct in violation of federal antitrust laws. The defendants include 13 of the country's largest egg factory farms including [Rose Acre Farms](#), Cal-Maine, Ohio Fresh Eggs, Michael Foods, Land O'Lakes, NuCal, and Moark. Land O'Lakes recently agreed to settle out of the suit for \$25 million.



## CAL-MAINE PROBLEMS ARE SYSTEMIC:

An estimated 95% of the 280 million egg-laying hens in the U.S. are confined in cages.<sup>1</sup> The severe animal welfare problems documented at Cal-Maine's Waelder factory farm occurred because—as published research shows—this type of extreme confinement is inherently detrimental to animal welfare. For example, the LayWel study—the most extensive scientific study into laying hen welfare ever conducted—concluded that battery cages are the only method of housing hens that, **under no circumstances**, can provide even “satisfactory welfare” for animals.<sup>2</sup> The LayWel study involved working groups in seven European countries, funding from the European Commission and data from 230 different flocks of hens. Similarly, the *Netherlands Journal of Agricultural Science* published a study that ranked 22 different methods of housing hens in terms of animal welfare on a zero-to-ten scale. **Battery cages ranked 0.0**—the lowest score possible. Typical U.S. cage-free egg production systems ranked significantly higher, around 5.9.<sup>3</sup> Additionally, the prestigious Pew Commission on Industrial Farm Animal Production studied the impact of battery cages on birds' welfare and concluded that battery cages should be eliminated.<sup>4</sup> The Commission was funded by the Pew Charitable Trusts and Johns Hopkins School of Public Health; it was chaired by the former Governor of Kansas and included scientists, veterinarians and former U.S.D.A. Secretary Dan Glickman.

These studies are not surprising, considering that battery cages restrict many natural behaviors critical to birds' welfare, including nesting, perching, roosting, scratching, foraging, dustbathing, engaging in comfort behavior (such as wing-flapping and preening), and exploring. Just as they are not able to move freely, hens confined in battery cages are denied the ability to engage in these types of behaviors.

<sup>1</sup> United Egg Producers. 2008. United Egg Producers Animal Husbandry Guidelines for U.S. Egg Laying Flocks, 2008 Edition (Alpharetta, GA: United Egg Producers). [www.uepcertified.com/media/pdf/UEP-Animal-Welfare-Guidelines.pdf](http://www.uepcertified.com/media/pdf/UEP-Animal-Welfare-Guidelines.pdf). Accessed June 18, 2009.

<sup>2</sup> LayWel. 2006. Welfare implications of changes in production systems for laying hens. [www.laywel.eu/web/pdf/deliverable%2071%20welfare%20assessment.pdf](http://www.laywel.eu/web/pdf/deliverable%2071%20welfare%20assessment.pdf). Accessed March 25, 2008.

<sup>3</sup> [http://3.bp.blogspot.com/\\_tYXCVxw2ygk/SkElggDZIDI/AAAAAAAAAO0/7r9bf8aE5kM/s1600-h/hen+welfare.bmp](http://3.bp.blogspot.com/_tYXCVxw2ygk/SkElggDZIDI/AAAAAAAAAO0/7r9bf8aE5kM/s1600-h/hen+welfare.bmp)

<sup>4</sup> The Pew Commission on Industrial Farm Animal Production. 2008. Putting meat on the table: industrial farm animal production in America. [www.pewtrusts.org/uploadedFiles/wwwpewtrustsorg/Reports/Industrial\\_Agriculture/PCIFAP\\_FINAL.pdf](http://www.pewtrusts.org/uploadedFiles/wwwpewtrustsorg/Reports/Industrial_Agriculture/PCIFAP_FINAL.pdf). Accessed May 16, 2008.

## CAGE-FREE EGG PRODUCTION OFFERS MANY IMPROVEMENTS AND IS GROWING:

The welfare of hens can be significantly improved simply by removing them from cages and allowing them freedom of movement and the ability to engage in some natural behaviors (e.g. nesting, perching and foraging). Fortunately, cage-free egg production is starting to replace cage confinement systems in the U.S.

The European Union outlawed barren battery cages (effective 2012). In the U.S., California criminalized the practice of caging hens (effective 2015) and Michigan also outlawed the use of cages (effective 2019). These laws make sense considering the overwhelming public support for animal welfare. For example: an American Farm Bureau-funded study found that 95 percent of Americans think farm animals should be well cared for<sup>5</sup>; a study by the food industry consulting firm Technomic found that animal welfare is the third most-important social issue to American restaurant patrons<sup>6</sup>; and a *Parade* magazine study found that animal welfare is the fourth most-popular social cause in America.<sup>7</sup> As Cardinal, Pope Benedict XVI called the confinement of egg-laying hens in cages a contradiction of Biblical principles.<sup>8</sup>

Numerous corporations are following this trend by incorporating cage-free eggs into their supply chains. In fact, a 2007 *New York Times* article called cage-free eggs the food industry's "latest have-to-have it product." Now, most of America's largest restaurant chains are moving toward cage-free eggs, including Burger King, Subway, Wendy's, Denny's, IHOP, Sonic, Starbucks, Red Robin, Carl's Jr., Hardee's, and Quiznos. Supermarket chains are also getting on board; all Wal-Mart and Costco private brand eggs are cage-free, and Safeway, Harris Teeter, and Winn-Dixie have policies to increase their cage-free egg sales. Food production giant Unilever is switching all of the 350 million eggs it uses each year for Hellmann's mayonnaise to cage-free.<sup>9</sup> Other major players in the food manufacturing world shifting to cage-free eggs include Kraft Foods and Sara Lee. Additionally, Compass Group (the world's largest foodservice provider) has switched the 100 million whole eggs it uses each year to cage-free, and its competitors (Guckenheimer, ARAMARK, Guest Services, Seasons Culinary and Parkhurst) have eliminated or reduced their use of cage eggs. A recent report from the prestigious Sustainable Endowments Institute found that 64 percent of universities polled reported using cage-free eggs.<sup>10</sup> Finally, many major corporate and government cafeterias—including the cafeterias at the U.S. House of Representatives and Senate, NASA, and the National Institutes of Health—now use cage-free eggs.

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<sup>5</sup> Jayson Lusk, F. Bailey Norwood and Robert Prickett, "Consumer Preferences for Farm Animal Welfare: Results of a Nationwide Telephone Survey." Oklahoma State University. August 17, 2007. ii.

<sup>6</sup> Technomic Information Services. Future Food Trends. Issue No. 3, 2007. 2.

<sup>7</sup> Michael Berland, "Compassion Counts More than Ever." *Parade* magazine. March 7, 2010.

<sup>8</sup> Cardinal Joseph Ratzinger. God and the World: A Conversation with Peter Seewald. (Ignatius Press, 2002) 78-79.

<sup>9</sup> PR Newswire. Hellmann's Launches New Light Recipe With 'Cage-Free' Eggs.

[www.prnewswire.com/news-releases/hellmanns-launches-new-light-recipe-with-cage-free-eggs-85190977.html](http://www.prnewswire.com/news-releases/hellmanns-launches-new-light-recipe-with-cage-free-eggs-85190977.html). Accessed April 6, 2010.

<sup>10</sup> Sustainable Endowments Institute. The College Sustainability Report Card. [www.greenreportcard.org/](http://www.greenreportcard.org/). Accessed April 6, 2010.