

**DC BOARD OF ELECTIONS
NOTICE OF PUBLICATION**

At a public meeting held on December 3, 2025, the Board of Elections formulated the short title, summary statement, and legislative form of Initiative Measure No. 85, the “Prohibiting Force-Feeding of Birds Act.”

Any registered qualified elector for the District of Columbia who objects to the summary statement, short title, and/or legislative form of the initiative measure as formulated by the Board may seek review in the Superior Court of the District of Columbia within 10 calendar days from the date such formulations are published in the District of Columbia Register, stating objections and requesting appropriate changes. Registered qualified electors may also file objections regarding the initiative with the court on other grounds during this period, including the Board’s determination that the proposed measure presents a proper subject for initiative.

Pursuant to D.C. Code §1-1001.16(d)(2)(B)(i), the Board hereby publishes the aforementioned formulations as follows, as well as the fiscal impact statement issued concerning the initiative.¹

INITIATIVE MEASURE

NO. 85

SHORT TITLE

“Prohibiting Force-Feeding of Birds Act.”

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 its routine food safety inspections; and

¹ The fiscal impact statement was issued on November 26, 2025, prior to the date the Board adopted the formulations for Initiative Measure No. 85.

(e) Provide for civil penalties.

LEGISLATIVE TEXT

BE IT ENACTED BY THE ELECTORS OF THE DISTRICT OF COLUMBIA, That this act may be 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.

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.


Government of the District of Columbia
Office of the Chief Financial Officer



Glen Lee
Chief Financial Officer

MEMORANDUM

TO: The Honorable Phil Mendelson
Chairman, Council of the District of Columbia

FROM: Glen Lee
Chief Financial Officer 

DATE: November 26, 2025

SUBJECT: Fiscal Impact Statement – Initiative Prohibiting the Force-Feeding of Birds

REFERENCE: Draft Initiative as provided to the Office of Revenue Analysis on November 13, 2025

Conclusion

Funds are not sufficient in the fiscal year 2026 through fiscal year 2029 budget and financial plan to implement the proposed initiative. The initiative's implementation will cost \$314,000 over the four-year financial plan period.

Background

The proposed initiative prohibits the artificial fattening of a bird's liver and the importation, distribution, sale, offer for sale, or receipt of any fattened bird liver product in the District of Columbia. The initiative directs the Department of Energy and Environment (DOEE) to ensure compliance with the prohibition. Under the initiative, DOEE can subpoena any relevant records, receive complaints, and issue civil violations. The initiative establishes a civil penalty of between \$1,000 and \$5,000 per day for a discovered violation and authorizes DOEE to direct the suspension or revocation of a business' operating license for repeat violations in a twelve-month period. The prohibition begins July 1, 2027.

Financial Plan Impact

Funds are not sufficient in the fiscal year 2026 through fiscal year 2029 budget and financial plan to implement the proposed initiative. DOEE has experience inspecting food service businesses and retail establishments under existing non-food product bans such as Styrofoam containers, straws, and plastic shopping bags. The initiative is expected to expand the number and type of

The Honorable Phil Mendelson

FIS: "Initiative Prohibiting the Force-Feeding of Birds," Draft Initiative as provided to the Office of Revenue Analysis on November 13, 2025

establishments that DOEE must inspect. DOEE must also publicize the law and educate relevant businesses on the prohibition. DOEE does not currently and is unlikely to inspect kitchen or other back-of-house operations at any establishment under the initiative. As it does with other prohibited activities, DOEE will also work with the Department of Health (DOH) to get referrals of potential violations. DOEE requires an additional food establishment inspector to receive and investigate complaints, proactively inspect new establishments, coordinate with DOH and other external entities, and issue and adjudicate violations beginning in fiscal year 2027. The inspector will cost \$89,000 in fiscal year 2027 and \$274,000 over the four-year financial plan period. DOEE will also need to educate businesses and the public on the prohibition before the prohibition is effectuated. This will cost \$20,000 in fiscal year 2027 and \$10,000 each year thereafter.

Initiative Prohibiting the Force-Feeding of Birds Implementation Costs Fiscal Year 2026 – Fiscal Year 2029					
	FY 2026	FY 2027	FY 2028	FY 2029	Total
Staff	\$0	\$89,000	\$91,000	\$94,000	\$274,000
Education	\$0	\$20,000	\$10,000	\$10,000	\$40,000
Total	\$0	\$109,000	\$101,000	\$104,000	\$314,000

The Office of Revenue Analysis is not aware of any bird farms or bird feeding operations in the District and has not included any potential costs related to the inspection or enforcement of live animal establishments.