

1 HB518  
2 200034-2  
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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ENROLLED, An Act,

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

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

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

"§2-17-10.

"(a) When any meat or meat food product or poultry food product prepared for intrastate commerce which has been inspected as provided in this chapter and marked "Alabama inspected and passed" shall be placed or packed in any can, pot, tin, canvas, or other receptacle or covering in any establishment where inspection under ~~the provisions of~~ this chapter is maintained, the person, firm, or corporation preparing ~~said the~~ product shall ~~cause~~ attach a label ~~to be attached to said the~~ can, pot, tin, canvas, or other receptacle or covering, which label shall state that the contents thereof have been "Alabama inspected and passed" under ~~the provisions of~~ this chapter, and no inspection and examination of meat or meat food products or poultry food products deposited or enclosed in tins, cans, pots, canvas, or

1 other receptacle or covering in any establishment where  
2 inspection under ~~the provisions of~~ this chapter is maintained  
3 shall be deemed to be complete until such meat or meat food  
4 products or poultry food products have been sealed or enclosed  
5 in said can, tin, pot, canvas, or other receptacle or covering  
6 under the supervision of an inspector.

7 "(b) All carcasses, parts of carcasses, meat and  
8 meat food products, and poultry food products inspected at any  
9 establishment under the authority of this chapter and found to  
10 be not adulterated shall at the time they leave the  
11 establishment bear, in distinctly legible form, directly  
12 thereon or on their containers, both shipping container and  
13 immediate container, as the commissioner may prescribe, such  
14 information as will insure that the same are not misbranded in  
15 contemplation of subdivision (13) of Section 2-17-1.

16 "(c) The commissioner, whenever he or she determines  
17 such action is necessary for the protection of the public, may  
18 prescribe definitions and standards of identity or composition  
19 for articles subject to this chapter and standards of fill of  
20 containers and styles and sizes of types thereof for such  
21 articles not inconsistent with any such standards established  
22 under the federal Food, Drug and Cosmetic Act or under the  
23 federal Meat Inspection Act or under the federal Poultry  
24 Products Inspection Act, and there shall be consultation  
25 between the commissioner and the Secretary of Agriculture of

1 the United States prior to the issuance of such standards to  
2 avoid inconsistency between such standards and the federal  
3 standards.

4 "(d) No article subject to this chapter shall be  
5 sold or offered for sale by any person, firm, or corporation,  
6 in intrastate commerce under any name or other marking or  
7 labeling which is false or misleading or in any container of a  
8 misleading form or size, but established trade names and other  
9 marking and labeling and containers which are not false or  
10 misleading and which are approved by the commissioner are  
11 permitted. A food product that contains cultured animal tissue  
12 produced from animal cell cultures outside of the organism  
13 from which it is derived may not be labeled as meat or a meat  
14 food product.

15 "(e) If the commissioner has reason to believe that  
16 any marking or labeling or the size or form of any container  
17 in use or proposed for use with respect to any article subject  
18 to this chapter is false or misleading in any particular, he  
19 or she may direct that such use be discontinued or withheld  
20 unless the marking, labeling or container is modified in such  
21 manner as he or she may prescribe so that it will not be false  
22 or misleading. If any person, firm, or corporation using or  
23 proposing to use the marking, labeling, or container does not  
24 accept the determination of the commissioner, such person,  
25 firm, or corporation may request a hearing before the

1 commissioner, but the use of the marking, labeling or  
2 container shall, if the commissioner so directs, be  
3 discontinued or withheld pending hearing and final  
4 determination ~~by him~~. Any such determination by the  
5 commissioner shall be conclusive unless, within 30 days after  
6 receipt of notice of ~~such~~ the final determination, the person,  
7 firm, or corporation adversely affected ~~thereby~~ files a  
8 complaint in the circuit court of the county wherein the  
9 person, firm, or corporation so using ~~such~~ the questioned  
10 marking, labeling, or container resides or has his or her or  
11 its principal place of business, and ~~such~~ the court is hereby  
12 vested with jurisdiction and it shall be its duty to set the  
13 matter for hearing upon 30 days' written notice to the  
14 commissioner and, thereupon, to take testimony and examine  
15 into the facts of the case and to determine, without the  
16 intervention of a jury, whether or not ~~such~~ the questioned  
17 marking or labeling or the size or form of any container in  
18 use or proposed for use with respect to any article subject to  
19 this chapter is false or misleading in any particular, and  
20 ~~such~~ the determination shall, in the absence of fraud,  
21 corruption, bad faith, or gross abuse of discretion, be  
22 final."

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

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Speaker of the House of Representatives

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President and Presiding Officer of the Senate

House of Representatives

I hereby certify that the within Act originated in  
and was passed by the House 14-MAY-19.

Jeff Woodard  
Clerk

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Senate

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23-MAY-19

Passed