

4:22-25.5 & 4:22-26
LEGISLATIVE HISTORY CHECKLIST
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LAWS OF: 2012 **CHAPTER:** 52

NJSA: 4:22-25.5 & 4:22-26 (Prohibits slaughter of horses and sale of horse flesh for human consumption)

BILL NO: A2023 (Substituted for S1976)

SPONSOR(S) Dancer and others

DATE INTRODUCED: January 10, 2012

COMMITTEE: **ASSEMBLY:** Agriculture and Natural Resources

SENATE: Economic Growth

AMENDED DURING PASSAGE: Yes

DATE OF PASSAGE: **ASSEMBLY:** June 25, 2012

SENATE: June 25, 2012

DATE OF APPROVAL: September 19, 2012

FOLLOWING ARE ATTACHED IF AVAILABLE:

FINAL TEXT OF BILL (Second Reprint)

A2023	SPONSOR'S STATEMENT: (Begins on page 6 of original bill)	Yes
	COMMITTEE STATEMENT:	ASSEMBLY: Yes
		SENATE: Yes

(Audio archived recordings of the committee meetings, corresponding to the date of the committee statement, *may possibly* be found at www.njleg.state.nj.us)

FLOOR AMENDMENT STATEMENT: No

LEGISLATIVE FISCAL ESTIMATE: No

S1976

SPONSOR'S STATEMENT: (Begins on page 6 of original bill) Yes

COMMITTEE STATEMENT: **ASSEMBLY:** No

SENATE: Yes

FLOOR AMENDMENT STATEMENT: No

LEGISLATIVE FISCAL ESTIMATE: No

VETO MESSAGE: No

GOVERNOR'S PRESS RELEASE ON SIGNING: Yes

(continued)

FOLLOWING WERE PRINTED:

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REPORTS: No

HEARINGS: No

NEWSPAPER ARTICLES: No

LAW/RWH

P.L.2012, CHAPTER 52, *approved September 19, 2012*
Assembly, No. 2023 (*Second Reprint*)

1 AN ACT concerning the slaughter of horses and sale of horseflesh
2 for human consumption, amending R.S.4:22-26, and
3 supplementing Title 4 of the Revised Statutes.

4

5 **BE IT ENACTED** by the Senate and General Assembly of the State
6 of New Jersey:

7

8 1. (New section)a. Any person who knowingly slaughters a
9 horse for human consumption commits a disorderly persons offense.

10 b. Any person who sells, barter, or offers for sale or barter, at
11 wholesale or retail, for human consumption, the flesh of a horse or
12 any product made in whole or in part from the flesh of a horse
13 commits a disorderly persons offense, provided that the person
14 knew or reasonably should have known that the flesh was from a
15 horse, or that the product was made in whole or in part from the
16 flesh of a horse.

17 c. ¹Any person who knowingly transports a horse for the
18 purpose of slaughter for human consumption, or who knowingly
19 transports horsemeat, or any product made in whole or in part from
20 the flesh of a horse, for the purpose of human consumption,
21 commits a disorderly persons offense.

22 d.¹ Notwithstanding the provisions of Title 2C of the New
23 Jersey Statutes to the contrary, any person found guilty of violating
24 this section shall be subject to a fine of not less than \$100 and a
25 term of imprisonment of not less than 30 days.

26 ¹e. Nothing in this section shall be construed to impose liability
27 on a newspaper that ²inadvertently, unintentionally, or
28 unknowingly² accepts or publishes advertising ²[for items that may
29 fall within the scope of subsection a. or b.] that includes the
30 offering for sale, trade, or distribution of any item in violation of
31 any provision of this section. However, if a newspaper knowingly
32 accepts or publishes advertising that includes the offering for sale,
33 trade, or distribution any such item, the newspaper shall be in
34 violation of the applicable provisions² of this section.¹

35

36 2. R.S.4:22-26 is amended to read as follows:

37 4:22-26. A person who shall:

EXPLANATION – Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

¹Assembly AAN committee amendments adopted May 14, 2012.

²Senate SEG committee amendments adopted June 4, 2012.

- 1 a. (1) Overdrive, overload, drive when overloaded, overwork,
2 deprive of necessary sustenance, abuse, or needlessly kill a living
3 animal or creature, or cause or procure, by any direct or indirect
4 means, including but not limited to through the use of another living
5 animal or creature, any such acts to be done;
- 6 (2) Torment, torture, maim, hang, poison, unnecessarily or
7 cruelly beat, or needlessly mutilate a living animal or creature, or
8 cause or procure, by any direct or indirect means, including but not
9 limited to through the use of another living animal or creature, any
10 such acts to be done;
- 11 (3) Cruelly kill, or cause or procure, by any direct or indirect
12 means, including but not limited to through the use of another living
13 animal or creature, the cruel killing of, a living animal or creature,
14 or otherwise cause or procure, by any direct or indirect means,
15 including but not limited to through the use of another living animal
16 or creature, the death of a living animal or creature from
17 commission of any act described in paragraph (2) of this subsection;
- 18 b. (Deleted by amendment, P.L.2003, c.232).
- 19 c. Inflict unnecessary cruelty upon a living animal or creature,
20 by any direct or indirect means, including but not limited to through
21 the use of another living animal or creature; or unnecessarily fail to
22 provide a living animal or creature of which the person has charge
23 either as an owner or otherwise with proper food, drink, shelter or
24 protection from the weather; or leave it unattended in a vehicle
25 under inhumane conditions adverse to the health or welfare of the
26 living animal or creature;
- 27 d. Receive or offer for sale a horse that is suffering from abuse
28 or neglect, or which by reason of disability, disease, abuse or
29 lameness, or any other cause, could not be worked, ridden or
30 otherwise used for show, exhibition or recreational purposes, or
31 kept as a domestic pet without violating the provisions of this
32 article;
- 33 e. Keep, use, be connected with or interested in the
34 management of, or receive money or other consideration for the
35 admission of a person to, a place kept or used for the purpose of
36 fighting or baiting a living animal or creature;
- 37 f. Be present and witness, pay admission to, encourage, aid or
38 assist in an activity enumerated in subsection e. of this section;
- 39 g. Permit or suffer a place owned or controlled by him to be
40 used as provided in subsection e. of this section;
- 41 h. Carry, or cause to be carried, a living animal or creature in
42 or upon a vehicle or otherwise, in a cruel or inhumane manner;
- 43 i. Use a dog or dogs for the purpose of drawing or helping to
44 draw a vehicle for business purposes;
- 45 j. Impound or confine or cause to be impounded or confined in
46 a pound or other place a living animal or creature, and shall fail to

