

119TH CONGRESS
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H. R. 5544

To prohibit the transportation, sale, and purchase of donkeys or donkey hides for the purpose of producing ejiao, to prohibit the transportation, sale, and purchase of products containing ejiao, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 23, 2025

Mr. BEYER (for himself, Mr. STEUBE, Ms. TITUS, Mr. FITZPATRICK, Mr. GOTTHEIMER, and Mr. CARSON) introduced the following bill; which was referred to the Committee on Ways and Means, and in addition to the Committees on Natural Resources, Foreign Affairs, Homeland Security, and the Judiciary, 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 prohibit the transportation, sale, and purchase of donkeys or donkey hides for the purpose of producing ejiao, to prohibit the transportation, sale, and purchase of products containing ejiao, 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 “Ejiao Act of 2025”.

5 **SEC. 2. FINDINGS.**

6 Congress finds the following:

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

4 (2) The donkey skin trade for the production of
5 ejiao is decimating global donkey populations and
6 harming impoverished global communities.

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

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

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

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

21 (7) Such demand has had devastating effects on
22 the families who depend on donkeys for survival,
23 such as for farming and construction; transporting
24 water to drink, cook, and clean; taking products to
25 market for sale; and transporting children to school.

1 (8) A report by the Kenya Agricultural and
2 Livestock Research Organization said that 159,631
3 donkeys were slaughtered for their skins, 8.1 percent
4 of the population, in 2018. Today, up to 1,000 don-
5 keys a day can be slaughtered in Kenya alone, more
6 than 300,000 a year.

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

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

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

23 (12) Ejiao companies have set up donkey breed-
24 ing schemes in China in an attempt to breed the
25 species on a scale sufficient to meet local demand.

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

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

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

15 (15) In February 2024, the African Union
16 adopted a moratorium on the donkey skin trade, sig-
17 naling a potential end to the legal slaughter of hun-
18 dreds of thousands of donkeys within the continent.
19 The moratorium now needs to be implemented at the
20 national level by the members of the African Union.
21 This implies potential growth in the illegal trade and
22 expansion into other markets in Asia and Latin
23 America.

24 (16) The leading importers in the world for
25 ejiao are Hong Kong and Japan. However, the

1 United States is the third largest importer of ejiao,
2 with \$12,000,000 in annual imports of ejiao each
3 year.

4 **SEC. 3. PROHIBITIONS.**

5 (a) DONKEYS AND DONKEY HIDES.—No person shall
6 knowingly import, export, transport, sell, receive, acquire,
7 or purchase, in interstate or foreign commerce, in the
8 United States, any donkey or donkey hide for the purpose
9 of producing—

10 (1) ejiao; or

11 (2) any product containing ejiao.

12 (b) PRODUCTS WITH EJIAO.—No person shall know-
13 ingly import, export, transport, sell, receive, acquire, or
14 purchase, in interstate or foreign commerce (including by
15 means of the internet), in the United States, any product
16 containing ejiao.

17 (c) RULE OF CONSTRUCTION.—The prohibitions
18 under this section may not be construed to alter or other-
19 wise affect any prohibition or other protection with respect
20 to a species of donkey listed as a threatened species or
21 an endangered species under the Endangered Species Act
22 of 1973 (16 U.S.C. 1531 et seq.).

23 **SEC. 4. PENALTIES AND SANCTIONS.**

24 (a) CIVIL PENALTIES.—

1 (1) IN GENERAL.—Any person who engages in
2 conduct prohibited by section 3 may be assessed a
3 civil penalty by the Commissioner of U.S. Customs
4 and Border Protection of not more than \$10,000 for
5 each such violation. Each violation shall be a sepa-
6 rate offense and the offense shall be deemed to have
7 been committed not only in the district where the
8 violation first occurred, but also in any district in
9 which a person may have taken or been in posses-
10 sion of—

11 (A) in the case of a violation of section
12 3(a), the donkey or donkey hide; or

13 (B) in the case of a violation of section
14 3(b), the product containing ejiao.

