



September 1, 2023

The Honorable Kathy Hochul  
Governor of New York State  
NYS Capitol Building  
Albany, NY 12224

*Re: NYSBA Committee on Animals and the Law Supports S2163B/A5109A*

Dear Governor Hochul:

The New York State Bar Association (NYSBA)'s Committee on Animals and the Law supports S2163B(Addabbo)/ A5109A(Glick), which amends 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 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.

Violations 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 an individual, five thousand dollars for a 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

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point of social development. 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 informs the opposition to horse slaughter and the sale of horse meat 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 using 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 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 horse, 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 period for horses shipped outside the United States for slaughter is unknown. Many of the medications used routinely in horses have been found to be 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

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them. Allowing the sale and shipment of horses for slaughter within our state further 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 will 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 will have a beneficial effect nationally, with New York as a national initiator and leader in stopping equine slaughter.

This bill will 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 prevent theft and illicit trafficking of horses. Based on the foregoing, the Committee on Animals and the Law supports the enactment of this legislation and urges the Governor to sign S2163B/A5109A. If you have any questions, or seek further information please contact NYSBA's General Counsel, David Miranda, who can be reached at [dmiranda@nysba.org](mailto:dmiranda@nysba.org), 518-487-5524.

Respectfully,

Committee on Animals and the Law

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