- 1 supply it during such confinement with a sufficient quantity of good
2 and wholesome food and water;
- 3 k. Abandon a maimed, sick, infirm or disabled animal or
4 creature to die in a public place;
- 5 l. Willfully sell, or offer to sell, use, expose, or cause or permit
6 to be sold or offered for sale, used or exposed, a horse or other
7 animal having the disease known as glanders or farcy, or other
8 contagious or infectious disease dangerous to the health or life of
9 human beings or animals, or who shall, when any such disease is
10 beyond recovery, refuse, upon demand, to deprive the animal of
11 life;
- 12 m. Own, operate, manage or conduct a roadside stand or market
13 for the sale of merchandise along a public street or highway; or a
14 shopping mall, or a part of the premises thereof; and keep a living
15 animal or creature confined, or allowed to roam in an area whether
16 or not the area is enclosed, on these premises as an exhibit; except
17 that this subsection shall not be applicable to: a pet shop licensed
18 pursuant to P.L.1941, c.151 (C.4:19-15.1 et seq.); a person who
19 keeps an animal, in a humane manner, for the purpose of the
20 protection of the premises; or a recognized breeders' association, a
21 4-H club, an educational agricultural program, an equestrian team, a
22 humane society or other similar charitable or nonprofit organization
23 conducting an exhibition, show or performance;
- 24 n. Keep or exhibit a wild animal at a roadside stand or market
25 located along a public street or highway of this State; a gasoline
26 station; or a shopping mall, or a part of the premises thereof;
- 27 o. Sell, offer for sale, barter or give away or display live baby
28 chicks, ducklings or other fowl or rabbits, turtles or chameleons
29 which have been dyed or artificially colored or otherwise treated so
30 as to impart to them an artificial color;
- 31 p. Use any animal, reptile, or fowl for the purpose of soliciting
32 any alms, collections, contributions, subscriptions, donations, or
33 payment of money except in connection with exhibitions, shows or
34 performances conducted in a bona fide manner by recognized
35 breeders' associations, 4-H clubs or other similar bona fide
36 organizations;
- 37 q. Sell or offer for sale, barter, or give away living rabbits,
38 turtles, baby chicks, ducklings or other fowl under two months of
39 age, for use as household or domestic pets;
- 40 r. Sell, offer for sale, barter or give away living baby chicks,
41 ducklings or other fowl, or rabbits, turtles or chameleons under two
42 months of age for any purpose not prohibited by subsection q. of
43 this section and who shall fail to provide proper facilities for the
44 care of such animals;
- 45 s. Artificially mark sheep or cattle, or cause them to be
46 marked, by cropping or cutting off both ears, cropping or cutting
47 either ear more than one inch from the tip end thereof, or half

- 1 cropping or cutting both ears or either ear more than one inch from
2 the tip end thereof, or who shall have or keep in the person's
3 possession sheep or cattle, which the person claims to own, marked
4 contrary to this subsection unless they were bought in market or of
5 a stranger;
- 6 t. Abandon a domesticated animal;
- 7 u. For amusement or gain, cause, allow, or permit the fighting
8 or baiting of a living animal or creature;
- 9 v. Own, possess, keep, train, promote, purchase, or knowingly
10 sell a living animal or creature for the purpose of fighting or baiting
11 that animal or creature;
- 12 w. Gamble on the outcome of a fight involving a living animal
13 or creature;
- 14 x. Knowingly sell or barter or offer for sale or barter, at
15 wholesale or retail, the fur or hair of a domestic dog or cat or any
16 product made in whole or in part from the fur or hair of a domestic
17 dog or cat, unless such fur or hair for sale or barter is from a
18 commercial grooming establishment or a veterinary office or clinic
19 or is for use for scientific research;
- 20 y. (1) Knowingly sell or barter ¹ or offer for sale or barter, at
21 wholesale or retail, for human consumption, the flesh of a domestic
22 dog or cat ¹ or any product made in whole or in part from the flesh
23 of a domestic dog or cat;
- 24 (2) Knowingly slaughter a horse for human consumption;
- 25 (3) Knowingly sell or barter, or offer for sale or barter, at
26 wholesale or retail, for human consumption, the flesh of a horse, or
27 any product made in whole or in part from the flesh of a horse ¹,
28 ²[except that this paragraph shall not apply to any newspaper that
29 accepts, or publishes, advertising for items that may violate the
30 prohibition established in this paragraph] or knowingly accept or
31 publish newspaper advertising that includes the offering for sale,
32 trade, or distribution of any such item for human consumption² ;
- 33 (4) Knowingly transport a horse for the purpose of slaughter for
34 human consumption;
- 35 (5) Knowingly transport horsemeat, or any product made in
36 whole or in part from the flesh of a horse, for the purpose of human
37 consumption¹ ;
- 38 z. Surgically debark or silence a dog in violation of section 1
39 or 2 of P.L.2002, c.102 (C.4:19-38 or C.4:19-39);
- 40 aa. Use a live pigeon, fowl or other bird for the purpose of a
41 target, or to be shot at either for amusement or as a test of skill in
42 marksmanship, except that this subsection and subsections bb. and
43 cc. shall not apply to the shooting of game;
- 44 bb. Shoot at a bird used as described in subsection aa. of this
45 section, or is a party to such shooting; or

1 cc. Lease a building, room, field or premises, or knowingly
2 permit the use thereof for the purposes of subsection aa. or bb. of
3 this section --

