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INDIA REAL TIME

India Bans Import of Controversial Foie Gras

By Atish Patel

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Jul 7, 2014 7:59 pm IST



*cited in Assn. des Eleveurs de Canards v. Becerra
No. 15-55192 archived on September 12, 2017*



Foie gras dishes were prepared at Hot's Kitchen during a "Farewell Foie Gras" event on June 29, 2012 in Hermosa Beach, California. GETTY IMAGES

French foie gras is off the menu after the Indian government banned the rich, buttery liver.

Import of the controversial French delicacy is now prohibited after a complaint by an animal rights group, an official said.

The rich buttery liver comes from a goose or duck fattened by force-feeding it. The process remains a contentious topic among activists who want to see the practice outlawed and the distribution of the product banned worldwide.

A notice on the Indian Directorate General of Foreign Trade's [website](#) from July 3 simply said the import of the fatty livers was now prohibited.

The decision takes immediate effect, said S.P. Roy, joint director general of foreign trade at the directorate.

The ban follows a campaign launched in 2012 by a London-based animal activist group called Animal Equality that protests cruelty toward animals.

Their report to the Indian government included an investigation about a Spanish farm that was supplying liver to Indian restaurants, said Anaguta Ubale, a spokesperson for the Animal Equality India told The Wall Street Journal.

"We took consideration of the fact and then we decided that this should be done," Mr. Roy said.

While countries such as Israel, Germany and England have banned the production of foie gras, and the U.S. state of California banned its production and consumption in 2012, India is the only country to ban imports, according to Ms. Ubale.

"This is a positive step taken by the Indian government to end unnecessary suffering of animals. With this, I think India will set a precedent," she said.

It is mostly produced in France and in recent years found a place in high-end Indian restaurants.

Manish Mehrotra, executive chef at award-winning New Delhi restaurant Indian Accent, which serves foie gras in two of its dishes, said he was aware of the ban but was yet to read the government notice.

"Now there's a ban, let us see what the situation will be in terms of supply," he told The Wall

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Street Journal. "If it is a government rule, then we will not use it," he added.

Atish Patel is a multimedia journalist based in Delhi. You can follow him on Twitter @atishpatel.

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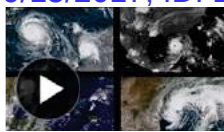
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DAN BARBER

A foie gras parable

Up next

English



I went to Spain a few months ago and I had the best foie gras of my life. The best culinary experience of my life. Because what I saw, I'm convinced, is the future of cooking. Ridiculous, right? Foie gras and the future of cooking. There's not a food today that's more maligned than foie gras, right? I mean, it's crucified. It was outlawed in Chicago for a while. It's pending here in California, and just recently in New York. It's like if you're a chef and you put it on your menu, you risk being attacked. Really, it happened here in San Francisco to a famous chef.

I'm not saying that there's not a rationale for being opposed to foie gras. The reasons usually just boil down to the gavage, which is

the force feeding. Basically you take a goose or a duck and you force feed a ton of grain down its throat. More grain in a couple of weeks than it would ever get in a lifetime. Its liver expands by eight times. Suffice to say it's like -- it's not the prettiest picture of sustainable farming.

The problem for us chefs is that it's so freakin' delicious. (Laughter) I mean, I love the stuff. It is fatty, it's sweet, it's silky, it's unctuous. It makes everything else you put it with taste incredible. Can we produce a menu that's delicious without foie gras? Yes, sure. You can also bike the Tour de France without steroids, right? (Laughter) Not a lot of people are doing it. And for good reason. (Laughter)

So several months ago, a friend of mine sent me this link to this guy, Eduardo Sousa. Eduardo is doing what he calls natural foie gras. Natural foie gras. What's natural about foie gras? To take advantage of when the temperature drops in the fall, geese and ducks gorge on food to prepare for the harsh realities of winter. And the rest of the year they're free to roam around Eduardo's land and eat what they want. So no gavage, no force feeding, no factory-like conditions, no cruelty.

And it's shockingly not a new idea. His great-granddad started -- Patería de Sousa -- in 1812. And they've been doing it quietly ever since. That is until last year, when Eduardo won the Coup de Coeur, the coveted French gastronomic prize. It's like the Olympics of food products. He placed first for his foie gras. Big, big problem. As he said to me, that really pissed the French off. (Laughter) He said it sort of gleefully.

