S T A T E O F N E W Y O R K

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2009-2010 Regular Sessions

I N A S S E M B L Y

January 15, 2009

Introduced by M. of A. MARKEY, MILLMAN, JACOBS, DINOWITZ, HOOPER -- Multi-Sponsored by -- M. of A. BRENNAN, COLTON, COOK, GLICK, MAYER-SOHN, REILLY, WEISENBERG -- read once and referred to the Committee on Agriculture

AN ACT to amend the agriculture and markets law, in relation to prohibiting the feeding of blood and blood products to animals

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

Section 1. The agriculture and markets law is amended by adding a new section 72-b to read as follows:

S 72-B. FEEDING OF BLOOD AND BLOOD PRODUCTS TO CATTLE, SWINE, SHEEP, GOATS OR POULTRY PROHIBITED. 1. BLOOD OR BLOOD PRODUCTS FED TO CATTLE, SWINE, SHEEP, GOATS OR POULTRY CONTRIBUTES TO THE SPREAD OF INFECTIOUS ANIMAL DISEASES. MEAT FROM ANIMALS SO AFFLICTED, WHEN CONSUMED BY HUMAN BEINGS, MAY BE A PRIMARY SOURCE OF HUMAN SICKNESS. IT IS THEREFORE DECLARED TO BE THE PUBLIC POLICY OF THIS STATE TO PROHIBIT THE FEEDING OF BLOOD OR BLOOD PRODUCTS TO CATTLE, SWINE, SHEEP, GOATS OR POULTRY TO ASSIST IN THE ERADICATION OF ANIMAL DISEASES AND FOR THE PROTECTION OF THE PUBLIC HEALTH AND PUBLIC WELFARE.

2. DEFINITIONS. WHEN USED IN THIS SECTION:

A. "BLOOD OR BLOOD PRODUCT" SHALL MEAN THE FLUID CONSISTING OF PLASMA, BLOOD CELLS, AND PLATELETS THAT IS CIRCULATED BY THE HEART THROUGH THE VERTEBRATE VASCULAR SYSTEM, CARRYING OXYGEN AND NUTRIENTS TO AND WASTE MATERIALS AWAY FROM ALL BODY TISSUES OR ANY OTHER FUNCTIONALLY SIMILAR FLUID IN ANIMALS.

B. "PERSON" MEANS ANY INDIVIDUAL, FIRM, PARTNERSHIP, PUBLIC OR PRIVATE CORPORATION, PUBLIC OR PRIVATE INSTITUTION, PUBLIC AUTHORITY, MUNICIPAL CORPORATION AND THE STATE.

C. NOTWITHSTANDING ANYTHING IN THE PRECEDING PARAGRAPHS OF THIS SUBDIVISION TO THE CONTRARY, ANIMAL FEEDS WHICH HAVE BEEN HEAT RENDERED BY A RENDERING PLANT AT A TEMPERATURE SUFFICIENT TO MAKE THE PRODUCT COMMER-

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

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CIALLY STERILE SHALL NOT BE CONSIDERED WITHIN THE MEANING OF THIS SECTION.

3. A. IT SHALL BE UNLAWFUL FOR ANY PERSON TO FEED BLOOD OR BLOOD PRODUCTS, WHETHER COOKED OR UNCOOKED, TO CATTLE, SWINE, SHEEP, GOATS OR POULTRY.

B. ANY PERSON WHO VIOLATES THE PROVISIONS OF THIS SECTION IS GUILTY OF A CLASS E FELONY, PUNISHABLE BY IMPRISONMENT FOR NOT MORE THAN FOUR YEARS, OR A FINE OF NOT MORE THAN FIVE THOUSAND DOLLARS, OR BY BOTH.

S 2. This act shall take effect immediately.