4 Shall forfeit and pay a sum according to the following schedule,
5 to be sued for and recovered, with costs, in a civil action by any
6 person in the name of the New Jersey Society for the Prevention of
7 Cruelty to Animals or a county society for the prevention of cruelty
8 to animals, as appropriate, or, in the name of the municipality if
9 brought by a certified animal control officer or animal cruelty
10 investigator:

11 For a violation of subsection e., f., g., u., v., w., or z. of this
12 section or of paragraph (3) of subsection a. of this section, or for a
13 second or subsequent violation of paragraph (2) of subsection a. of
14 this section, a sum of not less than \$3,000 nor more than \$5,000;

15 For a violation of subsection l. of this section or for a first
16 violation of paragraph (2) of subsection a. of this section, a sum of
17 not less than \$1,000 nor more than \$3,000;

18 For a violation of subsection x. or paragraph (1) of subsection y.
19 of this section, a sum of not less than \$500 nor more than \$1,000 for
20 each domestic dog or cat fur or fur or hair product or domestic dog
21 or cat carcass or meat product sold, bartered, or offered for sale or
22 barter;

23 For a violation of paragraph (2) ²[or],² (3) ², (4), or (5)² of
24 subsection y. of this section, a sum of not less than \$500 nor more
25 than \$1,000 for each horse slaughtered ²or transported for the
26 purpose of slaughter for human consumption², or for each horse
27 carcass or meat product transported, sold ²[.] or² bartered, or
28 offered ²or advertised² for sale or barter;

29 ²[¹For a violation of paragraph (4) or (5) of subsection y. of this
30 section, a sum of not less than \$500 nor more than \$1,000 for each
31 horse transported for slaughter, or for each horsemeat product
32 transported, for human consumption;¹]²

33 For a violation of subsection t. of this section, a sum of not less
34 than \$500 nor more than \$1,000, but if the violation occurs on or
35 near a highway, a mandatory sum of \$1,000;

36 For a violation of subsection c., d., h., j., k., aa., bb., or cc. of this
37 section or of paragraph (1) of subsection a. of this section, a sum of
38 not less than \$250 nor more than \$1,000; and

39 For a violation of subsection i., m., n., o., p., q., r., or s. of this
40 section, a sum of not less than \$250 nor more than \$500.

41 ²[cf: P.L.2005, c.372, s.16.] (cf: P.L.2005, c.372, s.16)²

42

43 3. This act shall take effect immediately.

1

2

3

Prohibits slaughter of horses and sale of horseflesh for human

4

consumption.

ASSEMBLY, No. 2023

STATE OF NEW JERSEY
215th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2012 SESSION

Sponsored by:

Assemblyman RONALD S. DANCER

District 12 (Burlington, Middlesex, Monmouth and Ocean)

Assemblyman GILBERT "WHIP" L. WILSON

District 5 (Camden and Gloucester)

Co-Sponsored by:

Assemblywoman Wagner

SYNOPSIS

Prohibits slaughter of horses and sale of horseflesh for human consumption.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 5/15/2012)

1 AN ACT concerning the slaughter of horses and sale of horseflesh
2 for human consumption, amending R.S.4:22-26, and
3 supplementing Title 4 of the Revised Statutes.
4

5 **BE IT ENACTED** by the Senate and General Assembly of the State
6 of New Jersey:

7
8 1. (New section) a. Any person who knowingly slaughters a
9 horse for human consumption commits a disorderly persons offense.

10 b. Any person who sells, barter, or offers for sale or barter, at
11 wholesale or retail, for human consumption, the flesh of a horse or
12 any product made in whole or in part from the flesh of a horse
13 commits a disorderly persons offense, provided that the person
14 knew or reasonably should have known that the flesh was from a
15 horse, or that the product was made in whole or in part from the
16 flesh of a horse.

17 c. Notwithstanding the provisions of Title 2C of the New
18 Jersey Statutes to the contrary, any person found guilty of violating
19 this section shall be subject to a fine of not less than \$100 and a
20 term of imprisonment of not less than 30 days.
21

22 2. R.S.4:22-26 is amended to read as follows:

23 4:22-26. A person who shall:

24 a. (1) Overdrive, overload, drive when overloaded, overwork,
25 deprive of necessary sustenance, abuse, or needlessly kill a living
26 animal or creature, or cause or procure, by any direct or indirect
27 means, including but not limited to through the use of another living
28 animal or creature, any such acts to be done;

29 (2) Torment, torture, maim, hang, poison, unnecessarily or
30 cruelly beat, or needlessly mutilate a living animal or creature, or
31 cause or procure, by any direct or indirect means, including but not
32 limited to through the use of another living animal or creature, any
33 such acts to be done;

34 (3) Cruelly kill, or cause or procure, by any direct or indirect
35 means, including but not limited to through the use of another living
36 animal or creature, the cruel killing of, a living animal or creature,
37 or otherwise cause or procure, by any direct or indirect means,
38 including but not limited to through the use of another living animal
39 or creature, the death of a living animal or creature from
40 commission of any act described in paragraph (2) of this subsection;

41 b. (Deleted by amendment, P.L.2003, c.232).

42 c. Inflict unnecessary cruelty upon a living animal or creature,
43 by any direct or indirect means, including but not limited to through
44 the use of another living animal or creature; or unnecessarily fail to