15 (2) DETERMINATION OF AMOUNT.—In deter-
16 mining the amount of any penalty assessed under
17 this subsection, the Commissioner shall take into ac-
18 count the nature, circumstances, extent, and gravity
19 of the prohibited act committed, and with respect to
20 the violator, the degree of culpability, ability to pay,
21 and such other matters as justice may require, and
22 shall apply existing procedures relating to the as-
23 sessment and mitigation of penalties of violations of
24 section 596 of the Tariff Act of 1930 (19 U.S.C.
25 1595a) as the Commissioner determines appropriate.

1 (b) REVIEW OF CIVIL PENALTY.—Any person
2 against whom a civil penalty is assessed under this section
3 may obtain review thereof in the Court of International
4 Trade by filing a complaint in such court within 30 days
5 after the date of such order and by simultaneously serving
6 a copy of the complaint by certified mail on the Commis-
7 sioner, the Attorney General, and the appropriate United
8 States attorney. The Commissioner shall promptly file in
9 such court a certified copy of the record upon which such
10 violation was found or such penalty imposed, as provided
11 in section 2112 of title 28, United States Code. If any
12 person fails to pay an assessment of a civil penalty after
13 it has become a final and unappealable order or after the
14 appropriate court has entered final judgment in favor of
15 the Commissioner, the Commissioner may request the At-
16 torney General of the United States to institute a civil ac-
17 tion in an appropriate district court of the United States
18 to collect the penalty, and such court shall have jurisdic-
19 tion to hear and decide any such action. In hearing such
20 action, the court shall have authority to review the viola-
21 tion and the assessment of the civil penalty de novo.

22 (c) CRIMINAL PENALTIES.—

23 (1) IMPORT OR EXPORT; VALUE IN EXCESS OF
24 \$350.—Any person who—

1 (A) in violation of section 3, knowingly im-
2 ports or exports—

3 (i) any donkey or donkey hide; or

4 (ii) any product containing ejiao; or

5 (B) violates section 3 by knowingly engag-
6 ing in conduct that involves the sale or pur-
7 chase of, the offer of sale or purchase of, or the
8 intent to sell or purchase—

9 (i) any donkey or donkey hide with a
10 market value in excess of \$350; or

11 (ii) any product containing ejiao with
12 a market value in excess of \$350,

13 knowing that the donkey, donkey hide, or product
14 containing ejiao was taken, possessed, transported,
15 or sold in violation of such section, shall be fined not
16 more than \$20,000 (notwithstanding the maximum
17 fine amount otherwise applicable under section 3751
18 of title 18, United States Code), or imprisoned for
19 not more than 5 years, or both. Each violation shall
20 be a separate offense and the offense shall be
21 deemed to have been committed not only in the dis-
22 trict where the violation first occurred, but also in
23 any district in which the defendant may have taken
24 or been in possession of such donkey, donkey hide,
25 or product containing ejiao.

1 (2) OTHER PROHIBITED CONDUCT.—Any per-
2 son who knowingly engages in conduct prohibited by
3 section 3 and in the exercise of due care should
4 know that the donkey, donkey hide, or product con-
5 taining ejiao was taken, possessed, transported, or
6 sold in violation of such section shall be fined not
7 more than \$10,000 (notwithstanding the maximum
8 fine amount otherwise applicable under section 3751
9 of title 18, United States Code), or imprisoned for
10 not more than 1 year, or both. Each violation shall
11 be a separate offense and the offense shall be
12 deemed to have been committed not only in the dis-
13 trict where the violation first occurred, but also in
14 any district in which the defendant may have taken
15 or been in possession of such donkey, donkey hide,
16 or product containing ejiao.

17 **SEC. 5. FORFEITURE.**

18 (a) IN GENERAL.—

19 (1) DONKEYS AND DONKEY HIDES.—All don-
20 keys or donkey hides imported, exported, trans-
21 ported, sold, received, acquired, or purchased con-
22 trary to the provisions of section 3(a), or any regula-
23 tion issued pursuant to such section, shall be subject
24 to forfeiture to the United States notwithstanding

1 any culpability requirements for civil penalty assess-
2 ment or criminal prosecution included in section 4.

3 (2) PRODUCTS WITH EJIAO.—All products con-
4 taining ejiao imported, exported, transported, sold,
5 received, acquired, or purchased contrary to the pro-
6 visions of section 3(b), or any regulation issued pur-
7 suant to such section, shall be subject to forfeiture
8 to the United States notwithstanding any culpability
9 requirements for civil penalty assessment or criminal
10 prosecution included in section 4.