It was all over the papers. I read about it. It was in Le Monde. "Spanish chef accused ..." -- and the French accused him. "Spanish chef accused of cheating." They accused him of paying off the judges. They implicated actually, the Spanish government, amazingly. Huh, amazing. A huge scandal for a few weeks. Couldn't find a shred of evidence. Now, look at the guy. He doesn't look like a guy who's paying off French judges for his foie gras. So that died down, and very soon afterward, new controversy. He shouldn't win because it's not foie gras. It's not foie gras because it's not gavage. There's no force feeding. So by definition, he's lying and should be disqualified.

As funny as it sounds, articulating it now and reading about it -- actually, if we had talked about it before this controversy, I would have said, "That's kind of true." You know, foie gras by definition, force feeding, it's gavage, and that's what you get when you want foie gras. That is, until I went to Eduardo's farm in Extremadura, 50 miles north of Seville, right on the Portugal border. I saw first-hand a system that is incredibly complex and then at the same time, like everything beautiful in nature, is utterly simple. And he said to me, really from the first moment, my life's work is to give the geese what they want. He repeated that about 50 times in the two days I was with him. I'm just here to give the geese what they want. Actually, when I showed up he was lying down with the geese with his cell phone taking pictures of them like his children in the grass. Amazing. He's really just in love with -- he's at one with -- he's the goose whisperer. (Laughter)

And when I was speaking to him, you know, I thought, like I'm speaking to you now, right, but sort of in the middle of my questions, my excited questions, because the more I got to know him and his system, the more exciting this whole idea became. He kept going like

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this to me. And I thought, OK, excited Jew from New York, right? I'm talking a little too aggressively, whatever, so you know, I slowed down. And finally, by the end of the day I was like, Ed-uar-do, you know like this? But he was still going like this. I figured it out. I was speaking too loudly. So I hushed my voice. I kind of like asked these questions and chatted with him through a translator in kind of a half whisper. And he stopped doing this. And amazingly, the geese who were on the other side of the paddock when I was around -- "Get the hell away from this kid!" -- when I lowered my voice, they all came right up to us. Right up to us, like right up to here. Right along the fence line.

And fence line was amazing in itself. The fence -- like this conception of fence that we have it's totally backward with him. The electricity on this fiberglass fence is only on the outside. He rewired it. He invented it. I've never seen it. Have you? You fence in animals. You electrify the inside. He doesn't. He electrifies only the outside. Why? Because he said to me that he felt like the geese -- and he proved this actually, not just a conceit, he proved this -- the geese felt manipulated when they were imprisoned in their little paddocks. Even though they were imprisoned in this Garden of Eden with figs and everything else. He felt like they felt manipulated. So he got rid of the electricity, he got rid of current on the inside and kept it on the outside, so it would protect them against coyotes and other predators.

Now, what happened? They ate, and he showed me on a chart, how they ate about 20 percent more feed to feed their livers. The landscape is incredible. I mean, his farm is incredible. It really is the Garden of Eden. There's figs and everything else there for the taking. And the irony of ironies is because Extremadura, the area -- what does Extremadura mean? Extra hard land, right? Extra difficult. Extra hard. But over four generations, he and his family have literally transformed this extra hard land into a tasting menu. Upgrades the life for these geese. And they are allowed to take whatever they want.

Another irony, the double irony is that on the figs and the olives, Eduardo can make more money selling those than he can on the foie gras. He doesn't care. He lets them take what they want and he says, "Usually, it's about 50 percent. They're very fair." The other 50 percent, he takes and he sells and he makes money on them. Part of the income for his farm. A big part of his income for his farm. But he never controls it. They get what they want, they leave the rest for me and I sell it.

