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June 17, 2022

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## WLF Urges Supreme Court To Limit Extraterritorial Reach Of State Laws

*(National Pork Producers Council v. Ross)*

**“The Ninth Circuit’s decision allows States to violate horizontal federalism principles by de facto legislating outside their borders.”**

—John Masslon, WLF Senior Litigation Counsel

WASHINGTON, DC—Washington Legal Foundation (WLF) today urged the U.S. Supreme Court to reverse a decision by the U.S. Court of Appeals for the Ninth Circuit that permitted California to impose its animal-welfare standards nationwide. In an *amicus* brief, WLF argues that the Ninth Circuit’s decision improperly applied the dormant Commerce Clause and will have devastating real-world consequences.

The case arises from a declaratory action by the National Pork Producers Council and American Farm Bureau Federation. Despite California’s obtaining 99.9% of its pork from other States, California bars selling pork in the State unless the pig’s mother was kept in a group pen with at least 24 square feet of space, among other requirements.

In its brief supporting the petitioners, WLF argues that the Ninth Circuit’s decision conflicts with core horizontal federalism principles. The Founders decided that States could not interfere with interstate commerce because it stymies economic growth. Yet here the Ninth Circuit blessed California’s interfering with pork sales nationwide.

WLF’s brief also explains why now is not the time to upend our nation’s food supply. Because of the war in Ukraine, food prices have skyrocketed. Further limiting the food supply will only cause prices to increase further. This will lead to hunger both in America and overseas. So for both legal and practical reasons, the Supreme Court should reverse the Ninth Circuit’s decision.

*Celebrating its 45th year, WLF is America’s premier public-interest law firm and policy center advocating for free-market principles, limited government, individual liberty, and the rule of law.*

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