

HOUSE BILL 1137

M4

8lr2738
CF SB 599

By: **Delegates Shewell, Ali, Aumann, Bartlett, Beidle, Bronrott, Cane, Cardin, Carr, Conway, DeBoy, Elliott, Elmore, Frank, Frush, Glenn, Haddaway, Holmes, Hucker, Jennings, Kach, Kaiser, Kipke, Kramer, Krebs, Lafferty, McComas, McDonough, McKee, Montgomery, Niemann, Olszewski, Schuler, Smigiel, Stein, Stocksdale, Stull, Tarrant, Taylor, Waldstreicher, and Weir**

Introduced and read first time: February 7, 2008

Assigned to: Environmental Matters

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.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



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

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

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

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

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

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

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

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

27 (C) **A PERSON WHO KNOWINGLY VIOLATES THIS SECTION IS GUILTY OF**
28 **A MISDEMEANOR AND ON CONVICTION IS SUBJECT TO A FINE NOT EXCEEDING**
29 **\$1,000 FOR EACH DAY A VIOLATION OCCURS.**

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