

## **DC BOARD OF ELECTIONS**

### **NOTICE OF PUBLIC MEETING TO FORMULATE SHORT TITLE, SUMMARY STATEMENT, AND LEGISLATIVE FORM FOR INITIATIVE MEASURE NO. 86**

Pursuant to D.C. Official Code § 1-1001.16(c)-(d), the Board of Elections hereby gives notice that the Board will adopt ballot language (short title, summary statement, and legislative form or “formulations”) for Initiative Measure No. 86 (“the Measure”) at its regular Board meeting that will be held on Wednesday, March 4, 2026 at 10:30 a.m. at 1015 Half Street SE, Suite 750, Washington DC 20003. The Board will meet remotely. The Board formulations that were prepared within 20 calendar days of the Board’s acceptance of the Measure will be posted on its website (see <https://www.dcboe.org/ballot-measures/current-measures>) at least 48 hours prior to the meeting.

Members of the public can access the meeting by using the following information:

Join from PC, Mac, iPad, or Android:

<https://us06web.zoom.us/j/84634978663>

Phone one-tap:

+16469313860,,84634978663# US

+13017158592,,84634978663# US (Washington DC)

Join via audio:

+1 646 931 3860 US

+1 301 715 8592 US (Washington DC)

+1 305 224 1968 US

+1 309 205 3325 US

+1 312 626 6799 US (Chicago)

+1 646 876 9923 US (New York)

+1 408 638 0968 US (San Jose)

+1 507 473 4847 US

+1 564 217 2000 US

+1 669 444 9171 US

+1 669 900 6833 US (San Jose)

+1 689 278 1000 US

+1 719 359 4580 US

+1 253 205 0468 US

+1 253 215 8782 US (Tacoma)

+1 346 248 7799 US (Houston)

+1 360 209 5623 US

+1 386 347 5053 US

Webinar ID: 846 3497 8663

International numbers available: <https://us06web.zoom.us/j/kdMEjIEROz>

Pursuant to D.C. Official Code § 1-1001.16(c), the following formulations of Initiative Measure No. 86 were prepared this 3rd day of February, 2026.

## **INITIATIVE MEASURE**

NO. 86

### **SHORT TITLE**

“Prohibiting Force-Feeding of Birds Act of 2026.”

### **SUMMARY STATEMENT**

If enacted, this Initiative would:

- (a) Prohibit any person from force-feeding a bird for the purpose of enlarging the bird’s liver beyond normal size;
- (b) Ban the sale or distribution of any product resulting from force-feeding a bird, including foie gras;
- (c) Define force-feeding as inserting a tube into the bird’s throat to deliver excessive feed;
- (d) Provide for enforcement by the Department of Energy and Environment during routine food safety inspections;
- (e) Provide for civil penalties.

### **LEGISLATIVE TEXT**

BE IT ENACTED BY THE ELECTORS OF THE DISTRICT OF COLUMBIA, That this act maybe cited as the “Prohibiting Force-Feeding of Birds Act”.

Sec. 2. Legislative intent.

The people of the District of Columbia hereby find and declare:

- (1) That fattened bird liver products are ‘luxury’ food items produced from the diseased and enlarged liver of a bird, typically a duck or goose, typically produced through systematically force-feeding the animal until their liver becomes diseased and expands up to ten times its natural size;
- (2) That the method typically used to force-feed these birds for production of food items is inhumane and involves inserting a foot-long metal or plastic tube into the bird’s throat and administering excessive quantities of feed directly into the stomach, resulting in extreme pain and various health issues;
- (3) That force-feeding induces liver disease in the birds, which is both painful and often fatal, causing the animals significant injury and illness, including bacterial and fungal infections, malnourishment, and/or lameness;

(4) That veterinary professionals widely regard the typical practice of force-feeding birds for food product production as inhumane;

(5) That the intensive confinement of these birds for food product production exacerbates environmental degradation and climate change through the necessitation of substantial water and energy consumption and polluting our city's air and waterways;

(6) That runoff from fattened bird liver production facilities contains high concentrations of phosphorus and nitrogen, two of the most common forms of water pollution in the United States;

(7) That workers in fattened bird liver production facilities face occupational hazards, including exposure to respiratory irritants and zoonotic diseases, posing risks to worker health and public health; and

(8) That eliminating the production and sale of fattened bird liver products from the marketplace is in our city's interest and authority to reduce animal cruelty, unsustainable environmental practices, and spread of zoonotic, and to uphold the District's values of humane animal treatment, public health, and environmental stewardship.