His biggest obstacle, really, was the marketplace, which demands these days bright yellow foie gras. That's how I've been trained. You want to look and see what good foie gras is, it's got to be bright yellow. It's the indication that it's the best foie gras. Well, because he doesn't force feed, because he doesn't gavage tons of corn, his livers were pretty grey. Or they were. But he found this wild plant called the Lupin bush. The Lupin bush, it's all around Extremadura. He let it go to seed, he took the seeds, he planted it on his 30 acres, all around. And the geese love the Lupin bush. Not for the bush, but for the seeds. And when they eat the seeds, their foie gras turns yellow. Radioactive yellow. Bright yellow. Of the highest quality foie gras yellow I've ever seen. (Laughter)

So I'm listening to all this, you know, and I'm like, is this guy for real? Is he making some of this up? Is he like, you know -- because he seemed to have an answer for everything, and it was always nature. It was never him. And I was like, you know, I always get a little, like, weirded out by people who deflect everything away from themselves. Because, really, they want you to look at themselves, right? But he deflected everything away from his ingenuity into working with his landscape.

So it's like, here I am, I'm on the fence about this guy, but increasingly, eating up his every word. And we're sitting there, and I hear [clapping] from a distance, so I look over. And he grabs my arm and the translator's, and ducks us under a bush and says, "Watch this." "Shush," he says again for the 500th time to me. "Shush, watch this." And this squadron of geese come over. [Clapping] And they're getting louder, louder, louder, like really loud, right over us. And like airport traffic control, as they start to go past us they're called back -- and they're called back and back and back. And then they circle around. And his geese are calling up now to the wild geese. [Clapping] And the wild geese are calling down. [Clapping] And it's getting louder and louder and they circle and circle and they land. And I'm just saying, "No way." (Laughter) No way.

And I look at Eduardo, who's near tears looking at this, and I say, "You're telling me that your geese are calling to the wild geese to say come for a visit?" And he says, "No, no, no. They've come to stay." They've come to stay? (Laughter) It's like the DNA of a goose is to fly south in the winter, right? I said that. I said "Isn't that what they're put on this Earth for? To fly south in the winter and north when it gets warm?" He said, "No, no, no. Their DNA is to find the conditions that are conducive to life. To happiness. They find it here. They don't need anything more." They stop. They mate with his domesticated geese, and his flock continues. Think about that for a minute. It's brilliant, right? Imagine -- I don't know, imagine a hog farm in, like, North Carolina, and a wild pig comes upon a factory farm and decides to stay. (Laughter)

So how did it taste? I finally got to taste it before I left. He took me to his neighborhood restaurant and he served me some of his foie gras, confit de foie gras. It was incredible. And the problem with saying that of course, is that you know, at this point it risks hyperbole really easily. And I'd like to make a metaphor, but I don't have one really. Was drinking this guy's Kool-Aid so much, he could have served me goose feathers and I would have been like, this guy's a genius, you know? I'm really in love with him at this point.

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But it truly was the best foie gras of my life. So much so that I don't think I had ever really had foie gras until that moment. I'd had something that was called foie gras. But this was transformative. Really transformative. And I say to you, I might not stick to this, but I don't think I'll ever serve foie gras on my menu again because of that taste experience with Eduardo. It was sweet, it was unctuous. It had all the qualities of foie gras, but its fat had a lot of integrity and a lot of honesty.

And you could taste herbs, you could taste spices. And I kept -- I said, you know, I swear to God I tasted star anise. I was sure of it. And I'm not like some super taster, you know? But I can taste things. There's 100 percent star anise in there. And he says, "No." And I ended up like going down the spices, and finally, it was like, OK, salt and pepper, thinking he's salted and peppered his liver. But no. He takes the liver when he harvests the foie gras, he sticks them in this jar and he confits it. No salt, no pepper, no oil, no spices. What?

We went back out for the final tour of the farm, and he showed me the wild pepper plants and the plants that he made sure existed on his farm for salinity. He doesn't need salt and pepper. And he doesn't need spices, because he's got this potpourri of herbs and flavors that his geese love to gorge on. I turned to him at the end of the meal, and it's a question I asked several times, and he hadn't, kind of, answered me directly, but I said, "Now look, you're in Spain, some of the greatest chefs in the world are -- Ferran Adria, the

preeminent chef of the world today, so that for 50 years, how come he doesn't give him this? How come he's really heard of you?" And it may be because of the wine, or it may be because of my excitement, he answered me directly and he said, "Because chefs don't deserve my foie gras." (Laughter) And he was right. He was right.

