

104TH CONGRESS  
2D SESSION

# S. 1847

To amend the Packers and Stockyards Act, 1921, to make it unlawful for any stockyard owner, market agency, or dealer to transfer or market nonambulatory cattle, sheep, swine, horses, mules, or goats, and for other purposes.

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## IN THE SENATE OF THE UNITED STATES

JUNE 6, 1996

Mr. AKAKA (for himself and Mr. SMITH) introduced the following bill; which was read twice and referred to the Committee on Agriculture, Nutrition, and Forestry

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## A BILL

To amend the Packers and Stockyards Act, 1921, to make it unlawful for any stockyard owner, market agency, or dealer to transfer or market nonambulatory cattle, sheep, swine, horses, mules, or goats, 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) UNLAWFUL PRACTICES.—Title III of the Pack-  
4 ers and Stockyards Act, 1921, is amended by inserting  
5 after section 317 (7 U.S.C. 217a) the following new sec-  
6 tion:

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

9 “(a) DEFINITIONS.—As used in this section:

10 “(1) The term ‘humanely euthanized’ means to  
11 kill an animal by mechanical, chemical, or other  
12 means that immediately render the animal uncon-  
13 scious, with this state remaining until the animal’s  
14 death.

15 “(2) The term ‘nonambulatory livestock’ means  
16 any livestock that is unable to stand and walk unas-  
17 sisted.

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

23 “(c) EFFECTIVE DATE; RULES.—Section 318 of the  
24 Packers and Stockyards Act, 1921, as added by subsection  
25 (a), shall take effect at the end of the one-year period be-  
26 ginning on the date of the enactment of this Act. By the

1 end of such period, the Secretary shall issue rules to im-  
2 plement such section.

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