### Sec. 3. Definitions.

For the purposes of this act, the term:

(1) "Bird" means any species of poultry, including ducks, geese, chickens, turkeys, guineas, or squabs.

(2) "Director" means the duly appointed Director of the Department of Energy and Environment ("the Department"), or the lawfully designated subordinate of the Director of the Department acting under the orders of the Director of the Department.

(3) "Fattened bird liver product" means any food product or by-product made from the livers of birds fattened through any method or practice, including foie gras, pâtés, spreads, and processed meat products derived from such livers, regardless of marketing terminology.

(4) "Food service establishment" means any place offering prepared food to be consumed by customers on or off premises, including restaurants, cafeterias, pushcarts, stands, or vehicles.

(5) "Force-feeding" means any process, whether by hand or machine, by which a bird is caused to ingest more food than it would consume voluntarily, including the use of a tube or device inserted into the esophagus.

(6) "Person" means any individual, corporation, partnership, joint venture, trust, government agency, organization, or other entity.

(7) "Retail establishment" means any store, shop, sales outlet, farmers' market, or other place that sells or offers for sale food products to the public.

(8) "Sell" or "sale" means any act of selling, trading, distributing, bartering, or transferring for monetary or nonmonetary consideration, occurring where the recipient takes physical possession of the item.

### Sec. 4. Prohibited conduct.

(a) No person shall force-feed a bird, or hire or direct another person to force-feed a bird, for the purpose of enlarging the bird's liver beyond its normal size. This subsection shall not apply to force-feeding directed by a licensed veterinarian solely for therapeutic purposes.

(b) No person, food service establishment, or retail establishment shall sell, offer for sale, distribute, or otherwise provide any fattened bird liver product within the District of Columbia, whether as a standalone item or as an ingredient in any product or dish.

(c) No person shall import, transport, or receive a fattened bird liver product into the District for sale, distribution, or any other commercial purpose, regardless of the jurisdiction where the product was produced or originated.

#### Sec. 5. Authority of Director.

(a) The Director is hereby authorized to administer and enforce the provisions of this Act. Thereby, the Department:

(1) Is authorized to adopt procedures and forms to implement the provisions of this act;

(2) Shall ensure compliance with the provisions of this act during routine inspections of retail establishments;

(3) Shall also have the authority to issue subpoenas for records related to the purchase, storage, and sale of poultry products;

(4) Shall ensure members of the public are able to submit complaints notifying the Department of possible violations; and

(5) Shall maintain a publicly available online database of violations and penalties issued under this act, updated quarterly.

(b) The Director is authorized to adopt rules, procedures, and forms to implement the provisions of this act.

(c) The Director shall ensure compliance with this act during routine inspections of food service establishments and retail establishments.

#### Sec. 6. Enforcement and penalties.

(a) Any person or establishment that violates any provision of this act shall be subject to a civil penalty of not less than \$1,000 and not more than \$5,000 per violation. Each day a violation continues shall constitute a separate violation.

(b) Repeated violations within a 12-month period may result in suspension or revocation of the violator's business license in accordance with applicable District law.

(c) In addition to civil penalties, the District may enforce this act through a civil action, including an action for injunctive relief.

#### Sec. 7. Severability.

If any provision of this act, or its application to any person or circumstance, is held invalid, the remainder of the act, and the application of its provisions to other persons or circumstances, shall not be affected.

#### Sec. 8. Applicability.

This act shall apply as of July 1, 2027; except that:

(a) The provisions of this act with any fiscal effect shall apply upon the date of inclusion of the fiscal effect in an approved budget and financial plan, if that date is later than July 1, 2027.

(b) The Chief Financial Officer shall certify the date of the inclusion of the fiscal effect in an approved budget and financial plan and provide notice to the Budget Director of the Council of the certification.

(c)(1) The Budget Director shall cause the notice of the certification to be published in the District of Columbia Register.

(2) The date of publication of the notice of the certification shall not affect the applicability of this act.

Sec. 9. Effective Date.

This act shall take effect after a 30-day period of congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.