

AG: Tainted Horse Meat Production Prohibited in NM

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(SANTA FE)---Attorney General Gary King says that horse meat fitting the legal definition of an adulterated food product under the NM Food Act may not be manufactured, sold, or delivered anywhere in New Mexico, regardless of where the food is ultimately sold or consumed.

"Our legal analysis concludes that state law does not allow for production of meat that is chemically tainted under federal regulations," says AG King. "New Mexico law is very clear that it would be prohibited and illegal."

The analysis is in response to a request for advice by NM State Senator Richard Martinez, of Española. A letter to Senator Martinez states: *"Based on our examination of the relevant constitutional, statutory and case law authorities, and the information available to us at this time, we conclude horse meat from U.S. horses would fit the legal definition of an adulterated food product under the NM Food Act if the meat came from horses that had been treated with chemical substances that the federal Food and Drug Administration ("FDA") has deemed unfit for human consumption. We also conclude that if horse meat were an adulterated food product, the NM Food Act would prohibit its manufacture, sale or delivery."*

The Attorney General's analysis cites a number of studies and scientific statements that warn against human consumption of horse meat from U.S. horses because of a significant public health risk.

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AG's Advisory Letter attached.