11 (3) EQUIPMENT.—All vessels, vehicles, aircraft,
12 and other equipment used to aid in the importing,
13 exporting, transporting, selling, receiving, acquiring,
14 or purchasing of donkeys, donkey hides, or products
15 containing ejiao in a criminal violation of this Act
16 for which a felony conviction is obtained shall be
17 subject to forfeiture to the United States if—

18 (A) the owner of such vessel, vehicle, air-
19 craft, or equipment was at the time of the al-
20 leged illegal act a consenting party or privy
21 thereto or in the exercise of due care should
22 have known that such vessel, vehicle, aircraft,
23 or equipment would be used in a criminal viola-
24 tion of this Act; and

25 (B) the violation involved—

1 (i) the sale or purchase of, the offer
2 of sale or purchase of, or the intent to sell
3 or purchase, a donkey or donkey hide; or
4 (ii) the import, export, transportation,
5 sale, receipt, acquisition, or purchase of a
6 product containing ejiao.

7 (b) APPLICATION OF CUSTOMS LAWS.—All provisions
8 of law relating to the seizure, forfeiture, and condemnation
9 of property for violation of the customs laws, the disposi-
10 tion of such property or the proceeds from the sale thereof,
11 and the remission or mitigation of such forfeiture, shall
12 apply to the seizures and forfeitures incurred, or alleged
13 to have been incurred, under the provisions of this Act,
14 insofar as such provisions of law are applicable and not
15 inconsistent with the provisions of this Act; except that
16 all powers, rights, and duties conferred or imposed by the
17 customs laws upon any officer or employee of U.S. Cus-
18 toms and Border Protection may, for the purposes of this
19 Act, also be exercised or performed by the Secretary of
20 Homeland Security or by such persons as that Secretary
21 may designate.

22 (c) STORAGE COST.—Any person convicted of an of-
23 fense, or assessed a civil penalty, under section 4 shall
24 be liable for the costs incurred in the storage, care, and
25 maintenance of any donkey, donkey hide, or product con-

1 taining ejiao seized in connection with the violation con-
2 cerned.

3 (d) CIVIL FORFEITURES.—Civil forfeitures under
4 this section shall be governed by the provisions of chapter
5 46 of title 18, United States Code.

6 **SEC. 6. ENFORCEMENT.**

7 (a) IN GENERAL.—The provisions of this Act and
8 any regulations issued pursuant thereto shall be enforced
9 by U.S. Customs and Border Protection and the Secretary
10 of the Interior. The Secretary of Homeland Security, the
11 Secretary of Agriculture, or the Secretary of Interior may
12 utilize by agreement, with or without reimbursement, the
13 personnel, services, and facilities of any other Federal
14 agency or any State agency or Indian tribe for purposes
15 of enforcing this Act.

16 (b) POWERS.—

17 (1) IN GENERAL.—Any person authorized
18 under subsection (a) to enforce this Act—

19 (A) may carry firearms;

20 (B) may, when enforcing this Act, make an
21 arrest without a warrant, in accordance with
22 any guidelines which may be issued by the At-
23 torney General, for any offense under the laws
24 of the United States committed in the person's
25 presence, or for the commission of any felony

1 under the laws of the United States, if the per-
2 son has reasonable grounds to believe that the
3 person to be arrested has committed or is com-
4 mitting a felony;

5 (C) may search and seize, in accordance
6 with applicable warrant requirements applying
7 with respect to officers of U.S. Customs and
8 Border Protection relating to searches at the
9 border or elsewhere and any guidelines which
10 may be issued by the Attorney General: *Pro-*
11 *vided*, That an arrest for a felony violation of
12 this Act that is not committed in the presence
13 or view of any such person and that involves
14 only the transportation, acquisition, receipt,
15 purchase, or sale of a donkey, donkey hide, or
16 product containing ejiao taken or possessed in
17 violation of any law or regulation of any State
18 shall require a warrant;

19 (D) may make an arrest without a warrant
20 for a misdemeanor violation of this Act if he
21 has reasonable grounds to believe that the per-
22 son to be arrested is committing a violation in
23 his presence or view; and

24 (E) may execute and serve any subpoena,
25 arrest warrant, search warrant issued in ac-

1 cordance with rule 41 of the Federal Rules of
2 Criminal Procedure, or other warrant of civil or
3 criminal process issued by any officer or court
4 of competent jurisdiction for enforcement of
5 this Act.