EXPLANATION – Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

- 1 provide a living animal or creature of which the person has charge
2 either as an owner or otherwise with proper food, drink, shelter or
3 protection from the weather; or leave it unattended in a vehicle
4 under inhumane conditions adverse to the health or welfare of the
5 living animal or creature;
- 6 d. Receive or offer for sale a horse that is suffering from abuse
7 or neglect, or which by reason of disability, disease, abuse or
8 lameness, or any other cause, could not be worked, ridden or
9 otherwise used for show, exhibition or recreational purposes, or
10 kept as a domestic pet without violating the provisions of this
11 article;
- 12 e. Keep, use, be connected with or interested in the
13 management of, or receive money or other consideration for the
14 admission of a person to, a place kept or used for the purpose of
15 fighting or baiting a living animal or creature;
- 16 f. Be present and witness, pay admission to, encourage, aid or
17 assist in an activity enumerated in subsection e. of this section;
- 18 g. Permit or suffer a place owned or controlled by him to be
19 used as provided in subsection e. of this section;
- 20 h. Carry, or cause to be carried, a living animal or creature in
21 or upon a vehicle or otherwise, in a cruel or inhumane manner;
- 22 i. Use a dog or dogs for the purpose of drawing or helping to
23 draw a vehicle for business purposes;
- 24 j. Impound or confine or cause to be impounded or confined in
25 a pound or other place a living animal or creature, and shall fail to
26 supply it during such confinement with a sufficient quantity of good
27 and wholesome food and water;
- 28 k. Abandon a maimed, sick, infirm or disabled animal or
29 creature to die in a public place;
- 30 l. Willfully sell, or offer to sell, use, expose, or cause or permit
31 to be sold or offered for sale, used or exposed, a horse or other
32 animal having the disease known as glanders or farcy, or other
33 contagious or infectious disease dangerous to the health or life of
34 human beings or animals, or who shall, when any such disease is
35 beyond recovery, refuse, upon demand, to deprive the animal of
36 life;
- 37 m. Own, operate, manage or conduct a roadside stand or market
38 for the sale of merchandise along a public street or highway; or a
39 shopping mall, or a part of the premises thereof; and keep a living
40 animal or creature confined, or allowed to roam in an area whether
41 or not the area is enclosed, on these premises as an exhibit; except
42 that this subsection shall not be applicable to: a pet shop licensed
43 pursuant to P.L.1941, c.151 (C.4:19-15.1 et seq.); a person who
44 keeps an animal, in a humane manner, for the purpose of the
45 protection of the premises; or a recognized breeders' association, a
46 4-H club, an educational agricultural program, an equestrian team, a

- 1 humane society or other similar charitable or nonprofit organization
2 conducting an exhibition, show or performance;
- 3 n. Keep or exhibit a wild animal at a roadside stand or market
4 located along a public street or highway of this State; a gasoline
5 station; or a shopping mall, or a part of the premises thereof;
- 6 o. Sell, offer for sale, barter or give away or display live baby
7 chicks, ducklings or other fowl or rabbits, turtles or chameleons
8 which have been dyed or artificially colored or otherwise treated so
9 as to impart to them an artificial color;
- 10 p. Use any animal, reptile, or fowl for the purpose of soliciting
11 any alms, collections, contributions, subscriptions, donations, or
12 payment of money except in connection with exhibitions, shows or
13 performances conducted in a bona fide manner by recognized
14 breeders' associations, 4-H clubs or other similar bona fide
15 organizations;
- 16 q. Sell or offer for sale, barter, or give away living rabbits,
17 turtles, baby chicks, ducklings or other fowl under two months of
18 age, for use as household or domestic pets;
- 19 r. Sell, offer for sale, barter or give away living baby chicks,
20 ducklings or other fowl, or rabbits, turtles or chameleons under two
21 months of age for any purpose not prohibited by subsection q. of
22 this section and who shall fail to provide proper facilities for the
23 care of such animals;
- 24 s. Artificially mark sheep or cattle, or cause them to be
25 marked, by cropping or cutting off both ears, cropping or cutting
26 either ear more than one inch from the tip end thereof, or half
27 cropping or cutting both ears or either ear more than one inch from
28 the tip end thereof, or who shall have or keep in the person's
29 possession sheep or cattle, which the person claims to own, marked
30 contrary to this subsection unless they were bought in market or of
31 a stranger;
- 32 t. Abandon a domesticated animal;
- 33 u. For amusement or gain, cause, allow, or permit the fighting
34 or baiting of a living animal or creature;
- 35 v. Own, possess, keep, train, promote, purchase, or knowingly
36 sell a living animal or creature for the purpose of fighting or baiting
37 that animal or creature;
- 38 w. Gamble on the outcome of a fight involving a living animal
39 or creature;
- 40 x. Knowingly sell or barter or offer for sale or barter, at
41 wholesale or retail, the fur or hair of a domestic dog or cat or any
42 product made in whole or in part from the fur or hair of a domestic
43 dog or cat, unless such fur or hair for sale or barter is from a
44 commercial grooming establishment or a veterinary office or clinic
45 or is for use for scientific research;
- 46 y. (1) Knowingly sell or barter , or offer for sale or barter, at
47 wholesale or retail, for human consumption, the flesh of a domestic

1 dog or cat , or any product made in whole or in part from the flesh
2 of a domestic dog or cat;

3 (2) Knowingly slaughter a horse for human consumption;

4 (3) Knowingly sell or barter, or offer for sale or barter, at
5 wholesale or retail, for human consumption, the flesh of a horse, or
6 any product made in whole or in part from the flesh of a horse;

7 z. Surgically debark or silence a dog in violation of section 1
8 or 2 of P.L.2002, c.102 (C.4:19-38 or C.4:19-39);

9 aa. Use a live pigeon, fowl or other bird for the purpose of a
10 target, or to be shot at either for amusement or as a test of skill in
11 marksmanship, except that this subsection and subsections bb. and
12 cc. shall not apply to the shooting of game;

13 bb. Shoot at a bird used as described in subsection aa. of this
14 section, or is a party to such shooting; or

15 cc. Lease a building, room, field or premises, or knowingly
16 permit the use thereof for the purposes of subsection aa. or bb. of
17 this section --

18 Shall forfeit and pay a sum according to the following schedule,
19 to be sued for and recovered, with costs, in a civil action by any
20 person in the name of the New Jersey Society for the Prevention of
21 Cruelty to Animals or a county society for the prevention of cruelty
22 to animals, as appropriate, or, in the name of the municipality if
23 brought by a certified animal control officer or animal cruelty
24 investigator:

25 For a violation of subsection e., f., g., u., v., w., or z. of this
26 section or of paragraph (3) of subsection a. of this section, or for a
27 second or subsequent violation of paragraph (2) of subsection a. of
28 this section, a sum of not less than \$3,000 nor more than \$5,000;