Chefs take foie gras and they make it their own. They create a dish where all the vectors point at us. With Eduardo it's about the expression of nature. And as he said, I think fittingly, it's a gift from God, with God saying, you've done good work. Simple. I flew home, I'm on the flight with my little black book and I took, you know, pages and pages of notes about it. I really was moved. And in the corner of one of these -- one of my notes, is this note that says, when asked, what do you think of conventional foie gras? What do you think of foie gras that 99.99999 percent of the world eats? He said, "I think it's an insult to history." And I wrote, insult to history. I'm on the plane and I'm just tearing my hair out. It's like, why didn't I follow up on that? What the hell does that mean? Insult to history.

So I did some research when I got back, and here's what I found. The history of foie gras. Jews invented foie gras. True story. True story. By accident. They were looking for an alternative to schmaltz. Gotten sick of the chicken fat. They were looking for an alternative. And they saw in the fall that there was this natural, beautiful, sweet, delicious fat from geese. And they slaughtered them, used the fat throughout the winter for cooking. The Pharaoh got wind of this -- This is true, right off the Internet. The Pharaoh got -- (Laughter) I swear to God. (Laughter) The Pharaoh got wind of this and wanted to taste it. He tasted it and fell in love with it. He started demanding it.

And he didn't want it just in the fall, he wanted it all year round. And he demanded that the Jews supply enough for everyone. And the Jews, fearing for their life, had to come up with an ingenious idea, or at least try and satisfy the Pharaoh's wishes, of course. And they invented, what? Gavage. They invented gavage in a great moment of fear for their lives, and they provided the Pharaoh with gavage liver, and the good stuff they kept for themselves. Supposedly, anyway. I believe that one.

That's the history of foie gras. And if you think about it, it's the history of industrial agriculture. It's the history of what we eat today. Most of what we eat today. Mega-farms, feed lots, chemical amendments, long-distance travel, food processing. All of it, our food system. That's also an insult to history. It's an insult to the basic laws of nature and of biology. Whether we're talking about beef cattle or we're talking about chickens, or we're talking about broccoli or Brussels sprouts, or in the case of this morning's New York Times, catfish -- which wholesale are going out of business.

Whatever it is, it's a mindset that is reminiscent of General Motors. It's rooted in extraction. Take more, sell more, waste more. And for the future it won't serve us. Jonas Salk has a great quote. He said, "If all the insects disappeared, life on Earth as we know it would disappear within 50 years. If human beings disappeared, life on Earth as we know it would flourish."

And he's right. We need now to adopt a new conception of agriculture. Really new. One in which we stop treating the planet as if it were some kind of business in liquidation. And stop degrading resources under the guise of cheap food. We can start by looking to

farmers like Eduardo C. Escobedo are by no means the only ones who are listening to nature. Listening as Janine Benyus, one of my favorite writers and thinkers about this topic says, "Listening to nature's operating instructions." That's what Eduardo does, and does so brilliantly. And what he showed me and what he can show all of us, I think, is that the great thing for chefs, the great blessing for chefs, and for people that care about food and cooking, is that the most ecological choice for food is also the most ethical choice for food. Whether we're talking about Brussels sprouts or foie gras. And it's also almost always, and I haven't found an example otherwise, but almost always, the most delicious choice. That's serendipitous. Thank you. (Applause)