6 (2) DETENTION AND INSPECTION.—Any person
7 authorized under subsection (a) to enforce this Act,
8 in coordination with the Commissioner of U.S. Cus-
9 toms and Border Protection, may detain for inspec-
10 tion and inspect any vessel, vehicle, aircraft, or other
11 conveyance or any package, crate, or other con-
12 tainer, including its contents, upon the arrival of
13 such conveyance or container in the United States or
14 the customs waters of the United States from any
15 point outside the United States or such customs
16 waters, or, if such conveyance or container is being
17 used for exportation purposes, prior to departure
18 from the United States or the customs waters of the
19 United States. Such person may also inspect and de-
20 mand the production of any documents and permits
21 required by the country of natal origin, birth, or re-
22 export of the donkey. Any donkey, donkey hide,
23 product containing ejiao, property, or item seized
24 shall be held by any person authorized by the Com-
25 missioner pending disposition of civil or criminal

1 proceedings, or the institution of an action in rem
2 for forfeiture of such donkey, donkey hide, product
3 containing ejiao, property, or item pursuant to sec-
4 tion 5 of this Act; except that the Commissioner
5 may, in lieu of holding such donkey, donkey hide,
6 product containing ejiao, property, or item, permit
7 the owner or consignee to post a bond or other sur-
8 ety satisfactory to the Commissioner.

9 (c) DISTRICT COURT JURISDICTION.—The several
10 district courts of the United States, including the courts
11 enumerated in section 460 of title 28, United States Code,
12 shall have jurisdiction over any criminal action arising
13 under this Act. The venue provisions of title 18 and title
14 28 of the United States Code shall apply to any criminal
15 action arising under this Act. The judges of the district
16 courts of the United States and the United States mag-
17 istrates may, within their respective jurisdictions, upon
18 proper oath or affirmation showing probable cause, issue
19 such warrants or other process as may be required for en-
20 forcement of this Act and any regulations issued there-
21 under.

22 (d) REWARDS AND CERTAIN INCIDENTAL EX-
23 PENSES.—

24 (1) IN GENERAL.—The Commissioner of U.S.
25 Customs and Border Protection, or the Secretary of

1 the Interior, shall pay, from sums received as pen-
2 alties, fines, or forfeitures of property for any viola-
3 tion of this Act or any regulation issued here-
4 under—

5 (A) a reward, in an amount designated by
6 the Commissioner or Secretary, as applicable,
7 to any person who furnishes information which
8 leads to an arrest, a criminal conviction, civil
9 penalty assessment, or forfeiture of property for
10 any violation of this Act or any regulation
11 issued hereunder; and

12 (B) the reasonable and necessary costs in-
13 curred by any person in providing temporary
14 care for any donkey pending the disposition of
15 any civil or criminal proceeding alleging a viola-
16 tion of this Act with respect to that donkey.

17 (2) INELIGIBILITY.—Any officer or employee of
18 the United States or any State or local government
19 who furnishes information or renders service in the
20 performance of his official duties is ineligible for
21 payment under this subsection.

22 **SEC. 7. DEFINITIONS.**

23 In this Act:

1 (1) DONKEY.—The term “donkey” means a
2 wild, feral, or domestic donkey, ass, mule, burro, or
3 hinny, including *Equus africanus* and *Equus asinus*.

4 (2) EJIAO.—The term “ejiao” means a gelatin
5 created from the skin of a donkey (also known as
6 “gelatina nigra”).

7 (3) IMPORT.—The term “import” has the
8 meaning given such term for purposes of section 596
9 of the Tariff Act of 1930 (19 U.S.C. 1595a) and in-
10 clude any introduction or attempt to introduce an
11 article into the United States.

12 (4) TAKEN.—The term “taken” means cap-
13 tured, killed, or collected.

