

117TH CONGRESS
1ST SESSION

H. R. 5203

To prohibit the sale or transport of ejiao made using donkey skin in interstate or foreign commerce.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 10, 2021

Mr. BEYER introduced the following bill; which was referred to the Committee on Energy and Commerce

A BILL

To prohibit the sale or transport of ejiao made using donkey skin in interstate or foreign commerce.

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 “Ejiao Act”.

5 **SEC. 2. FINDINGS.**

6 Congress finds the following:

7 (1) Ejiao is a gelatin created from the skins of
8 donkeys which is used in traditional Chinese medi-
9 cine, beauty, cosmetic, and other luxury products.

1 (2) The donkey skin trade for the production of
2 ejiao, is decimating global donkey populations and
3 harming impoverished global communities.

4 (3) Studies have shown that the use of ejiao is
5 unnecessary in the production of these products
6 since the gelatins from other sources, including
7 plants may be used instead.

8 (4) Millions of donkeys are slaughtered annu-
9 ally for their skins to make ejiao.

10 (5) The domestic Chinese and international de-
11 mand for donkey skins is approximately 8,000,000
12 to 10,000,000 skins per year but the annual supply
13 in China is less than 1,800,000.

14 (6) Such demand has led to the slaughter of
15 massive numbers of donkeys across the globe, deci-
16 mating donkey populations, most notably in Africa
17 and Latin America.

18 (7) Such demand has had devastating effects on
19 the families who depend on donkeys for survival,
20 such as fetching water to drink, cook and clean, tak-
21 ing products to market for sale, and transporting
22 children to school.

23 (8) A recent report by the Kenya Agricultural
24 and Livestock Research Organization said that
25 159,631 donkeys were slaughtered for their skins,

1 8.1 percent of the population, in 2018. Today, up to
2 1,000 donkeys a day can be slaughtered in Kenya
3 alone, more than 300,000 a year. The report goes on
4 to suggest that donkeys in Kenya could vanish by
5 2023.

6 (9) Donkeys are regularly stolen and killed ille-
7 gally solely for their skins. Moreover, donkeys are
8 often stolen from families who depend on them for
9 their livelihoods, and who are already struggling and
10 living below the poverty line of \$2 a day.

11 (10) Where owners willingly sell their donkeys,
12 they find that within months they are worse off fi-
13 nancially than they would have been had they kept
14 their donkeys. As prices constantly rise, it becomes
15 impossible for these owners to go back into the mar-
16 ket for a new donkey.

17 (11) Although ejiao products are expensive, as
18 the Chinese middle class has expanded, demand for
19 ejiao products has exploded over the course of the
20 last decade. As a result, the donkey population in
21 China has collapsed by 76 percent since 1992.

22 (12) Ejiao companies have set up donkey breed-
23 ing schemes in China in an attempt to breed the
24 species on a scale sufficient to meet local demand.
25 But due to the long gestation period of donkeys, and

1 the fact that they often only give birth once a year,
2 breeders have not been able to satisfy demand from
3 within China, which is why ejiao companies have
4 turned to Africa and Latin America to satisfy de-
5 mand for ejiao.

6 (13) A crisis in donkey populations has been
7 met with varied responses from affected countries.
8 Bans in the trade of donkey skins in seven African
9 countries have been poorly enforced or overturned.

10 (14) As demand for ejiao continues unabated,
11 donkey populations in lower-income countries con-
12 tinue to nosedive, despite governmental efforts to
13 outlaw the trade.

14 (15) A number of other United States-based
15 companies have already pledged to remove from the
16 market all products containing ejiao.

17 (16) The leading importers in the world for
18 ejiao are China and Hong Kong. However, the
19 United States is the third largest importer of ejiao,
20 with \$12,000,000 in annual imports of ejiao each
21 year.

22 **SEC. 3. PROHIBITIONS.**

23 Section 301 of the Federal Food, Drug, and Cosmetic
24 Act (21 U.S.C. 331) is amended by adding at the end the
25 following:

- 1 “(fff) The knowing sale or transport of ejiao made
- 2 using donkey skin, or products containing ejiao made
- 3 using donkey skin, in interstate or foreign commerce.”.

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