29 For a violation of subsection l. of this section or for a first
30 violation of paragraph (2) of subsection a. of this section, a sum of
31 not less than \$1,000 nor more than \$3,000;

32 For a violation of subsection x. or paragraph (1) of subsection y.
33 of this section, a sum of not less than \$500 nor more than \$1,000 for
34 each domestic dog or cat fur or fur or hair product or domestic dog
35 or cat carcass or meat product sold, bartered, or offered for sale or
36 barter;

37 For a violation of paragraph (2) or (3) of subsection y. of this
38 section, a sum of not less than \$500 nor more than \$1,000 for each
39 horse slaughtered, or for each horse carcass or meat product sold,
40 bartered, or offered for sale or barter;

41 For a violation of subsection t. of this section, a sum of not less
42 than \$500 nor more than \$1,000, but if the violation occurs on or
43 near a highway, a mandatory sum of \$1,000;

44 For a violation of subsection c., d., h., j., k., aa., bb., or cc. of this
45 section or of paragraph (1) of subsection a. of this section, a sum of
46 not less than \$250 nor more than \$1,000; and

1 For a violation of subsection i., m., n., o., p., q., r., or s. of this
2 section, a sum of not less than \$250 nor more than \$500.
3 cf: P.L.2005, c.372, s.16.
4

5 3. This act shall take effect immediately.
6
7

8 STATEMENT
9

10 This bill would prohibit a person from knowingly slaughtering a
11 horse for human consumption purposes, and from knowingly
12 selling, bartering, or attempting to sell or barter, at wholesale or
13 retail, for human consumption, the flesh of a horse, or any product
14 made in whole or in part from the flesh of a horse. Any person
15 violating the bill's prohibitions would be guilty of a disorderly
16 persons offense, and would be subject to a minimum criminal
17 penalty of \$100 and imprisonment of not less than 30 days. Such a
18 person would additionally be liable to pay a civil fine of between
19 \$500 and \$1,000 for each horse slaughtered, and for each horse
20 carcass or meat product sold, bartered, or offered for sale or barter,
21 in violation of the bill's provisions.

ASSEMBLY AGRICULTURE AND NATURAL RESOURCES
COMMITTEE

STATEMENT TO
ASSEMBLY, No. 2023

with committee amendments

STATE OF NEW JERSEY

DATED: MAY 14, 2012

The Assembly Agriculture and Natural Resources Committee reports favorably, and with committee amendments, Assembly Bill No. 2023.

This bill, as amended, would prohibit a person from (1) knowingly slaughtering a horse for human consumption purposes; (2) knowingly selling, bartering, or attempting to sell or barter, at wholesale or retail, for human consumption purposes, the flesh of a horse, or any product made in whole or in part from the flesh of a horse; (3) knowingly transporting a horse for the purpose of slaughter for human consumption; or (4) knowingly transporting horsemeat, or any product made in whole or in part from the flesh of a horse, for the purpose of human consumption.

Any person violating the bill's prohibitions would be guilty of a disorderly persons offense, and would be subject to a minimum criminal penalty of \$100 and imprisonment of not less than 30 days. Such a person would additionally be liable to pay a civil fine of between \$500 and \$1,000 for each horse that has been slaughtered or transported for slaughter, and for each horse carcass or meat product that has been sold, bartered, offered for sale or barter, or transported for human consumption purposes in violation of the bill's provisions.

As amended by the committee, the bill would exempt from liability, any newspaper that accepts or publishes advertising for the sale of items that may fall within the scope of the bill's prohibition.

COMMITTEE AMENDMENTS

The committee amendments:

1) establish as disorderly persons offenses, the act of transporting a horse for the purposes of slaughter for human consumption, and the act of transporting horsemeat for the purposes of human consumption; and

2) provide an express exemption from the bill's provisions for newspapers that publish advertising for items that may fall within the scope of the bill's prohibitions.

SENATE ECONOMIC GROWTH COMMITTEE

STATEMENT TO

[First Reprint]

ASSEMBLY, No. 2023

with committee amendments

STATE OF NEW JERSEY

DATED: JUNE 4, 2012

The Senate Economic Growth Committee reports favorably Assembly Bill, No. 2023 (1R) with committee amendments.

As amended, this bill, amends R.S.4:22-26 and supplements Title 4 of the Revised Statutes to prohibit a person from: 1) knowingly slaughtering a horse for human consumption purposes; 2) knowingly selling, bartering, or attempting to sell or barter, at wholesale or retail, for human consumption purposes, the flesh of a horse, or any product made in whole or in part from the flesh of a horse; 3) knowingly transporting a horse for the purpose of slaughter for human consumption; or 4) knowingly transporting horsemeat, or any product made in whole or in part from the flesh of a horse, for the purpose of human consumption.

The amended bill would exempt from liability under its provisions, a newspaper that inadvertently, unintentionally, or unknowingly accepts or publishes advertising that includes the offering for sale, trade, or distribution of any horseflesh product in violation of the bill's prohibitions. However, whenever a newspaper knowingly accepts or publishes advertising that includes the offering for sale, trade, or distribution of such a product, the newspaper would not be exempt from liability and would be fully subject to the bill's penalty provisions.

Any person violating the amended bill's prohibitions would be guilty of a disorderly persons offense, and would be subject to a minimum criminal penalty of \$100 and imprisonment of not less than 30 days. Such a person would additionally be liable to pay a civil fine of between \$500 and \$1,000 for each horse that has been slaughtered or transported for purposes of slaughter for human consumption, and for each horse carcass or meat product that has been sold, bartered, offered for sale or barter, or transported for the purpose of human consumption in violation of the bill's provisions.

The committee amended the bill to exempt from liability under its provisions, a newspaper that inadvertently, unintentionally, or unknowingly accepts or publishes advertising that includes the offering for sale, trade, or distribution of any horseflesh product in

violation of the bill's prohibitions; however, whenever a newspaper knowingly accepts or publishes advertising that includes the offering for sale, trade, or distribution of any horseflesh product, the newspaper would not be exempt from liability and would be fully subject to the bill's penalty provisions. The amended bill had previously provided an express exemption for newspapers that knowingly accepts or publishes advertising for items that may fall within the scope of the bill's prohibitions. The amendments also correct a grammatical and a reference error.

