



March 22, 2023

Governor's Regulatory Review Council  
100 N 15th Ave, Suite 302  
Phoenix, AZ 85007

Dear Chair Sornsin and members of the Governor's Regulatory Review Council,

My name is Will Humble, and I am the Executive Director for the Arizona Public Health Association. My 35 years in public health included more than 2 decades at the Arizona Department of Health Services, where I served in various capacities, including as the Agency Director from 2009 to 2015.

I appreciate the opportunity to provide feedback on the petition filed by the Pacific Legal Foundation. As you know, this petition requests the Governor's Regulatory Review Council to reverse the cage-free egg rules the Council adopted last year in Arizona Administrative Code R3-2-901 – R3-2-907.

The Arizona Public Health Association urges the Council to reject the Pacific Legal Foundation's petition and preserve the existing cage-free regulations.

We are firm believer in using evidence-based health policy to improve health outcomes. Multiple scientific studies prove that there are higher rates of Salmonella and other pathogens in cage facilities when compared to cage-free housing:

In a multi-year, multi-flock study at one site with three different housing systems in the United States conventional cage (13.33%) hens had a greater ... prevalence of *Salmonella* contamination compared to ... aviary (3.33%) [cage-free]."<sup>1</sup> This same study also found "A significantly higher... proportion of conventional hens (95%) were *Campylobacter* positive compared to...aviary (85%) [cage-free]."

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<sup>1</sup> D. R. Jones, J. Guard, R. K. Gast, R. J. Buhr, P. J. Fedorka-Cray, Z. Abdo, J. R. Plumlee, D. V. Bourassa, N. A. Cox, L. L. Rigsby, C. I. Robison, P. Regmi, and D. M. Karcher. 2016. Influence of commercial laying hen housing systems on the incidence and identification of Salmonella and Campylobacter. Poultry Science 95:1116–1124.

In another peer reviewed study published in *Avian Diseases*,<sup>2</sup> the authors identified “cage housing” as one of the “risk factors associated with Salmonella contamination of laying hen premises.” Moreover, the European Food Safety Authority<sup>3</sup> noted that, “A review of risk factors for Salmonella in laying hens revealed that overall evidence points to a lower occurrence in non-cage compared to cage systems.”

Minimizing foodborne illness is a key component of protecting public health and welfare. When enacting the cage-free regulations last year, the Governor's Regulatory Review Council reviewed science-based evidence and concluded that ensuring eggs produced and sold in our state come from cage-free facilities helps minimize food safety risks and advance public health goals.

The science related to hen housing has not changed since last year, and the existing policy still better protects public health outcomes.

For these reasons, we ask the Council to please leave in place Arizona Administrative Code R3-2-901 – R3-2-907 and reject the Pacific Legal Foundation’s petition.

Sincerely,



Will Humble, MPH  
Executive Director, Arizona Public Health Association  
Director, Arizona Department of Health Services (2009-2015)

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<sup>2</sup> Denagamage, Thomas; Bhushan Jayarao, Paul Patterson, Eva Wallner-Pendleton, and Subhashinie Kariyawasam. 2015. Risk factors associated with salmonella in laying hen farms: systematic review of observational studies. *Avian Diseases* 59(2):291-302.

<sup>3</sup> EFSA BIOHAZ Panel (EFSA Panel on Biological Hazards), Koutsoumanis, K, Allende, A, Alvarez-Ordóñez, A, Bolton, D, Bover-Cid, S, Chemaly, M, De Cesare, A, Herman, L, Hilbert, F, Lindqvist, R, Nauta, M, Peixe, L, Ru, G, Simmons, M, Skandamis, P, Suffredini, E, Dewulf, J, Hald, T, Michel, V, N, Taina, Ricci, A, Snary, E, Boelaert, F, Messens, W and Davies, R, 2019. Scientific Opinion on the Salmonella control in poultry flocks and its public health impact. *EFSA Journal* 2019;17(2):5596, 155 pp. <https://doi.org/10.2903/j.efsa.2019.5596>