

118TH CONGRESS
1ST SESSION

H. R. 3783

To protect public health and human safety by prohibiting the farming of mink for their fur, to compensate farmers as they transition out of the industry, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JUNE 1, 2023

Mr. ESPAILLAT introduced the following bill; which was referred to the Committee on Agriculture, and in addition to the Committee on the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To protect public health and human safety by prohibiting the farming of mink for their fur, to compensate farmers as they transition out of the industry, 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 “Mink: Vectors for In-
5 fection Risk in the United States Act” or the “Mink
6 VIRUS Act”.

1 **SEC. 2. FINDINGS.**

2 Congress finds the following:

3 (1) The pandemic of the zoonotic coronavirus
4 disease 2019 (“COVID–19”), caused by severe acute
5 respiratory syndrome coronavirus 2 (“SARS–CoV–
6 2”), is understood to have passed from wild animals
7 to humans and has infected and killed millions of
8 people globally. SARS–CoV–2 continues to pose a
9 severe threat to public health and human safety.

10 (2) Mink are highly susceptible to SARS–CoV–
11 2, and there is substantial evidence that humans can
12 transmit SARS–CoV–2 to mink farmed for their fur.
13 Outbreaks have been confirmed on at least 18 mink
14 farms in multiple States, with more than 20,000
15 mink reported dead from the disease in the United
16 States.

17 (3) Mink can transmit a mutated form of
18 SARS–CoV–2 back to humans. Such cases have
19 been confirmed in Denmark, Poland, and the Neth-
20 erlands, and according to public communications
21 from the Centers for Disease Control and Preven-
22 tion, there is also evidence that farmed mink have
23 transmitted the virus to humans and to wild mink
24 in the United States.

25 (4) Animal management and slaughter practices
26 on United States mink farms have facilitated the

1 spread of SARS-CoV-2 from humans to mink.
2 These farms confine large numbers of animals in
3 close proximity to each other, which promotes dis-
4 ease transmission. The animals also experience ex-
5 treme stress, which increases the potential to shed
6 and transmit viruses over extended periods. This
7 risk is further exacerbated by on-site slaughter prac-
8 tices that create additional points of exposure.

9 (5) Farmed mink have become infected with
10 SARS-CoV-2 in at least 12 countries to date, in-
11 cluding the United States. Other countries have
12 taken swift and decisive action to close or quar-
13 antine mink farms, cull animals, and pass legislation
14 to address this crisis.

15 (6) The World Health Organization has ac-
16 knowledged human cases of COVID-19 associated
17 with farmed mink and transmission of the virus
18 from farmed mink to humans. It has warned that
19 farmed mink can act as a reservoir of SARS-CoV-
20 2 and pose a risk for virus “spill-over” from mink
21 to humans.

1 **SEC. 3. PROHIBITION ON MINK FARMING AND REQUIRE-**
2 **MENTS FOR MINK TERMINATION.**

3 (a) CESSATION OF OPERATIONS.—Beginning on the
4 date that is 1 year after the date of enactment of this
5 Act, no fur farm may farm mink.

6 (b) PAINLESS MINK TERMINATION METHODS.—Be-
7 ginning on the date that is 90 days after the date of enact-
8 ment of this Act, any termination of farmed mink, whether
9 performed in order to comply with subsection (a) or other-
10 wise, shall be done in a manner that—

11 (1) meets the definition of “euthanasia” speci-
12 fied in section 1.1 of title 9, Code of Federal Regu-
13 lations (or successor regulations); and

14 (2) is classified as “acceptable” by the most re-
15 cent version of the American Veterinary Medical As-
16 sociation (AVMA) Guidelines for the Euthanasia of
17 Animals made publicly available at the time the ter-
18 mination occurred, without regard to whether the
19 termination is in compliance with other guidelines,
20 including the AVMA Guidelines for the Depopula-
21 tion of Animals.

22 (c) PENALTIES.—

23 (1) PENALTY FOR FAILURE TO CEASE OPER-
24 ATIONS.—Any person who violates subsection (a)
25 may be assessed a civil penalty of up to \$10,000 for

1 each day that the fur farm is not in compliance with
2 the requirements of that subsection.

3 (2) PENALTY FOR NONCOMPLIANT TERMI-
4 NATION OF MINK.—Any person who violates sub-
5 section (b) may be assessed a civil penalty of up to
6 \$10,000 for each mink terminated in a manner that
7 does not comply with the requirements of that sub-
8 section.

9 (d) EFFECT ON PREEMPTION.—This section shall
10 not be construed to preempt or limit any requirement of
11 any law or regulation of a State or political subdivision
12 of a State that is more restrictive than the requirements
13 of this section.

