

SENATE BILL 599

M4

8lr2750
CF 8lr2738

By: **Senators Conway, Colburn, Currie, Forehand, Frosh, King, Kramer, Madaleno, McFadden, Pugh, Raskin, Robey, and Stone**

Introduced and read first time: February 1, 2008

Assigned to: Education, Health, and Environmental Affairs

A BILL ENTITLED

1 AN ACT concerning

2 **Agriculture – Prohibited Acts – Force-Feeding Birds**

3 FOR the purpose of prohibiting a person from force-feeding birds to produce foie gras
4 or hiring another person to engage in force-feeding birds; prohibiting a person
5 from selling, transporting, or offering for sale any product that is the result of
6 force-feeding birds to produce foie gras; prohibiting certain food service
7 establishments from serving or dispensing certain products that are the result
8 of force-feeding birds; providing for certain penalties for certain violations;
9 defining certain terms; and generally relating to a prohibition on force-feeding
10 birds.

11 BY adding to
12 Article – Agriculture
13 Section 4-218.1
14 Annotated Code of Maryland
15 (2007 Replacement Volume)

16 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
17 MARYLAND, That the Laws of Maryland read as follows:

18 **Article – Agriculture**

19 **4-218.1.**

20 (A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE
21 MEANINGS INDICATED.

22 (2) “BIRD” INCLUDES, BUT IS NOT LIMITED TO, A DUCK OR
23 GOOSE.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **(3) “FOIE GRAS” MEANS THE LIVER OF A BIRD THAT HAS BEEN**
2 **SPECIALLY FATTENED BY THE FORCE-FEEDING OF THAT BIRD.**

3 **(4) “FOOD SERVICE OR DRINKING ESTABLISHMENT” MEANS A**
4 **RESTAURANT, INN, BAR, TAVERN, OR ANY OTHER SIMILAR PLACE OF BUSINESS**
5 **THAT OFFERS FOOD OR DRINK FOR SALE.**

6 **(5) (I) “FORCE-FEEDING A BIRD” MEANS A PROCESS BY WHICH**
7 **A BIRD IS MADE TO CONSUME MORE THAN THE BIRD WOULD VOLUNTARILY**
8 **CONSUME WHILE FORAGING FOR THE PURPOSE OF ENLARGING THE BIRD’S**
9 **LIVER BEYOND ITS NORMAL SIZE.**

10 **(II) “FORCE-FEEDING A BIRD” INCLUDES, BUT IS NOT**
11 **LIMITED TO, FORCING A TUBE OR OTHER APPARATUS INTO THE BEAK, BILL, OR**
12 **THROAT OF A BIRD, OR BY ADMINISTERING DRUGS TO THE BIRD TO CAUSE THE**
13 **BIRD TO OVERCONSUME FOR THE PRODUCTION OF FOIE GRAS.**

14 **(B) (1) A PERSON MAY NOT ENGAGE IN THE FORCE-FEEDING OF A**
15 **BIRD, OR HIRE ANOTHER PERSON TO ENGAGE IN THE FORCE-FEEDING OF A**
16 **BIRD, FOR THE PURPOSE OF ENLARGING A BIRD’S LIVER BEYOND THE NORMAL**
17 **SIZE TO PRODUCE FOIE GRAS.**

18 **(2) A PERSON MAY NOT SELL, TRANSPORT, OR OFFER FOR SALE,**
19 **ANY PRODUCT THAT IS THE RESULT OF THE FORCE-FEEDING OF A BIRD FOR**
20 **THE PURPOSE OF ENLARGING A BIRD’S LIVER BEYOND THE NORMAL SIZE TO**
21 **PRODUCE FOIE GRAS.**

22 **(3) A FOOD SERVICE OR DRINKING ESTABLISHMENT MAY NOT**
23 **SERVE OR DISPENSE ANY PRODUCT THAT IS THE RESULT OF FORCE-FEEDING A**
24 **BIRD.**

25 **(C) A PERSON WHO KNOWINGLY VIOLATES THIS SECTION IS GUILTY OF**
26 **A MISDEMEANOR AND ON CONVICTION IS SUBJECT TO A FINE NOT EXCEEDING**
27 **\$1,000 FOR EACH DAY A VIOLATION OCCURS.**

28 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
29 June 1, 2008.