

PREVENTION of EQUINE CRUELTY ACT of 2009 (INTRODUCED IN SENATE)

S 727 IS

111TH CONGRESS

1ST SESSION

S. 727

To amend title 18, United States Code, to prohibit certain conduct relating to the use of horses for human consumption.

**IN THE SENATE OF THE UNITED STATES**

**March 26, 2009**

Ms. LANDRIEU (for herself, Mr. ENSIGN, Mr. CARDIN, Mrs. BOXER, Mr. GRAHAM, Ms. COLLINS, Mr. MCCAIN, Mr. LAUTENBERG, Mr. MENENDEZ, Mr. LEVIN, Mr. CARPER, Mr. LIEBERMAN, Mr. BYRD, Mr. KERRY, and Mr. LEAHY) introduced the following bill; which was read twice and referred to the Committee on the Judiciary

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A BILL

TO AMEND TITLE 18, UNITED STATES CODE, TO PROHIBIT CERTAIN CONDUCT RELATING TO THE USE OF HORSES FOR HUMAN CONSUMPTION.

BE IT ENACTED BY THE SENATE AND HOUSE OF REPRESENTATIVES OF THE UNITED STATES OF AMERICA IN CONGRESS ASSEMBLED,

SECTION 1. SHORT TITLE.

This ACT MAY BE CITED AS THE 'PREVENTION OF EQUINE CRUELTY ACT OF 2009'.

## SEC. 2. SLAUGHTER OF HORSES FOR HUMAN CONSUMPTION.

(A) IN GENERAL- CHAPTER 3 of title 18, UNITED STATES CODE, IS AMENDED BY ADDING AT THE END THE FOLLOWING:

SEC. 50. SLAUGHTER OF HORSES FOR HUMAN CONSUMPTION

(A) EXCEPT AS PROVIDED IN SUBSECTION (b), WHOEVER KNOWINGLY--

(1) POSSESSES, SHIPS, TRANSPORTS, PURCHASES, SELLS, DELIVERS, OR RECEIVES, IN OR AFFECTING INTERSTATE COMMERCE OR FOREIGN COMMERCE, ANY HORSE WITH THE INTENT THAT IT IS TO BE SLAUGHTERED FOR HUMAN CONSUMPTION; OR

(2) POSSESSES, SHIPS, TRANSPORTS, PURCHASES, SELLS, DELIVERS, OR RECEIVES, IN OR AFFECTING INTERSTATE COMMERCE OR FOREIGN COMMERCE, ANY HORSE FLESH OR CARCASS OR PART OF A CARCASS, WITH THE INTENT THAT IT IS TO BE USED FOR HUMAN CONSUMPTION;

SHALL BE FINED UNDER THIS TITLE OR IMPRISONED NOT MORE THAN THREE YEARS OR BOTH.

(b) If--

(1) THE DEFENDANT ENGAGES IN CONDUCT THAT WOULD OTHERWISE CONSTITUTE AN OFFENSE UNDER SUBSECTION (A);

(2) THE DEFENDANT HAS NO PRIOR CONVICTION UNDER THIS SECTION; AND

(3) THE CONDUCT INVOLVES LESS THAN FIVE HORSES OR LESS THAN 2000 POUNDS OF HORSE FLESH OR CARCASS OR PART OF A CARCASS;

THE DEFENDANT SHALL, INSTEAD OF BEING PUNISHED UNDER THAT SUBSECTION, BE FINED UNDER THIS TITLE OR IMPRISONED NOT MORE THAN ONE YEAR, OR BOTH.

(c) AS USED IN THIS SECTION, THE TERM 'HORSE' MEANS ANY MEMBER OF THE FAMILY EQUIDAE.'

(b) CLERICAL AMENDMENT- THE TABLE OF SECTIONS FOR CHAPTER 3 OF TITLE 18, UNITED STATES CODE, IS AMENDED BY ADDING AT THE END THE FOLLOWING NEW ITEM:

'50. SLAUGHTER OF HORSES FOR HUMAN CONSUMPTION.'