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State of California—Health and Human Services Agency
California Department of Public Health



GAVIN NEWSOM
Governor

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Dear Food Warehouse/Distribution Center,

You currently maintain a Processed Food Registration (PFR) with the California Department of Public Health, Food and Drug Branch (CDPH – FDB). A PFR is required to lawfully manufacture, pack, hold, or distribute food in California. Recently approved regulations require distributors of specific products to also register with the California Department of Food and Agriculture (CDFA) by January 1, 2023. CDFA will continue to accept applications for distributor registration into 2023. This letter serves as a courtesy notice of the new requirement and guidance documents authored by CDFA.

Who must register with CDFA?

Warehouses and distributors engaged in the business of commercial sale or distribution of covered products (e.g., shell eggs, liquid eggs, veal meat, or pork meat) to an end-user must register with CDFA.

What if I don't distribute any of the covered products?

Proposition 12 (2018) and accompanying regulations focused on the confinement systems for egg laying hens, veal calves, and breeding pigs. The specific food products harvested from those animals are subject to the registration provisions. If you do not distribute any of the covered products, you need not register with the CDFA under this program.

What if I manufacture or distribute a combination food which contains a covered product?

A food processing facility that receives a covered product solely for use as an ingredient to manufacture a combination food product (e.g., bakery receives shell eggs to manufacture cakes, cookies, etc.) does not have to register with the CDFA. However, the facility must maintain a PFR with CDPH – FDB.

Do I need to ensure the covered products I purchase are compliant with Proposition 12 (2018) laws and regulations?

Yes, the sale of covered product which occurs at a food processing facility may fall under Prop 12 and therefore the covered product would need to be compliant with requirements. To further understand what is a “sale” under Animal



Confinement regulations, refer to the Guidance Document titled [Sale Under Animal Confinement](#). Please note there was a stay on enforcement of the 24 square foot requirement for pork issued in the *California Hispanic Chambers of Commerce, et al. v. Ross, et al.* (Sacramento County Super. Ct., Case No. 34-2021-80003765) case. By way of stipulation the stay was subsequently extended until July 1, 2023. Please see the links titled “February 2, 2022 final judgment in the California Hispanic Chambers of Commerce, et al. v. Ross, et al. case regarding enforcement of Proposition 12” and “November 28, 2022 California Hispanic Chambers of Commerce, et al. v. Ross, et al. Joint Stipulation of All Parties Requesting Modification of February 2, 2022 Judgment” on CDFA’s Animal Care Program Website: [CDFA - AHFSS - Animal Care Program](#)

Is there a cost to register?

CDFA does not collect a fee to register as a distributor of covered products. However, distributors in the PFR program must continue to annually renew their PFR and pay applicable fees to CDPH – FDB.

Where may I find additional information about registration and this new requirement?

The CDFA has established a website and published several guidance documents. The links below are provided for your convenience.

- Main Website – [Animal Care Program \(Proposition 12\)](#)
- Guidance Document – [Distributor Registration](#)
- Guidance Document – [Key Terms](#)
- Guidance Document – [Sale Under Animal Confinement](#)
- Form – [Distributor Registration Application](#)

Questions regarding this new requirement should be directed to the CDFA via their website or email (AnimalCare@cdfa.ca.gov).

If you have questions related to your Processed Food Registration (PFR), please visit our Processed Food Registration [webpage](#) or contact us via email (FDBfood@cdph.ca.gov).

Sincerely,

Benson Yee, Chief
Food and Drug Branch
California Department of Public Health