

1 HB518  
2 200034-1  
3 By Representatives Crawford, Lovvorn, Dismukes, Howard,  
4 Ingram, Sullivan and Kitchens  
5 RFD: Agriculture and Forestry  
6 First Read: 25-APR-19

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8 SYNOPSIS: Existing law provides standards for the  
9 labeling and packaging of meat and meat food  
10 products.

11 This bill would provide that a food product  
12 containing cultured animal tissue that is produced  
13 from animal cell cultures and not derived directly  
14 from an animal may not be labeled as either meat or  
15 a meat food product.

16  
17 A BILL  
18 TO BE ENTITLED  
19 AN ACT

20  
21 Relating to agriculture; to amend Section 2-17-10,  
22 Code of Alabama 1975, to provide that a food product  
23 containing cultured animal tissue that is produced from animal  
24 cell cultures and not derived directly from an animal may not  
25 be labeled as either meat or a meat food product.

26 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

1           Section 1. Section 2-17-10, Code of Alabama 1975, is  
2 amended to read as follows:

3           "§2-17-10.

4           "(a) When any meat or meat food product or poultry  
5 food product prepared for intrastate commerce which has been  
6 inspected as provided in this chapter and marked "Alabama  
7 inspected and passed" shall be placed or packed in any can,  
8 pot, tin, canvas, or other receptacle or covering in any  
9 establishment where inspection under ~~the provisions of~~ this  
10 chapter is maintained, the person, firm, or corporation  
11 preparing ~~said the~~ product shall ~~cause~~ attach a label ~~to be~~  
12 ~~attached to said the~~ can, pot, tin, canvas, or other  
13 receptacle or covering, which label shall state that the  
14 contents thereof have been "Alabama inspected and passed"  
15 under ~~the provisions of~~ this chapter, and no inspection and  
16 examination of meat or meat food products or poultry food  
17 products deposited or enclosed in tins, cans, pots, canvas, or  
18 other receptacle or covering in any establishment where  
19 inspection under ~~the provisions of~~ this chapter is maintained  
20 shall be deemed to be complete until such meat or meat food  
21 products or poultry food products have been sealed or enclosed  
22 in said can, tin, pot, canvas, or other receptacle or covering  
23 under the supervision of an inspector.

24           "(b) All carcasses, parts of carcasses, meat and  
25 meat food products, and poultry food products inspected at any  
26 establishment under the authority of this chapter and found to  
27 be not adulterated shall at the time they leave the

1 establishment bear, in distinctly legible form, directly  
2 thereon or on their containers, both shipping container and  
3 immediate container, as the commissioner may prescribe, such  
4 information as will insure that the same are not misbranded in  
5 contemplation of subdivision (13) of Section 2-17-1.

6 "(c) The commissioner, whenever he or she determines  
7 such action is necessary for the protection of the public, may  
8 prescribe definitions and standards of identity or composition  
9 for articles subject to this chapter and standards of fill of  
10 containers and styles and sizes of types thereof for such  
11 articles not inconsistent with any such standards established  
12 under the federal Food, Drug and Cosmetic Act or under the  
13 federal Meat Inspection Act or under the federal Poultry  
14 Products Inspection Act, and there shall be consultation  
15 between the commissioner and the Secretary of Agriculture of  
16 the United States prior to the issuance of such standards to  
17 avoid inconsistency between such standards and the federal  
18 standards.

19 "(d) No article subject to this chapter shall be  
20 sold or offered for sale by any person, firm, or corporation,  
21 in intrastate commerce under any name or other marking or  
22 labeling which is false or misleading or in any container of a  
23 misleading form or size, but established trade names and other  
24 marking and labeling and containers which are not false or  
25 misleading and which are approved by the commissioner are  
26 permitted. A food product that contains cultured animal tissue  
27 produced from animal cell cultures outside of the organism

1 from which it is derived may not be labeled as meat or a meat  
2 food product.

3 "(e) If the commissioner has reason to believe that  
4 any marking or labeling or the size or form of any container  
5 in use or proposed for use with respect to any article subject  
6 to this chapter is false or misleading in any particular, he  
7 or she may direct that such use be discontinued or withheld  
8 unless the marking, labeling or container is modified in such  
9 manner as he or she may prescribe so that it will not be false  
10 or misleading. If any person, firm, or corporation using or  
11 proposing to use the marking, labeling, or container does not  
12 accept the determination of the commissioner, such person,  
13 firm, or corporation may request a hearing before the  
14 commissioner, but the use of the marking, labeling or  
15 container shall, if the commissioner so directs, be  
16 discontinued or withheld pending hearing and final  
17 determination ~~by him~~. Any such determination by the  
18 commissioner shall be conclusive unless, within 30 days after  
19 receipt of notice of ~~such~~ the final determination, the person,  
20 firm, or corporation adversely affected ~~thereby~~ files a  
21 complaint in the circuit court of the county wherein the  
22 person, firm, or corporation so using ~~such~~ the questioned  
23 marking, labeling, or container resides or has his or her or  
24 its principal place of business, and ~~such~~ the court is hereby  
25 vested with jurisdiction and it shall be its duty to set the  
26 matter for hearing upon 30 days' written notice to the  
27 commissioner and, thereupon, to take testimony and examine

1 into the facts of the case and to determine, without the  
2 intervention of a jury, whether or not ~~such~~ the questioned  
3 marking or labeling or the size or form of any container in  
4 use or proposed for use with respect to any article subject to  
5 this chapter is false or misleading in any particular, and  
6 ~~such~~ the determination shall, in the absence of fraud,  
7 corruption, bad faith, or gross abuse of discretion, be  
8 final."

9 Section 2. This act shall become effective on the  
10 first day of the third month following its passage and  
11 approval by the Governor, or its otherwise becoming law.