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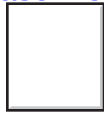
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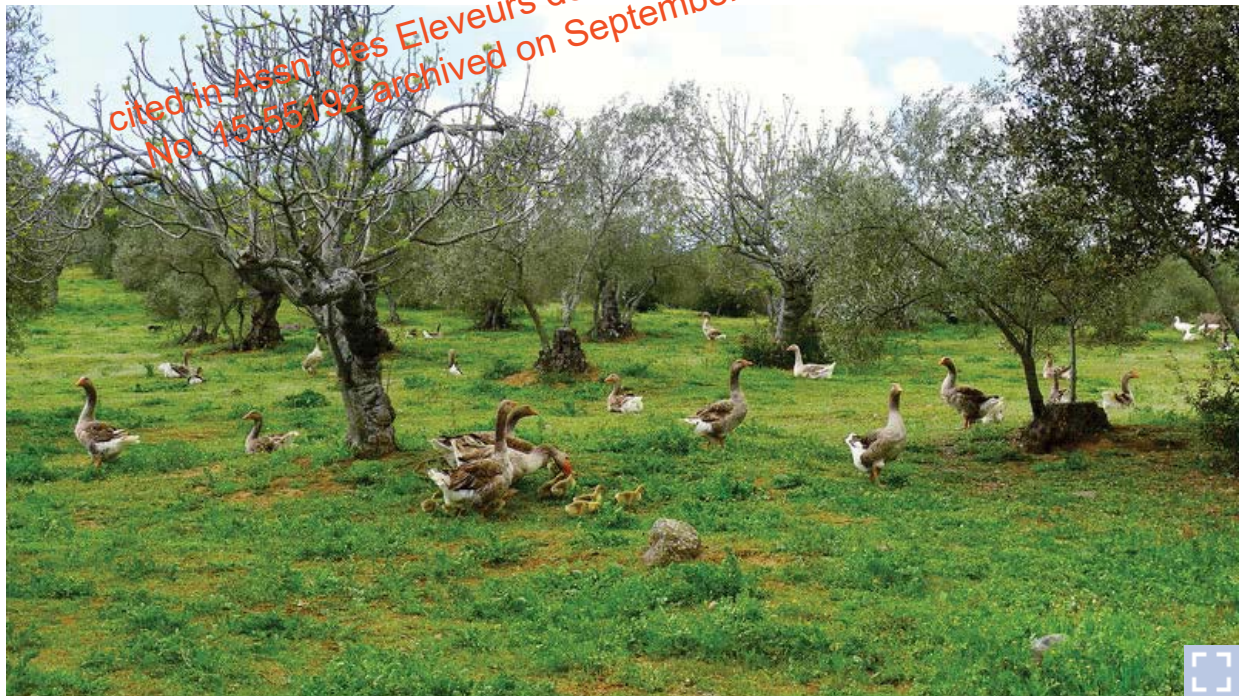
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[LAUREN FRAYER](#)

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The farm's green rolling hills are covered with olive, oak, fruit and nut trees, which provide ample food for migrating geese.

Lauren Frayer for NPR

A five-hour drive southwest of Madrid, I pull into a tiny town square filled with

songbirds and an outsized Catholic church — where Eduardo Sousa and Diego Labourdette are waiting.

They're an odd couple. Sousa is a jovial fifth-generation Spanish farmer. Labourdette is a soft-spoken academic — an ecologist and migratory bird expert — who teaches at a university in Madrid. But they're in business together — in the *foie gras* business.

In 2013, Sousa and Labourdette teamed up to market an ethical, sustainable way of making *foie gras* — the fatty goose or duck liver that's a delicacy in Europe. Most *foie gras* is the result of *gavage*, or force-feeding. Producers force tubes down geese's throats and pump the birds' stomachs with more grain over the course of a couple weeks than they would normally eat in a lifetime. As a result, their livers grow 10 times bigger, with large deposits of fat — which is what makes *foie gras* so rich. But this practice is banned in at least 20 countries.

Sousa and Labourdette figured out how to ditch the force-feeding — their product is made from wild geese who touch down in Spain once a year to gorge themselves on acorns and olives before flying south for the winter.

They have since become darlings in the culinary world.

"The market for *foie gras* is incredible — France makes millions of kilos a year," Sousa explains as we amble around his 1,200-acre goose farm just outside of Pallares, Spain. "That's another world from what we do here."

The duo set out to commercially produce *foie gras* in a natural, sustainable way. But Sousa says their technique is nothing new: It was used in Spain more than 500 years ago, before the Spanish Inquisition.



Diego Labourdette (left) and Eduardo Sousa are business partners — together they run a 1,200-acre goose farm just outside of Pallares, Spain.

Lauren Frayer for NPR

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"In 1492, Spain expelled the Jewish family that lived on this land, and the church took their property," Sousa explains. "Three hundred years later, my family bought it from the church, and we revived the old Jewish family's tradition. They used to raise geese on this land."

