

# MAINE STATE LEGISLATURE

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# 124th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2009

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Legislative Document

No. 9

H.P. 4

House of Representatives, January 5, 2009

### An Act To Prohibit the Force-feeding of Birds

(EMERGENCY)

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Reference to the Committee on Agriculture, Conservation and Forestry suggested and ordered printed.

*Millicent M. MacFarland*  
MILLICENT M. MacFARLAND  
Clerk

Presented by Representative CASAVANT of Biddeford.  
Cosponsored by Senator SULLIVAN of York and  
Representatives: BEAUDOIN of Biddeford, BOLAND of Sanford, BRYANT of Windham,  
EBERLE of South Portland, HOGAN of Old Orchard Beach, LEGG of Kennebunk,  
TRINWARD of Waterville, WHEELER of Kittery.

1 **Emergency preamble. Whereas,** acts and resolves of the Legislature do not  
2 become effective until 90 days after adjournment unless enacted as emergencies; and

3 **Whereas,** this legislation needs to take effect before the expiration of the 90-day  
4 period in order to end the practice of force-feeding birds as soon as possible; and

5 **Whereas,** in the judgment of the Legislature, these facts create an emergency within  
6 the meaning of the Constitution of Maine and require the following legislation as  
7 immediately necessary for the preservation of the public peace, health and safety; now,  
8 therefore,

9 **Be it enacted by the People of the State of Maine as follows:**

10 **Sec. 1.** 7 MRSA §4011, sub-§1, ¶I, as amended by PL 2007, c. 702, §11, is  
11 further amended to read:

12 I. Kills or tortures an animal to frighten or intimidate a person or forces a person to  
13 injure or kill an animal; ~~or~~

14 **Sec. 2.** 7 MRSA §4011, sub-§1, ¶J, as enacted by PL 2007, c. 702, §12, is  
15 amended to read:

16 J. Confines an animal in a building, enclosure, car, boat, vehicle or vessel of any  
17 kind when extreme heat or extreme cold will be harmful to its health; or

18 **Sec. 3.** 7 MRSA §4011, sub-§1, ¶K is enacted to read:

19 K. Force-feeds a bird, including a duck or goose, for the purpose of enlarging the  
20 bird's liver beyond its normal size in order to produce the food product known as foie  
21 gras. Force-feeding methods include, but are not limited to, delivering feed through a  
22 tube or other device inserted into the bird's esophagus, and these methods may not be  
23 considered in compliance with best management practices for animal husbandry.

24 **Emergency clause.** In view of the emergency cited in the preamble, this  
25 legislation takes effect when approved.

26 **SUMMARY**

27 This bill makes force-feeding birds in order to produce the food product known as  
28 foie gras a civil violation.

29