As amended and reported by the committee, Assembly Bill No. 2023 (1R) is identical to Senate Bill No. 1976 which was also amended and reported by the committee on this date.

SENATE, No. 1976

STATE OF NEW JERSEY 215th LEGISLATURE

INTRODUCED MAY 24, 2012

Sponsored by:

Senator RAYMOND J. LESNIAK

District 20 (Union)

Senator FRED H. MADDEN, JR.

District 4 (Camden and Gloucester)

SYNOPSIS

Prohibits slaughter of horses and sale of horseflesh for human consumption.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 5/25/2012)

1 AN ACT concerning the slaughter of horses and sale of horseflesh
2 for human consumption, amending R.S.4:22-26, and
3 supplementing Title 4 of the Revised Statutes.

4
5 **BE IT ENACTED** by the Senate and General Assembly of the State
6 of New Jersey:

7
8 1. (New section) a. Any person who knowingly slaughters a
9 horse for human consumption commits a disorderly persons offense.

10 b. Any person who sells, barter, or offers for sale or barter, at
11 wholesale or retail, for human consumption, the flesh of a horse or
12 any product made in whole or in part from the flesh of a horse
13 commits a disorderly persons offense, provided that the person
14 knew or reasonably should have known that the flesh was from a
15 horse, or that the product was made in whole or in part from the
16 flesh of a horse.

17 c. Any person who knowingly transports a horse for the
18 purpose of slaughter for human consumption, or who knowingly
19 transports horsemeat, or any product made in whole or in part from
20 the flesh of a horse, for the purpose of human consumption,
21 commits a disorderly persons offense.

22 d. Notwithstanding the provisions of Title 2C of the New Jersey
23 Statutes to the contrary, any person found guilty of violating this
24 section shall be subject to a fine of not less than \$100 and a term of
25 imprisonment of not less than 30 days.

26 e. Nothing in this section shall be construed to impose liability
27 on a newspaper that inadvertently, unintentionally, or unknowingly
28 accepts or publishes advertising that includes the offering for sale,
29 trade, or distribution of any item in violation of any provision of
30 this section. However, if a newspaper knowingly accepts or
31 publishes advertising that includes the offering for sale, trade, or
32 distribution any such item, the newspaper shall be in violation of
33 the applicable provisions of this section.

34
35 2. R.S.4:22-26 is amended to read as follows:

36 4:22-26. A person who shall:

37 a. (1) Overdrive, overload, drive when overloaded, overwork,
38 deprive of necessary sustenance, abuse, or needlessly kill a living
39 animal or creature, or cause or procure, by any direct or indirect
40 means, including but not limited to through the use of another living
41 animal or creature, any such acts to be done;

42 (2) Torment, torture, maim, hang, poison, unnecessarily or
43 cruelly beat, or needlessly mutilate a living animal or creature, or
44 cause or procure, by any direct or indirect means, including but not

EXPLANATION – Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

- 1 limited to through the use of another living animal or creature, any
2 such acts to be done;
- 3 (3) Cruelly kill, or cause or procure, by any direct or indirect
4 means, including but not limited to through the use of another living
5 animal or creature, the cruel killing of, a living animal or creature,
6 or otherwise cause or procure, by any direct or indirect means,
7 including but not limited to through the use of another living animal
8 or creature, the death of a living animal or creature from
9 commission of any act described in paragraph (2) of this subsection;
- 10 b. (Deleted by amendment, P.L.2003, c.232).
- 11 c. Inflict unnecessary cruelty upon a living animal or creature,
12 by any direct or indirect means, including but not limited to through
13 the use of another living animal or creature; or unnecessarily fail to
14 provide a living animal or creature of which the person has charge
15 either as an owner or otherwise with proper food, drink, shelter or
16 protection from the weather; or leave it unattended in a vehicle
17 under inhumane conditions adverse to the health or welfare of the
18 living animal or creature;
- 19 d. Receive or offer for sale a horse that is suffering from abuse
20 or neglect, or which by reason of disability, disease, abuse or
21 lameness, or any other cause, could not be worked, ridden or
22 otherwise used for show, exhibition or recreational purposes, or
23 kept as a domestic pet without violating the provisions of this
24 article;
- 25 e. Keep, use, be connected with or interested in the
26 management of, or receive money or other consideration for the
27 admission of a person to, a place kept or used for the purpose of
28 fighting or baiting a living animal or creature;
- 29 f. Be present and witness, pay admission to, encourage, aid or
30 assist in an activity enumerated in subsection e. of this section;
- 31 g. Permit or suffer a place owned or controlled by him to be
32 used as provided in subsection e. of this section;
- 33 h. Carry, or cause to be carried, a living animal or creature in
34 or upon a vehicle or otherwise, in a cruel or inhumane manner;
- 35 i. Use a dog or dogs for the purpose of drawing or helping to
36 draw a vehicle for business purposes;
- 37 j. Impound or confine or cause to be impounded or confined in
38 a pound or other place a living animal or creature, and shall fail to
39 supply it during such confinement with a sufficient quantity of good
40 and wholesome food and water;
- 41 k. Abandon a maimed, sick, infirm or disabled animal or
42 creature to die in a public place;
- 43 l. Willfully sell, or offer to sell, use, expose, or cause or permit
44 to be sold or offered for sale, used or exposed, a horse or other
45 animal having the disease known as glanders or farcy, or other
46 contagious or infectious disease dangerous to the health or life of
47 human beings or animals, or who shall, when any such disease is

