

# Calendar No. 488

110TH CONGRESS  
1ST SESSION

# S. 311

[Report No. 110-229]

To amend the Horse Protection Act to prohibit the shipping, transporting, moving, delivering, receiving, possessing, purchasing, selling, or donation of horses and other equines to be slaughtered for human consumption, and for other purposes.

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## IN THE SENATE OF THE UNITED STATES

JANUARY 17, 2007

Ms. LANDRIEU (for herself, Mr. ENSIGN, Mrs. BOXER, Mr. KERRY, Mr. REED, Mr. LEVIN, Mr. CARPER, Mr. GRAHAM, Ms. COLLINS, Mr. MENENDEZ, Ms. SNOWE, Mr. BYRD, Mr. SCHUMER, and Mrs. CLINTON) introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

NOVEMBER 14, 2007

Reported by Mr. INOUE without amendment

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## A BILL

To amend the Horse Protection Act to prohibit the shipping, transporting, moving, delivering, receiving, possessing, purchasing, selling, or donation of horses and other equines to be slaughtered for human consumption, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. PROHIBITION ON SHIPPING, TRANSPORTING,**  
2 **MOVING, DELIVERING, RECEIVING, POS-**  
3 **SESSING, PURCHASING, SELLING, OR DONA-**  
4 **TION OF HORSES AND OTHER EQUINES FOR**  
5 **SLAUGHTER FOR HUMAN CONSUMPTION.**

6 (a) DEFINITIONS.—Section 2 of the Horse Protection  
7 Act (15 U.S.C. 1821) is amended—

8 (1) by redesignating paragraphs (1), (2), (3),  
9 and (4) as paragraphs (2), (3), (5), and (6), respec-  
10 tively;

11 (2) by inserting before paragraph (2) (as redesi-  
12 gnated by paragraph (1)) the following:

13 “(1) The term ‘human consumption’ means in-  
14 gestion by people as a source of food.”; and

15 (3) by inserting after paragraph (3) (as redesi-  
16 gnated by paragraph (1)) the following:

17 “(4) The term ‘slaughter’ means the killing of  
18 1 or more horses or other equines with the intent to  
19 sell or trade the flesh for human consumption.”.

20 (b) FINDINGS.—Section 3 of the Horse Protection  
21 Act (15 U.S.C. 1822) is amended—

22 (1) by redesignating paragraphs (1) through  
23 (5) as paragraphs (6) through (10), respectively;

24 (2) by adding before paragraph (6) (as redesi-  
25 gnated by paragraph (1)) the following:

1           “(1) horses and other equines play a vital role  
2           in the collective experience of the United States and  
3           deserve protection and compassion;

4           “(2) horses and other equines are domestic ani-  
5           mals that are used primarily for recreation, pleasure,  
6           and sport;

7           “(3) unlike cows, pigs, and many other animals,  
8           horses and other equines are not raised for the pur-  
9           pose of being slaughtered for human consumption;

10          “(4) individuals selling horses or other equines  
11          at auctions are seldom aware that the animals may  
12          be bought for the purpose of being slaughtered for  
13          human consumption;

14          “(5) the Animal and Plant Health Inspection  
15          Service of the Department of Agriculture has found  
16          that horses and other equines cannot be safely and  
17          humanely transported in double deck trailers;”;

18          (3) by striking paragraph (8) (as redesignated  
19          by paragraph (1)) and inserting the following:

20          “(8) the movement, showing, exhibition, or sale  
21          of sore horses in intrastate commerce, and the ship-  
22          ping, transporting, moving, delivering, receiving,  
23          possessing, purchasing, selling, or donation in intra-  
24          state commerce of horses and other equines to be

1       slaughtered for human consumption, adversely affect  
2       and burden interstate and foreign commerce;”.

3       (c) PROHIBITION.—Section 5 of the Horse Protection  
4 Act (15 U.S.C. 1824) is amended—

5           (1) by redesignating paragraphs (8) through  
6       (11) as paragraphs (9) through (12), respectively;  
7       and

8           (2) by inserting after paragraph 7 the fol-  
9       lowing:

10           “(8) The shipping, transporting, moving, deliv-  
11       ering, receiving, possessing, purchasing, selling, or  
12       donation of any horse or other equine to be slaugh-  
13       tered for human consumption.”.

14       (d) AUTHORITY TO DETAIN.—Section 6(e) of the  
15 Horse Protection Act (15 U.S.C. 1825(e)) is amended—

16           (1) by striking the first sentence of paragraph  
17       (1);

18           (2) by redesignating paragraphs (1) and (2)  
19       and as paragraphs (2) and (3), respectively; and

20           (3) by inserting before paragraph (2) (as redesi-  
21       gnated by paragraph (2)) the following:

22           “(1) The Secretary may detain for examination, test-  
23       ing, or the taking of evidence—

24           “(A) any horse at any horse show, horse exhi-  
25       bition, or horse sale or auction that is sore or that

1 the Secretary has probable cause to believe is sore;  
2 and

3 “(B) any horse or other equine that the Sec-  
4 retary has probable cause to believe is being shipped,  
5 transported, moved, delivered, received, possessed,  
6 purchased, sold, or donated in violation of section  
7 5(8).”.

8 (e) AUTHORIZATION OF APPROPRIATIONS.—Section  
9 12 of the Horse Protection Act (15 U.S.C. 1831) is  
10 amended by striking “\$500,000” and inserting  
11 “\$5,000,000”.

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1<sup>ST</sup> Session

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