

2023 -- H 5437

LC001163

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2023

A N A C T

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

Introduced By: Representatives Potter, Serpa, Kislak, Craven, Messier, Cruz, Bennett,  
Donovan, DeSimone, and Caldwell

Date Introduced: February 08, 2023

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 recognizes it is in the public interest to protect the public health and  
7 general welfare of the State of Rhode Island by regulating industries, such as foie gras, that are  
8 inhumane, environmentally unsustainable, and increase the risk of zoonotic diseases.

9 **21-16.1-2. Definitions.**

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

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

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

15 (3) "Sell" means any act of selling, trading, or bartering for monetary or nonmonetary  
16 consideration, and includes any transfer of ownership that occurs in the course of a commercial  
17 transaction.

18 **21-16.1-3. Prohibited conduct.**

19 (a) A person shall not engage in force-feeding to create a force-fed poultry product nor hire

1 another to engage in force-feeding to create a force-fed poultry product.

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

9 **21-16.1-4. Enforcement.**

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

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

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

20 SECTION 2. This act shall take effect on January 1, 2024.

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EXPLANATION  
BY THE LEGISLATIVE COUNCIL  
OF  
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1           This act would prohibit force-feeding to create a force-fed poultry product nor hire another  
2 to engage in force feeding of a poultry product. Violations would be subject to a civil penalty.

3           This act would take effect on January 1, 2024.

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