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February 1, 2024

Representative Robert E. Craven, Chair
Representative Carol Hagan McEntee, First Vice Chair
Representative Jason Knight, Second Vice Chair
House Judiciary Committee
Rhode Island General Assembly
82 Smith Street, Providence, RI 02903

Re: Support for *Force-Fed Poultry Products Act* (HB 7056)

Honorable Chair Craven, Vice Chairs Hagan McEntee and Knight, and Members of the House Judiciary Committee,

On behalf of the Animal Legal Defense Fund (ALDF) and our supporters in Rhode Island, thank you for this opportunity to submit a letter of support for legislation entitled *An Act Relating To Food And Drugs -- Force-Fed Poultry Products* (HB 7056), which prohibits force-feeding birds and prohibits the sale of products from force-fed birds (i.e. foie gras). We thank the bill sponsors, Representatives Potter, Speakman, Serpa, Bennett, and Craven, for their leadership on this issue.

The Animal Legal Defense Fund is the nation's preeminent legal advocacy organization for animals. The organization's mission is to protect the lives and advance the interests of animals through the legal system. As a core component of that mission, we advocate for laws that protect animals from cruelty, which includes eradicating the practice of cruelly force-feeding birds.

This year, the Animal Legal Defense Fund released the seventeenth annual report, ranking the animal cruelty laws of all fifty states based on twenty different categories: Rhode Island ranked fifth in the nation for its strong animal protection laws (aldf.org/rankings). This top-tier positioning reflects the state's ongoing commitment to preventing cruelty to animals.

Today, we ask you to consider legislation to ban the production and sale of a cruelly-produced, high-priced swollen liver of young ducks or geese who have been force-fed until the organ swells to eight or more times their natural size. Foie gras — French for “fat liver” — is the diseased liver of an animal who has suffered enormously.

Force-feeding damages the livers of the birds so badly it induces an extremely painful disease known as hepatic lipidosis. Scientific studies show that consumption of foie gras is associated with a fatal disease in humans called secondary amyloidosis. Hundreds of thousands of birds have been slaughtered and their diseased organs sold into the human food supply for the financial profit of foie gras producers.

All our clients are innocent

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Foie gras production and/or sale has been prohibited in the state of California, New York City, and in over a dozen countries.

California's law banning the in-state production and in-state sale of foie gras went into effect in 2012, and, despite being subject to numerous legal challenges by the foie gras industry, courts have repeatedly rejected their arguments and upheld the constitutionality of the law. In January 2019, the U.S. Supreme Court, for the second time, denied the industry's plea to take its case, and a lower court reaffirmed its constitutionality again a year later. The Animal Legal Defense Fund will continue to defend the constitutionality and broad enforcement of California's foie gras law.

In 2019, New York City joined California in banning the sale of foie gras. The Animal Legal Defense Fund is proud to have been part of the coalition of organizations supporting the ban in the city, one of the country's largest markets. Although the industry's challenge to the humane measure initially delayed enforcement of the city's ban, it is now in full effect and being enforced.

Numerous countries have foie gras bans, including the United Kingdom, India, Italy, Germany, Denmark, Finland, Poland, and Turkey, among others.

Foie gras production has come under special scrutiny for its inhumane production methods.

To produce foie gras, ducks are typically force-fed three pounds of mash a day through a pipe shoved down their throats — the equivalent of force-feeding 45 pounds of food to an adult human. Typically, “a worker will hold the bird between [their] knees” grasp the animal's head, and insert a tube into its esophagus.ⁱ The tube is used to funnel a large amount of corn into the duck's stomach, “creating a golf ball-sized bulge as it goes down.”ⁱⁱ This process is repeated 2-3 times a day for several weeks resulting in the “bird's liver swell[ing] to about 10 times its normal size.” The animal is then slaughtered and their liver is sold as foie gras.

According to a report by the European Union Scientific Committee on Animal Health and Animal Welfare, the mortality rate in ducks during that two-week force feeding period can be more than 10 times that of comparable ducks.ⁱⁱⁱ This increased death rate is indicative of the “welfare problems associated with foie gras production.”^{iv} According to Dr. Fern Van Sant, DVM, founder of an avian veterinary hospital, force-feeding “carries an obvious, acknowledged, and inherent risk of stress, trauma, inadvertent aspiration, and regurgitation.”^v

Foie gras production and sales don't align with Rhode Island's humane values.

Given the controversy and cruelty surrounding foie gras production, a growing list of businesses are making an ethical decision not to sell foie gras.^{vi} Also, some U.S. cities are encouraging local restaurants not to serve foie gras and state legislatures to ban it.^{vii}

Rhode Island should seize this opportunity to more closely align the state's laws with its values and prohibit the production and sale of foie gras. Thank you for your time and consideration.

Sincerely,
Stephanie Harris

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ⁱ *Force fed Birds: Hearing on S.B. 1520 Before the S. Comm. on Bus. & Prof.*, 2004 Reg. Sess. (Apr. 26, 2004) at 5, http://leginfo.ca.gov/pub/03-04/bill/sen/sb_1501-1550/sb_1520_cfa_20040427_093828_sen_comm.html.

ⁱⁱ *Id* at 6.

ⁱⁱⁱ The EU Report, http://ec.europa.eu/food/animal/welfare/international/out17_en.pdf at 49.

^{iv} *Force fed Birds*, *supra*, note 1 at 6 (discussing EU Report findings).

^v Napa Valley Register, *California's foie gras ban must be enforced* (Apr. 22, 2013), http://napavalleyregister.com/news/opinion/mailbag/california-s-foie-gras-ban-must-be-enforced/article_08346810-ab93-11e2-8c5e-001a4bcf887a.html.

^{vi} *Force fed Birds*, *supra*, note 1 at 7 (“Grocers are Refusing to Purchase Foie Gras.”).

^{vii} See Joshua I. Grant, *Hell to Sound Trumpets: Why Chicago's Ban on Foie Gras Was Constitutional and What It Means for the Future of Animal Welfare Laws*, 2 STAN. J. ANIMAL L. & POL'Y 52, 98 (2009).