



## Memorandum in Support

### COMMITTEE ON ANIMALS AND THE LAW

Animals # 18

May 30, 2023

S. 2163-B  
A. 5109-A

By: Senator Addabbo  
By: M. of A. Glick  
Senate Committee: Third Reading  
Assembly Committee: Codes  
Effective Date: One hundred and  
twenty days after becoming a law.

**AN ACT** to amend the agriculture and markets law, in relation to prohibiting the slaughtering of horses for human or animal consumption.

**LAW & SECTION REFERRED TO:** New section 385 of the Agriculture and Markets Law.

#### **THE COMMITTEE ON ANIMALS AND THE LAW** **SUPPORTS THIS LEGISLATION**

This bill, S.2163-B / A.5109-A, would amend the Agriculture and Markets Law by adding a new Section 385 to prohibit the slaughter of horses for human or animal consumption. The bill would also make it unlawful for a person *who owns or is buying* a horse to import, export, sell, offer to sell or barter, transfer, purchase, possess, transport, deliver, receive, give away, hold, or accept, or direct another person to import, export, sell, offer to sell or barter, transfer, purchase, possess, transport, deliver, receive, give away, hold, or accept a horse with the intent that the horse would be slaughtered for human or animal consumption.

The bill defines “horse” to include all members of the equine family, including horses, ponies, donkeys, mules, asses, and burros. It defines “horseflesh” to mean the flesh of a dead horse, including viscera, skin, hair, hide, hooves, and bones.

Violation of the prohibitions in the bill would be a misdemeanor punishable by a civil penalty of up to one thousand dollars for an individual and up to two thousand five hundred dollars for a corporation, association, or other entity, for a first offense, and up to two thousand dollars penalty for individual, five thousand dollars for corporation, association, or other entity for subsequent offenses.

The bill states that it must be interpreted in addition to, and not in place of, any other animal welfare law or regulation, and must not limit any other state law or regulation protecting animals, nor prevent any local governing body from adopting and enforcing its own animal welfare laws and regulations.

Horses hold a special place in the history of civilization and the history of our country. They have carried populations over long distances, hauled people’s worldly goods, and provided transportation in wars. Without

horses, it is unlikely that humans would have attained their current point of social development. The horse continues to be admired in many depictions. The horse remains a beloved companion to many as well as a partner in various equine competitions. The special nature of horses and their relationship to Americans now and in our history causes great opposition to horse slaughter and the sale of horsemeat in the United States. Horses are often conceived of as companions akin to dogs or cats. Just as the idea of selling dogs for meat for human consumption is abhorrent to most New Yorkers, so too is the idea of eating horses. New York should not perpetuate treating horses as sources of meat.

At the federal level, the U.S. Congress has taken many legislative actions in the last two decades to stop horse slaughterhouse operations in this country; several of them have been part of federal budgets, or included in the federal Farm Bill, and effective for limited periods of time. Many states have taken action to ban horse slaughter, and federal courts have upheld those state bans. While there are no slaughterhouses in New York that accept horses for slaughter, there is no permanent federal ban on their operation. Since U.S. horse slaughterhouses do not currently exist, thousands of horses intended for human or animal consumption are currently trucked through the U.S. over long distances to slaughter facilities in Canada and Mexico. With this bill, New York would take the lead in stopping slaughter-bound horses from being transported through this state and crossing the New York-Canadian border to reach their final destination in Canadian slaughterhouses.

Horse slaughter should be opposed on humane grounds. Typically, transporting horses across U.S. borders for slaughter crowds unrelated and unacquainted horses together in a tractor trailer for extended times under adverse physical and emotional conditions. Horses are herd animals attuned socially to one another. Horses have the ability to wield their teeth, hooves, and bodies dangerously. Forced contact in confined quarters leads to conflict, injury, pain, and suffering.

Slaughtering horses raised or who have lived in this country raises a significant health concern, whether horsemeat originating in America is fit for human or animal consumption. Since horses in the United States are not raised for human or animal consumption, no rules or regulations regarding drugs or food additives apply to them. Drugs are routinely used on horses, for therapeutic or performance enhancing reasons, particularly on horses used in racing. Those drugs may remain in a horse's system for long periods of time including in the meat of horses slaughtered for consumption. The medication history or withdrawal periods for horses shipped outside the United States for slaughter is unknown. Many of the medications used routinely in horses have been found carcinogenic or otherwise toxic to humans.

No reliable procedures ensure that horses shipped for slaughter were obtained through appropriate channels; or that animals with a positive mode of identification, such as brands, tattoos, or microchips, will be identified and returned to their owners or people who have committed to preventing a formerly owned horse from going to slaughter. Horses can be taken and shipped to a foreign country for slaughter long before law enforcement and a grieving owner can catch up with them. Allowing the sale and shipment of horses for slaughter within our state enables the slaughter of horses just outside American borders.

Previous, less comprehensive equine slaughter and welfare statutes have not stopped slaughter buyers and sellers. An outright ban such as this bill would be more effective because it would be more straightforward for law enforcement and prosecutors to enforce.

New York shares a 445-mile border with Canada. This bill would prevent slaughter shippers from using NY's interstates, backroads, and border crossings as pipelines to transport horses to Ontario and Quebec slaughterhouses and abattoirs. Cutting off this slaughter pipeline would have an outsized beneficial effect nationally, with New York as a national initiator and leader in stopping equine slaughter.

This bill would be a powerful tool to prevent animal suffering, to help ensure no contaminated meat from New York State is consumed by humans or animals, and to help to prevent theft and illicit trafficking of horses.

For the foregoing reasons, the Committee on Animals and the Law **SUPPORTS** the passage and enactment of this legislation.