



# NEWS RELEASE

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## **IT'S UNANIMOUS: U.S. SUPREME COURT UPHOLDS EXPRESS PREEMPTION OF CALIFORNIA LAW**

OAKLAND, CA – The Supreme Court today released its unanimous decision in favor of National Meat Association in *NMA v. Harris*, a case determining that the Federal Meat Inspection Act (FMIA) preempts a 2008 California law whose requirements differ from and add to federal law and regulations.

“We couldn’t be more pleased that the Supreme Court not only found in favor of our very clear and reasonable arguments, but that they did so unanimously,” said NMA CEO Barry Carpenter. “We are also very grateful to attorney Steven Wells, who represented NMA before the Court, and to Assistant Solicitor General Benjamin Horwich, who represented USDA.”

A preemption clause was added to the Federal Meat Inspection Act by Congress in 1967. As the Court points out in its opinion written by Justice Kagan: “The clause prevents a State from imposing any additional or different – even if non-conflicting – requirements that fall within the scope of the Act and concern a slaughterhouse’s facilities or operations. And at every turn §599f imposes additional or different requirements on swine slaughterhouses: It compels them to deal with nonambulatory pigs on their premises in ways that the federal Act and regulations do not.”

National Meat Association is a non-profit trade association. Since 1946, NMA has represented meat packers and processors, equipment manufacturers and food suppliers who provide services to the meat industry. The association has members throughout the United States, as well as in Canada, Australia and Mexico.