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April 30, 2012

Mr. Gene Gregory
President & CEO
United Egg Producers
Alpharetta, GA

Dear Gene:

Now eight months after we signed the year-long agreement between HSUS and the UEP, calling on the organizations to work cooperatively to pass very specific legislation to amend the Egg Products Inspection Act, I am so pleased about our collaborative efforts. I think we are changing the debate about animal agriculture in our country, and showing that we can forge mutually acceptable solutions that will both provide security to producers and better treatment for animals. It is regrettable that the cattle and pork industries are trying to subvert an accord that has no bearing on their industries, but I am confident we'll be able to overcome their obstructionist efforts.

Inevitably, any collaboration between two traditional adversaries, with all the history that we have, is going to come with its share of bumps in the road. We've been able to work through these periodic problems. Recently, you shared that Burger King's announcement about pork and eggs has caused consternation among some of your members, so I want to provide some background to you on the issue, in order to provide a better understanding of how this decision developed.

For years, HSUS has spent a considerable amount of time working with food retailers, helping them to adjust their supply chains to give an increasingly greater share of their business to farmers utilizing cage-free production. Through the years, we've opened up dialogue with hundreds of food companies. As you know, in the first quarter of this year, both McDonald's and Wendy's coordinated announcements with HSUS on humane issues—specifically related to eliminating gestation crates from their supply chains.

We began a relationship with Burger King on issues related to cage-free production in 2005, long before Prop 2 and seven years before our agreement. In 2007, Burger King decided that it would work to attain a cage-free supply chain, starting with a modest percentage of cage-free eggs and gestation crate-free pork.

The company's entire trajectory was grounded on the idea of moving toward purchasing only cage-free eggs and pork, and Burger King made some substantial time investments in this process. When HSUS and UEP announced our agreement, we apprised the company. But we were already far down the road with the company on its plans on pork and eggs. Out of respect for their management team and years of work on the issue, and also because a shift by a company toward cage-free production is not inconsistent with our agreement, we applauded the company's decision.

We know many of your members have co-production operations, and provide cage-free eggs to many food retailers. We've always believed that some food retailers will still reach for cage-free (rather than enriched colony cages), and some consumers will go in that direction. That sort of pluralism in the marketplace has always been something that egg producers have handled well. And we believe that all of this is consistent with H.R. 3798, especially as it relates to the labeling provisions, which gives consumers more information to make choices in the marketplace. We expect that UEP members will supply a big part of the cage-free market, and we applaud their efforts to meet that demand.

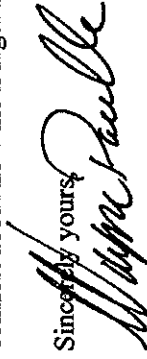
We've worked very hard on the HSUS-UEP agreement in Congress, and we are putting the full weight of our organization behind the agreement. At the same time, we've concentrated our more adversarial efforts on the pork industry, both because of its inhumane production practices and its attempts to subvert the HSUS-UEP agreement.

I know that you found some of the messaging relating to the Burger King announcement to be problematic, and we've discussed this matter internally at HSUS and I think our future messaging will reflect the sort of framing I offered in my blogs.

As you know, HSUS made a number of concessions in order to enter into our agreement with UEP. For example, we and our coalition partners suspended two pending ballot campaigns, including the Washington state campaign where more than 350,000 signatures had been gathered. We agreed not to pursue battery cage-related state ballot initiatives or legislation at the state level and to tamp down our litigation and investigations work. Passing the federal legislation and codifying the UEP-HSUS agreement is our top priority, and we look forward to working with you and the country's egg producers to get this bill over the finish line.

I hope this provides additional context on our actions, and that your members feel a greater degree of comfort about how the Burger King decision came to pass.

Sincerely yours,



Wayne Pacelle
President & CEO