14 **SEC. 4. PAYMENT PROGRAM.**

15 (a) ESTABLISHMENT.—Not later than 180 days after
16 the date of enactment of this Act, the Secretary of Agri-
17 culture (referred to in this section as the “Secretary”)
18 shall establish and carry out a program (referred to in
19 this section as the “Program”) to provide payments to
20 owners of fur farms whose operations involve the farming
21 of mink.

22 (b) PAYMENTS.—Under the Program, the Secretary
23 shall provide payments to fur farm owners equal to the
24 sum of the Secretary’s determination of—

1 (1) the reasonable cost incurred by the owner in
2 order to comply with sections 3(a) and 3(b); and

3 (2) the market value of the portion of the own-
4 er's fur farm, exclusive of the land, involving mink
5 farming.

6 (c) MARKET VALUE DETERMINATION.—

7 (1) MARKET VALUE.—The market value re-
8 ferred to in subsection (b)(2) shall be calculated as
9 the amount in cash, or on terms reasonably equiva-
10 lent to cash, for which in all probability the relevant
11 portion of the fur farm would have sold on the effec-
12 tive date of the valuation, after a reasonable expo-
13 sure time on the competitive market, from a willing
14 and reasonably knowledgeable seller to a willing and
15 reasonably knowledgeable buyer, with neither acting
16 under any compulsion to buy or sell, giving due con-
17 sideration to all available economic uses of that por-
18 tion of the fur farm at the time of the valuation.

19 (2) EFFECTIVE DATE OF VALUATION.—In de-
20 termining the market value referred to in subsection
21 (b)(2), the effective date of the valuation shall be the
22 day before the date of enactment of this Act.

23 (d) GRANT CONDITION.—As a condition of receiving
24 a payment under the Program, the recipient shall—

1 (1) not use any payment funds for any mate-
2 rials, supplies, labor costs, or activities associated
3 with operating a fur farm; and

4 (2) provide to the Secretary a permanent ease-
5 ment on the property on which the fur farm is lo-
6 cated that prohibits the operation of any fur farm on
7 the easement area.

8 (e) FUNDING.—Not later than 60 days after the date
9 of enactment of this Act, out of any funds in the Treasury
10 not otherwise appropriated, the Secretary of the Treasury
11 shall transfer to the Secretary of Agriculture
12 \$350,000,000 to carry out this section, to remain available
13 until expended.

14 **SEC. 5. DEFINITIONS.**

15 In this Act:

16 (1) FUR.—The term “fur” means any animal
17 skin or part of an animal skin with hair, fleece, or
18 fur fibers attached, either in its raw or processed
19 state. Such term—

20 (A) does not include animal skins that will
21 be converted into leather or which in processing
22 will have their hair, fleece, or fur fiber com-
23 pletely removed; and

24 (B) does not include cowhide with its hair
25 attached, deerskin with its hair attached, and

1 lambskin and sheepskin with their fleece at-
2 tached.

3 (2) FUR-BEARING ANIMAL.—The term “fur-
4 bearing animal” means an animal that bears fur of
5 marketable value.

6 (3) FUR FARM.—The term “fur farm” means
7 an operation that farms fur-bearing animals for the
8 value of their fur, including—

9 (A) the land, buildings, support facilities,
10 and other equipment of the operation in which
11 fur-bearing animals are, for the value of their
12 fur, bred, slaughtered, skinned, or sold; and

13 (B) the fur-bearing animals of the oper-
14 ation farmed for the value of their fur and any
15 fur produced by such fur-bearing animals that
16 is owned by the operation.

17 (4) MINK.—The term “mink” means an Amer-
18 ican mink (*Neovison vison*), a European mink
19 (*Mustela lutreola*), and any mink hybrid, whether
20 alive or dead, and any parts and products from such
21 mink or mink hybrids.

22 (5) STATE.—The term “State” means each of
23 the several States, the District of Columbia, the
24 Commonwealth of Puerto Rico, the Commonwealth
25 of the Northern Mariana Islands, American Samoa,

1 Guam, the United States Virgin Islands, and any
2 other territory or possession of the United States.

3 **SEC. 6. BUDGETARY EFFECTS.**

4 (a) **STATUTORY PAYGO SCORECARDS.**—The budg-
5 etary effects of this Act shall not be entered on either
6 PAYGO scorecard maintained pursuant to section 4(d) of
7 the Statutory Pay-As-You-Go Act of 2010 (Public Law
8 111–139; 2 U.S.C. 933(d)).

9 (b) **SENATE PAYGO SCORECARDS.**—The budgetary
10 effects of this Act shall not be entered on any PAYGO
11 scorecard maintained for the purposes of section 4106 of
12 H. Con. Res. 71 (115th Congress).

○