

2426

2009-2010 Regular Sessions

I N S E N A T E

February 20, 2009

Introduced by Sen. PADAVAN -- read twice and ordered printed, and when printed to be committed to the Committee on Agriculture

AN ACT to amend the agriculture and markets law, in relation to downed animals

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 Section 1. Section 96-g of the agriculture and markets law is amended  
2 by adding a new subdivision 18 to read as follows:

3 18. "DOWNED ANIMAL" MEANS ANY LIVE SPECIES OF CATTLE THAT IS UNABLE TO  
4 STAND AND WALK UNASSISTED.

5 S 2. The agriculture and markets law is amended by adding a new  
6 section 96-k to read as follows:

7 S 96-K. DOWNED ANIMALS. 1. NO SLAUGHTERHOUSE, STOCKYARD, AUCTION  
8 MARKET AGENCY, OR DEALER SHALL BUY, SELL, OR RECEIVE A DOWNED ANIMAL OR  
9 PRODUCTS OF DOWNED ANIMALS FOR HUMAN CONSUMPTION.

10 2. NO SLAUGHTERHOUSE, STOCKYARD, AUCTION MARKET AGENCY, OR DEALER  
11 SHALL HOLD A DOWNED ANIMAL WITHOUT TAKING IMMEDIATE ACTION TO HUMANELY  
12 EUTHANIZE THE ANIMAL, OR HUMANELY REMOVE THE ANIMAL FOR VETERINARY  
13 TREATMENT.

14 3. WHILE IN TRANSIT OR ON THE PREMISES OF A SLAUGHTERHOUSE, STOCKYARD,  
15 AUCTION MARKET AGENCY, OR DEALER, A DOWNED ANIMAL SHALL NOT BE DRAGGED  
16 AT ANY TIME, OR PUSHED WITH EQUIPMENT AT ANY TIME, BUT SHALL BE MOVED  
17 WITH A SLING OR ON A STONEBOAT OR BY OTHER SLED-LIKE OR WHEELED CONVEY-  
18 ANCE.

19 4. AS USED IN THIS SECTION (A) "HUMANELY EUTHANIZED" MEANS TO KILL BY  
20 A MECHANICAL, CHEMICAL, OR ELECTRICAL METHOD THAT RAPIDLY AND EFFEC-  
21 TIVELY RENDERS THE ANIMAL INSENSITIVE TO PAIN; AND (B) "HUMANELY REMOVE"  
22 MEANS MOVING A DOWNED ANIMAL WITH A SLING OR ON A STONEBOAT OR BY OTHER  
23 SLED-LIKE OR WHEELED CONVEYANCE.

24 5. A VIOLATION OF THIS SECTION SHALL BE A MISDEMEANOR AS DEFINED IN  
25 SUBDIVISION FOUR OF SECTION 10.00 OF THE PENAL LAW.

26 S 3. This act shall take effect on the ninetieth day after it shall  
27 have become a law.

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets  
[ ] is old law to be omitted.

LBD07075-01-9