- 1 beyond recovery, refuse, upon demand, to deprive the animal of
2 life;
- 3 m. Own, operate, manage or conduct a roadside stand or market
4 for the sale of merchandise along a public street or highway; or a
5 shopping mall, or a part of the premises thereof; and keep a living
6 animal or creature confined, or allowed to roam in an area whether
7 or not the area is enclosed, on these premises as an exhibit; except
8 that this subsection shall not be applicable to: a pet shop licensed
9 pursuant to P.L.1941, c.151 (C.4:19-15.1 et seq.); a person who
10 keeps an animal, in a humane manner, for the purpose of the
11 protection of the premises; or a recognized breeders' association, a
12 4-H club, an educational agricultural program, an equestrian team, a
13 humane society or other similar charitable or nonprofit organization
14 conducting an exhibition, show or performance;
- 15 n. Keep or exhibit a wild animal at a roadside stand or market
16 located along a public street or highway of this State; a gasoline
17 station; or a shopping mall, or a part of the premises thereof;
- 18 o. Sell, offer for sale, barter or give away or display live baby
19 chicks, ducklings or other fowl or rabbits, turtles or chameleons
20 which have been dyed or artificially colored or otherwise treated so
21 as to impart to them an artificial color;
- 22 p. Use any animal, reptile, or fowl for the purpose of soliciting
23 any alms, collections, contributions, subscriptions, donations, or
24 payment of money except in connection with exhibitions, shows or
25 performances conducted in a bona fide manner by recognized
26 breeders' associations, 4-H clubs or other similar bona fide
27 organizations;
- 28 q. Sell or offer for sale, barter, or give away living rabbits,
29 turtles, baby chicks, ducklings or other fowl under two months of
30 age, for use as household or domestic pets;
- 31 r. Sell, offer for sale, barter or give away living baby chicks,
32 ducklings or other fowl, or rabbits, turtles or chameleons under two
33 months of age for any purpose not prohibited by subsection q. of
34 this section and who shall fail to provide proper facilities for the
35 care of such animals;
- 36 s. Artificially mark sheep or cattle, or cause them to be
37 marked, by cropping or cutting off both ears, cropping or cutting
38 either ear more than one inch from the tip end thereof, or half
39 cropping or cutting both ears or either ear more than one inch from
40 the tip end thereof, or who shall have or keep in the person's
41 possession sheep or cattle, which the person claims to own, marked
42 contrary to this subsection unless they were bought in market or of
43 a stranger;
- 44 t. Abandon a domesticated animal;
- 45 u. For amusement or gain, cause, allow, or permit the fighting
46 or baiting of a living animal or creature;

- 1 v. Own, possess, keep, train, promote, purchase, or knowingly
2 sell a living animal or creature for the purpose of fighting or baiting
3 that animal or creature;
- 4 w. Gamble on the outcome of a fight involving a living animal
5 or creature;
- 6 x. Knowingly sell or barter or offer for sale or barter, at
7 wholesale or retail, the fur or hair of a domestic dog or cat or any
8 product made in whole or in part from the fur or hair of a domestic
9 dog or cat, unless such fur or hair for sale or barter is from a
10 commercial grooming establishment or a veterinary office or clinic
11 or is for use for scientific research;
- 12 y. (1) Knowingly sell or barter, or offer for sale or barter, at
13 wholesale or retail, for human consumption, the flesh of a domestic
14 dog or cat, or any product made in whole or in part from the flesh
15 of a domestic dog or cat;
- 16 (2) Knowingly slaughter a horse for human consumption;
- 17 (3) Knowingly sell or barter, or offer for sale or barter, at
18 wholesale or retail, for human consumption, the flesh of a horse, or
19 any product made in whole or in part from the flesh of a horse, or
20 knowingly accept or publish newspaper advertising that includes the
21 offering for sale, trade, or distribution of any such item for human
22 consumption;
- 23 (4) Knowingly transport a horse for the purpose of slaughter for
24 human consumption;
- 25 (5) Knowingly transport horsemeat, or any product made in
26 whole or in part from the flesh of a horse, for the purpose of human
27 consumption;
- 28 z. Surgically debark or silence a dog in violation of section 1
29 or 2 of P.L.2002, c.102 (C.4:19-38 or C.4:19-39);
- 30 aa. Use a live pigeon, fowl or other bird for the purpose of a
31 target, or to be shot at either for amusement or as a test of skill in
32 marksmanship, except that this subsection and subsections bb. and
33 cc. shall not apply to the shooting of game;
- 34 bb. Shoot at a bird used as described in subsection aa. of this
35 section, or is a party to such shooting; or
- 36 cc. Lease a building, room, field or premises, or knowingly
37 permit the use thereof for the purposes of subsection aa. or bb. of
38 this section --
- 39 Shall forfeit and pay a sum according to the following schedule,
40 to be sued for and recovered, with costs, in a civil action by any
41 person in the name of the New Jersey Society for the Prevention of
42 Cruelty to Animals or a county society for the prevention of cruelty
43 to animals, as appropriate, or, in the name of the municipality if
44 brought by a certified animal control officer or animal cruelty
45 investigator:
- 46 For a violation of subsection e., f., g., u., v., w., or z. of this
47 section or of paragraph (3) of subsection a. of this section, or for a

1 second or subsequent violation of paragraph (2) of subsection a. of
2 this section, a sum of not less than \$3,000 nor more than \$5,000;

3 For a violation of subsection l. of this section or for a first
4 violation of paragraph (2) of subsection a. of this section, a sum of
5 not less than \$1,000 nor more than \$3,000;

6 For a violation of subsection x. or paragraph (1) of subsection y.
7 of this section, a sum of not less than \$500 nor more than \$1,000 for
8 each domestic dog or cat fur or fur or hair product or domestic dog
9 or cat carcass or meat product sold, bartered, or offered for sale or
10 barter;

11 For a violation of paragraph (2), (3), (4), or (5) of subsection y.
12 of this section, a sum of not less than \$500 nor more than \$1,000 for
13 each horse slaughtered or transported for the purpose of slaughter
14 for human consumption, or for each horse carcass or meat product
15 transported, sold, bartered, or offered or advertised for sale or
16 barter;

17 For a violation of subsection t. of this section, a sum of not less
18 than \$500 nor more than \$1,000, but if the violation occurs on or
19 near a highway, a mandatory sum of \$1,000;

20 For a violation of subsection c., d., h., j., k., aa., bb., or cc. of this
21 section or of paragraph (1) of subsection a. of this section, a sum of
22 not less than \$250 nor more than \$1,000; and

23 For a violation of subsection i., m., n., o., p., q., r., or s. of this
24 section, a sum of not less than \$250 nor more than \$500.

