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

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Ejiao Act”.

SEC. 2. FINDINGS.

Congress finds the following:

(1) Ejiao is a gelatin created from the skins of donkeys which is used in traditional Chinese medicine, beauty, cosmetic, and other luxury products.
(2) The donkey skin trade for the production of ejiao, is decimating global donkey populations and harming impoverished global communities.

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

(4) Millions of donkeys are slaughtered annually for their skins to make ejiao.

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

(6) Such demand has led to the slaughter of massive numbers of donkeys across the globe, decimating donkey populations, most notably in Africa and Latin America.

(7) Such demand has had devastating effects on the families who depend on donkeys for survival, such as fetching water to drink, cook and clean, taking products to market for sale, and transporting children to school.

(8) A recent report by the Kenya Agricultural and Livestock Research Organization said that 159,631 donkeys were slaughtered for their skins,
8.1 percent of the population, in 2018. Today, up to
1,000 donkeys a day can be slaughtered in Kenya
alone, more than 300,000 a year. The report goes on
to suggest that donkeys in Kenya could vanish by
2023.

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

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

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

(12) Ejiao companies have set up donkey breed-
ing schemes in China in an attempt to breed the
species on a scale sufficient to meet local demand.
But due to the long gestation period of donkeys, and
the fact that they often only give birth once a year, breeders have not been able to satisfy demand from within China, which is why ejiao companies have turned to Africa and Latin America to satisfy demand for ejiao.

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

(14) As demand for ejiao continues unabated, donkey populations in lower-income countries continue to nosedive, despite governmental efforts to outlaw the trade.

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

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

SEC. 3. PROHIBITIONS.

Section 301 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 331) is amended by adding at the end the following:
“(fff) The knowing sale or transport of ejiao made using donkey skin, or products containing ejiao made using donkey skin, in interstate or foreign commerce.”.