As he walks among rolling green hills, dotted with olive trees and oaks, Sousa calls out to his approximately 2,000 geese as if they were children. The geese here roam free — they're not housed in coops. In fact, the farm hardly has any buildings at all. Instead of force-feeding, the geese fatten themselves up naturally — doubling their body weight in just a few weeks to prepare for their annual migration.

"The natural cycle for the wild goose of Europe is to spend the summer in Denmark, Sweden, Norway, northern Germany or parts of Russia and Ukraine.

Then they migrate south to Africa each autumn," Labourdette explains. "They stop here in Spain on their way, to eat and gain energy for the long flight.

But lots of them never leave because they find such a good habitat here."

Geese are adaptable, he says, and they eat whatever the environment provides. *Foie gras* from Denmark has a fishy taste, because the geese eat seafood there. Here in Spain, they feed on calorie-rich acorns, olives, figs and seeds.

Unlike big commercial foie gras farms, where geese are slaughtered every few weeks for their livers, this farm slaughters once a year — usually in October — with the first chill of autumn, on the night of the new moon.

Sousa shows me into a little stone house on his property where the *foie gras* is actually made. He uses the word "sacrifice" to describe the killing of geese.

"We paralyze them with flashlights. They become hypnotized, when they're confronted with such bright light at night," he says. "It's an ancient practice. Hunters here use the same tactic. The birds



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seem like they're asleep. Then we sacrifice them with a knife. It happens very quickly, and they don't suffer."

Feathers are plucked for goose down. Some of the meat is cured. And the goose livers are seasoned and boiled whole for about 20 minutes in glass jars — the same jars in which they're sold.

Sousa invites me into his farmhouse to try some of last fall's batch. The farm's caretaker strums flamenco on his guitar as we gather around a wooden table.

The foie gras is smooth and rich. To me, it somehow tastes even better, because I'm on this farm where it's made, watching mist roll down over green hills. Its flavor has hints of all the wild herbs, olives and fruits the geese have eaten on these hills.

"Songs have the smell and flavor of the land they're from... just like our geese," says Domingo Diaz Escudero — the farm caretaker and flamenco singer. "They're part of nature."

In 2006, this farm's *foie gras* won the [Coup de Coeur](#), a coveted French gastronomy award (it's like the Olympics for foodies.) That caught the attention of famous New York chef Dan Barber, who visited Eduardo Sousa's farm.

"I went to Spain a few months ago and I had the best foie gras of my life," Barber said in a [TED Talk](#) afterwards. "The best culinary experience of my life. Because what I saw, I'm convinced, is the future of cooking."

Barber described the utter simplicity of how this foie gras is made. He called it



A sampling of all the goose meat products Sousa makes on his farm.

Lauren Frayer for NPR

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transformative and sustainable. He also wrote about it in his latest book, *The Third Plate*. And Sousa's sales skyrocketed.

"This was always just a hobby for my family," Sousa says. "But ever since the visit of Dan Barber, I've started getting orders for my *foie gras* from all over the world."

He sells every gram of *foie gras* he makes — and there's quite a long waiting list. A small jar costs €200 (about \$220), because it's produced only once a year — from about 1,600 geese every autumn — which allows for the natural re-population of his flock, and plenty of food for the others. He takes only what nature allows.



A jar of Sousa's foie gras costs €200 — about \$220.

Lauren Frayer for NPR

Sousa recently signed a deal with Celebrity Cruises to provide *foie gras* on high-end ships. Anyone can buy from Sousa's [website](#), but the only place you can purchase his product in-person is at a family storefront in a tiny village called Fuente de Cantos, near the Spain-Portugal border.

Sousa takes me there, and just as we arrive, we meet a Spanish-American couple

who've made a sort of pilgrimage there from San Francisco.

"We watched it on TED Talks and then I made [my boyfriend] stop here on the way to Madrid," says Alegra Cabellon. "I'm really excited to see the product."

She says she's a fan of Dan Barber, and wanted to taste the thing he couldn't stop raving about.

Cabellon takes a selfie with Sousa and buys several jars of his *foie gras*. She'll have to eat it before she heads home though. Customs rules won't allow her to bring it into the United States. This *foie gras* is sold, for now, in Europe only — but Sousa is awaiting a certificate to sell it in America soon.

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*cited in Assn. des Eleveurs de Canards v. Becerra
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