

By: Representative Eaton

To: Agriculture

HOUSE BILL NO. 1109

1 AN ACT TO CREATE NEW CODE SECTION 75-35-8, MISSISSIPPI CODE
2 OF 1972, TO ESTABLISH HUMANE METHODS OF SLAUGHTERING; TO AMEND
3 SECTION 75-35-7, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE
4 COMMISSIONER OF AGRICULTURE AND COMMERCE TO EXAMINE AND INSPECT
5 FOR METHODS OF SLAUGHTERING AND TO PROVIDE FOR SUSPENSION OF
6 INSPECTION SERVICES WHERE ANIMALS ARE BEING SLAUGHTERED IN AN
7 INHUMANE MANNER UNTIL THE ESTABLISHMENT OFFERS SATISFACTORY
8 ASSURANCES OF COMPLIANCE; TO AMEND SECTION 75-35-21, MISSISSIPPI
9 CODE OF 1972, TO PROVIDE THAT NO PERSON SHALL SLAUGHTER CERTAIN
10 ANIMALS IN AN INHUMANE MANNER; AND FOR RELATED PURPOSES.

11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

12 SECTION 1. The following section shall be codified as

13 Section 75-35-8, Mississippi Code of 1972:

14 75-35-8. (1) For purposes of this chapter, the following
15 methods of slaughtering and handling are declared to be humane:

16 (a) In the case of cattle, calves, horses, mules,
17 sheep, swine, ratites, nontraditional livestock, rabbits and other
18 livestock, all animals are to be rendered insensible to pain by a
19 single blow or gunshot or by an electrical, chemical or other
20 means which is rapid and effective before being shackled, hoisted,
21 thrown, cast or cut; or

22 (b) By slaughtering and handling in connection with
23 such slaughtering in accordance with the ritual requirements of
24 the Jewish faith or any other religious faith that prescribes a
25 method of slaughter whereby the animal suffers loss of
26 consciousness by anemia of the brain caused by the simultaneous
27 and instantaneous severance of the carotid arteries with a sharp
28 instrument.

29 (2) In addition to the methods prescribed in subsection (1)
30 of this section, the commissioner may designate as humane any
31 methods of slaughtering and handling which have been so designated

32 by the United States Secretary of Agriculture on or before April
33 7, 1981, pursuant to United States Code Section 7-1904. The
34 commissioner is further authorized to designate as humane other
35 methods of slaughtering and handling which have been demonstrated
36 by research, investigation and experimentation to be humane with
37 reference to the speed and scope of slaughtering operations and
38 with reference to other existing methods and then current
39 scientific knowledge.

40 **SECTION 2.** Section 75-35-7, Mississippi Code of 1972, is
41 amended as follows:

42 75-35-7. (a) For the purpose of preventing the use in
43 intrastate commerce, as hereinafter provided, of meat and meat
44 food products which are adulterated, the commissioner shall cause
45 to be made, by inspectors appointed for that purpose, an
46 examination and inspection of all cattle, sheep, swine, goats,
47 horses, mules, and other equine before they shall be allowed to
48 enter into any slaughtering, packing, meat canning, rendering, or
49 similar establishment in this state in which slaughtering and
50 preparation of meat and meat food products of such animals are
51 conducted; and all cattle, sheep, swine, goats, horses, mules, and
52 other equine found on such inspection to show symptoms of disease
53 shall be set apart and slaughtered separately from all other
54 cattle, sheep, swine, goats, horses, mules, or other equine, and
55 when so slaughtered, the carcasses of said cattle, sheep, swine,
56 goats, horses, mules, or other equine shall be subject to a
57 careful examination and inspection, all as provided by the rules
58 and regulations to be prescribed by the commissioner as herein
59 provided for.

60 (b) For the purpose of preventing the inhumane
61 slaughtering of livestock, the commissioner shall cause to be
62 made, by inspectors appointed for that purpose, an examination and
63 inspection of the method by which cattle, sheep, swine, ratites,
64 nontraditional livestock, rabbits, goats, horses, mules and other

65 equine are slaughtered and handled in connection with slaughter in
66 the slaughtering establishments inspected under this article. The
67 commissioner may refuse to provide inspection to a new
68 slaughtering establishment or may cause inspection to be suspended
69 temporarily at a slaughtering establishment if the commissioner
70 finds that any cattle, sheep, swine, ratites, nontraditional
71 livestock, rabbits, goats, horses, mules or other equine have been
72 slaughtered or handled in connection with slaughter at such
73 establishment by any method not in accordance with Sections
74 75-35-21(d) and 75-35-8 until the establishment furnishes
75 assurances satisfactory to the commissioner that all slaughtering
76 and handling in connection with slaughter of livestock shall be in
77 accordance with such a method.

78 **SECTION 3.** Section 75-35-21, Mississippi Code of 1972, is
79 amended as follows:

80 75-35-21. No person, firm, or corporation shall, with
81 respect to any cattle, sheep, swine, goats, horses, mules, or
82 other equine, or any carcasses, parts of carcasses, meat or meat
83 food products of any such animals:

84 (a) Slaughter any such animals or prepare any such
85 products which are capable of use as human food, at any
86 establishment preparing such articles, except in compliance with
87 the requirements of this chapter;

88 (b) Sell, transport, offer for sale or transportation,
89 or receive for transportation, in intrastate commerce, (i) any
90 such products which (1.) are capable of use as human food, and
91 (2.) are adulterated or misbranded at the time of such sale,
92 transportation, offer for sale or transportation, or receipt for
93 transportation; or (ii) any items required to be inspected under
94 this article unless they have been so inspected and passed;

95 (c) Do, with respect to any such items which are
96 capable of use as human food, any act while they are being
97 transported in intrastate commerce or held for sale after such

98 transportation, which is intended to cause or has the effect of
99 causing such items to be adulterated or misbranded;

100 (d) Slaughter or handle in connection with such
101 slaughter any such animals in any manner not declared to be humane
102 under Section 75-35-8.

103 **SECTION 4.** This act shall take effect and be in force from
104 and after July 1, 2006.