

107TH CONGRESS
1ST SESSION

S. 267

To amend the Packers and Stockyards Act of 1921, to make it unlawful for any stockyard owner, market agency, or dealer to transfer or market nonambulatory livestock, and for other purposes.

IN THE SENATE OF THE UNITED STATES

FEBRUARY 6, 2001

Mr. AKAKA (for himself, Mr. REID, Mr. LEVIN, Mr. SCHUMER, Mr. GRAHAM, Mr. GREGG, Mr. TORRICELLI, Mrs. BOXER, and Mr. SMITH of New Hampshire) introduced the following bill; which was read twice and referred to the Committee on Agriculture, Nutrition, and Forestry

A BILL

To amend the Packers and Stockyards Act of 1921, to make it unlawful for any stockyard owner, market agency, or dealer to transfer or market nonambulatory livestock, 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,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Downed Animal Pro-
5 tection Act”.

1 **SEC. 2. UNLAWFUL STOCKYARD PRACTICES INVOLVING**
 2 **NONAMBULATORY LIVESTOCK.**

3 (a) IN GENERAL.—Title III of the Packers and
 4 Stockyards Act, 1921, is amended by inserting after sec-
 5 tion 317 (7 U.S.C. 217a) the following:

6 **“SEC. 318. UNLAWFUL STOCKYARD PRACTICES INVOLVING**
 7 **NONAMBULATORY LIVESTOCK.**

8 “(a) DEFINITIONS.—In this section:

9 “(1) HUMANELY EUTHANIZED.—The term ‘hu-
 10 manely euthanized’ means to kill an animal by me-
 11 chanical, chemical, or other means that immediately
 12 render the animal unconscious, with this state re-
 13 maining until the animal’s death.

14 “(2) NONAMBULATORY LIVESTOCK.—The term
 15 ‘nonambulatory livestock’ means any livestock that
 16 is unable to stand and walk unassisted.

17 “(b) UNLAWFUL PRACTICES.—It shall be unlawful
 18 for any stockyard owner, market agency, or dealer to buy,
 19 sell, give, receive, transfer, market, hold, or drag any non-
 20 ambulatory livestock unless the nonambulatory livestock
 21 has been humanely euthanized.”.

22 (b) EFFECTIVE DATE.—

23 (1) IN GENERAL.—The amendment made by
 24 subsection (a) takes effect 1 year after the date of
 25 the enactment of this Act.

1 (2) REGULATIONS.—Not later than 1 year after
2 the date of enactment of this Act, the Secretary of
3 Agriculture shall issue regulations to carry out the
4 amendment.

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