

2021 -- H 5731

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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2021

A N A C T

RELATING TO FOOD AND DRUGS -- FORCE-FED POULTRY PRODUCTS

Introduced By: Representatives Potter, C Lima, Serpa, Kislak, and Baginski

Date Introduced: February 24, 2021

Referred To: House Judiciary

It is enacted by the General Assembly as follows:

1 SECTION 1. Title 21 of the General Laws entitled "FOOD AND DRUGS" is hereby
2 amended by adding thereto the following chapter:

3 CHAPTER 16.1

4 FORCE-FED POULTRY PRODUCTS

5 **21-16.1-1. Legislative intent.**

6 The general assembly hereby finds and declares that force-feeding birds with the intent of
7 fattening or enlarging their livers is a cruel practice. The purpose and intent of this chapter is to
8 prevent animal cruelty by prohibiting the production of force-fed poultry products in Rhode Island
9 and to cleanse Rhode Island's markets of these products resulting from this cruelty.

10 **21-16.1-2. Definitions.**

11 For the purposes of this chapter, the following terms have the following meaning:

12 (1) "Force-fed poultry product" means any product that is the result of force-feeding a bird,
13 including, but not limited to, a duck or a goose, with the intent to fatten or enlarge the bird's liver.

14 (2) "Force-feeding " means the practice of forcing, by any means, food or supplements into
15 the throat, esophagus, crop or stomach of an animal.

16 **21-16.1-3. Prohibited conduct.**

17 (a) A person shall not engage in force-feeding to create a force-fed poultry product nor hire
18 another to engage in force-feeding to create a force-fed poultry product.

19 (b) A person shall not sell in Rhode Island nor import into Rhode Island by any means,

1 including, but not limited to, direct, telephone, electronic or internet sales, any force-fed poultry
2 product or food containing a force-fed poultry product. For purposes of this chapter, there shall be
3 a rebuttable presumption that an item that is in any way identified or labelled as "foie gras", or
4 listed on a menu as "foie gras", is a force-fed poultry product. Any party seeking to rebut such
5 presumption shall provide documentary evidence proving that the product they are storing, keeping,
6 maintaining, offering for sale, or selling is not a force-fed poultry product as defined in this chapter.

7 **21-16.1-4. Enforcement.**

8 (a) Any person who is found to violate any provision of this chapter shall be subject to a
9 civil penalty of five hundred dollars (\$500) for each violation. Each such violation may be treated
10 as a separate and distinct offense, and in the case of a continuing violation, each day's continuance
11 thereof may be treated as a separate and distinct offense.

12 (b) Any person who violates any provision of this chapter may be prosecuted by the board
13 of health or the health department of the city or town where the violation occurs, or by the state
14 department of health, and such board or department after deducting the costs of trial and conviction,
15 may retain the balance of the fine or fines recovered for the use of the board or department.

16 (c) A peace officer, officer of a humane society, or officer of an animal control or animal
17 regulation department of a public agency, may issue a citation to a person who violates this chapter.

18 SECTION 2. This act shall take effect on January 1, 2022.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

A N A C T
RELATING TO FOOD AND DRUGS -- FORCE-FED POULTRY PRODUCTS

1 This act would prohibit the production, sale, or importation into Rhode Island of any force-
2 fed poultry product or food containing a force-fed poultry product and would impose a civil penalty
3 of five hundred dollars (\$500) for each violation.

4 This act would take on January 1, 2022.

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