

# Confinement of Egg-Laying Hens Act

## What is the Confinement of Egg-Laying Hens Act?

- Establishes a business-friendly and consumer-friendly transition plan to making “cage-free eggs” the well-defined minimum standard in New Mexico by 2025.
- Aligns standards with other Western states’ laws and hundreds of national food company commitments.
- **Developed and backed by the major egg producers that supply New Mexico and the Southwest region.**
- Supported by New Mexico and national humane organizations, as well as overwhelming public sentiment.

## Why do Egg Producers want this law in New Mexico—and why now?

In response to massive consumer demand, more than 200 of the country’s largest food companies have committed to switching to a 100% cage-free egg supply (including McDonald’s, Walmart, Costco, Albertsons-Safeway, Sprouts, IHOP & Denny’s) by 2025. **But without this cage-free law in place, egg producers serving New Mexico won’t have a consistent standard to follow—leading to an uncertain marketplace, higher costs and prices, obstacles to capital investment, and destabilized supply chains and food safety.**

## How does this bill help both businesses and consumers?

- **REGULATORY CERTAINTY:** for multi-million-dollar construction projects and hundreds of job creation opportunities to meet consumer demand for cage-free eggs.
- **KEEPS COSTS & EGG PRICES DOWN:** by setting *one* statewide industry-friendly guideline for producers, rather than a hodgepodge of dozens of inconsistent and conflicting standards that would fill a regulatory void.
- **NARROWLY TAILORED:** Does not impact any other sector of agriculture; Exempts small producers.

## Why will eggs continue to be affordable under this law?

Two factors ensure **consumers should not see any meaningful price increase on cage-free eggs and egg-products they purchase** after passage of this legislation:

- 1. When cage-free eggs are the minimum standard, the current “retail mark-up” will be removed.**
- 2. There is no significant cost increase for production of cage-free eggs** (averaging only 2-3 cents per egg).

For example, McDonald’s is already at almost 100% cage-free egg usage, and it has not increased their egg product menu prices. *Note: “Cage-free” is unrelated to specialty eggs which may still be priced with retail mark-ups: organic, free range, pasture, and nutritionally enhanced eggs, for example.*

## What other states have passed similar laws?

Nevada, Utah, California, Oregon, Washington, Colorado, Michigan, Massachusetts, Rhode Island. (Arizona pending)

## What does “cage-free” mean?

Cage-free standards set by this bill are based on **guidelines written by egg producers and leading scientists**—balancing responsible animal husbandry, producing fresh eggs at scale, and food safety.

The legislation requires cage-free facilities to provide:

- at least one square foot for birds in aviary-style facilities
- at least 1.5 square feet for birds in floor systems
- perches, dustbathing areas, and nest boxes for laying eggs (facilitating natural behaviors).



(above) A typical commercial cage-free system: efficient, cost-effective, and strong food safety standards.