

COMMITTEE BILL ANALYSIS

Bill: Senate Bill 340

Printer's No.: 262

Sponsor: Senator Alloway

Prepared by: Gregg Warner

Synopsis: This legislation amends Title 12 (Commerce and Trade) of the Pennsylvania Consolidated Statutes to prohibit the sale of shark fins.

Summary: The bill adds Chapter 55 to Title 12 prohibiting the sale of shark fins.

Definitions

“Shark fin” is defined as “The raw, dried or otherwise processed detached fin or the raw, dried or otherwise processed detached tail of a member of the superorder selachimorpha.” The term does not include a drug approved by the Food and Drug Administration.

Prohibition

With certain exceptions, a person may not possess, sell, offer for sale, trade or distribute a shark fin.

Exceptions

The prohibition does not apply if the shark was landed under a license from another state and it is being possessed in Pennsylvania for taxidermy.

Before September 1, 2013, a restaurant may possess, sell, offer for sale, trade or distribute a shark fin that is prepared for consumption and the restaurant possessed the shark fin prior to September 2, 2012.

Penalty

A person who violates this provision of law commits a misdemeanor of the third degree. Each shark fin possessed, sold, offered for sale or purchased in violation of this provision is a separate offense.

Effective date

This act takes effect in 60 days.

Background: According to the sponsor “Shark fins are very valuable for use in shark fin soup. The practice of shark finning, however, is brutal and wasteful and is contributing significantly to the extinction of an important ocean predator. . . . Shark finning consists of catching a shark, cutting off its fin and or tail and then dumping the animal back in the water to starve or suffocate. . . . While shark finning is illegal under federal law, the possession of shark fins is not. . . . The entire west coast and Hawaii have already banned this unsustainable practice, and several east coast states are currently poised to act.”

Legislative history

Senate Bill 340 is modeled after Senate Bill 1578 of last session.