25 cf: P.L.2005, c.372, s.16.

26

27 3. This act shall take effect immediately.

28

29

30

STATEMENT

31

32 This bill would prohibit a person from (1) knowingly
33 slaughtering a horse for human consumption purposes; (2)
34 knowingly selling, bartering, or attempting to sell or barter, at
35 wholesale or retail, for human consumption purposes, the flesh of a
36 horse, or any product made in whole or in part from the flesh of a
37 horse; (3) knowingly transporting a horse for the purpose of
38 slaughter for human consumption; or (4) knowingly transporting
39 horsemeat, or any product made in whole or in part from the flesh
40 of a horse, for the purpose of human consumption.

41 The bill would exempt from liability under its provisions, a
42 newspaper that inadvertently, unintentionally, or unknowingly
43 accepts or publishes advertising that includes the offering for sale,
44 trade, or distribution of any horseflesh product in violation of the
45 bill's prohibitions. However, whenever a newspaper knowingly
46 accepts or publishes advertising that includes the offering for sale,
47 trade, or distribution of such a product, the newspaper would not be

1 exempt from liability and would be fully subject to the bill's
2 penalty provisions.

3 Any person violating the bill's prohibitions would be guilty of a
4 disorderly persons offense, and would be subject to a minimum
5 criminal penalty of \$100 and imprisonment of not less than 30 days.
6 Such a person would additionally be liable to pay a civil fine of
7 between \$500 and \$1,000 for each horse that has been slaughtered
8 or transported for purposes of slaughter for human consumption,
9 and for each horse carcass or meat product that has been sold,
10 bartered, offered for sale or barter, or transported for the purpose of
11 human consumption in violation of the bill's provisions.

SENATE ECONOMIC GROWTH COMMITTEE

STATEMENT TO

SENATE, No. 1976

with committee amendments

STATE OF NEW JERSEY

DATED: JUNE 4, 2012

The Senate Economic Growth Committee reports favorably Senate Bill, No. 1976 with committee amendments.

As amended, this bill amends R.S.4:22-26 and supplements Title 4 of the Revised Statutes to prohibit a person from: 1) knowingly slaughtering a horse for human consumption purposes; 2) knowingly selling, bartering, or attempting to sell or barter, at wholesale or retail, for human consumption purposes, the flesh of a horse, or any product made in whole or in part from the flesh of a horse; 3) knowingly transporting a horse for the purpose of slaughter for human consumption; or 4) knowingly transporting horsemeat, or any product made in whole or in part from the flesh of a horse, for the purpose of human consumption.

The amended bill would exempt from liability under its provisions, a newspaper that inadvertently, unintentionally, or unknowingly accepts or publishes advertising that includes the offering for sale, trade, or distribution of any horseflesh product in violation of the bill's prohibitions. However, whenever a newspaper knowingly accepts or publishes advertising that includes the offering for sale, trade, or distribution of such a product, the newspaper would not be exempt from liability and would be fully subject to the amended bill's penalty provisions.

Any person violating the amended bill's prohibitions would be guilty of a disorderly persons offense, and would be subject to a minimum criminal penalty of \$100 and imprisonment of not less than 30 days. Such a person would additionally be liable to pay a civil fine of between \$500 and \$1,000 for each horse that has been slaughtered or transported for purposes of slaughter for human consumption, and for each horse carcass or meat product that has been sold, bartered, offered for sale or barter, or transported for the purpose of human consumption in violation of the bill's provisions.

The committee amended the bill to correct a grammatical and a reference error.

As amended and reported by the committee, Senate Bill No. 1976 is identical to Assembly Bill No. 2023 (1R) which also was amended and reported by the committee on this date.

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Governor Chris Christie Signs Ban on Slaughter and Sale of Horsemeat for Human Consumption in New Jersey

Friday, September 21, 2012 Tags: [Bill Action](#)

Trenton, NJ – In an effort to promote greater animal protection and welfare in New Jersey, Governor Chris Christie signed A-2023, legislation banning the in-state slaughter of horses, the transport of horses to slaughter, and the sale of horsemeat, for human consumption.

"This bipartisan measure is a nod to our decency and respect for horses in our state, ensuring that no horse is slaughtered in New Jersey for human consumption. It also ensures that our highways will not be used to transport horses to slaughter in other states which have not enacted a similar ban on the practice," said Governor Christie. "I'd like to thank Assemblyman Dancer and animal welfare advocates for their leadership on this issue and ensuring that this bill made it to my desk."

Under the new law, anyone who slaughters or sells horsemeat for human consumption would be guilty of a disorderly persons offense, subject to a fine of at least \$100 and imprisonment of at least 30 days. They also would face civil fines of \$500 to \$1,000 for each horse.

The measure creates a state level ban in response to recent changes at the federal level, which lifted a 5-year ban on federal funding for Department of Agriculture inspection of plants that process horsemeat for human consumption.

"New Jersey does not eat horsemeat and our horses will not be taken from the stable to a table," said Assemblyman Ronald S. Dancer. "The horse is New Jersey's state animal and we appreciate these magnificent animals for their grace and beauty. We do not want them butchered or sold to slaughterhouses in our communities for human consumption."

Primary sponsors of A-2023 and S-1976 include Assemblymembers Ronald S. Dancer (R-Burlington, Middlesex, Monmouth, Ocean), Gilbert L. "Whip" Wilson (D-Camden, Gloucester), Nelson T. Albano (D-Cape May, Atlantic, Cumberland), Paul D. Moriarty (D-Camden, Gloucester); and Senators Raymond J. Lesniak (D-Union) and Fred H. Madden, Jr. (D-Camden, Gloucester).

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