

CHAPTER 137E

FOOD PRODUCTS MISBRANDED AS MEAT PRODUCTS

Referred to in [§137F.3A](#), [137E.4](#), [260C.10](#), [262.25D](#), [283A.12](#)

For food products misbranded as egg products, see [chapter 137A](#)

For mislabeling meat or poultry, see [chapter 189A](#)

For mislabeling of foods, see [chapter 191](#)

137E.1	Definitions.	137E.4	Prohibition — sale.
137E.2	Administration.	137E.5	Enforcement — stop order.
137E.3	Misbranded food product.	137E.6	Violation — misbranding — civil penalty.

137E.1 Definitions.

As used in [this chapter](#), unless the context otherwise requires:

1. “*Agricultural food animal*” means a domesticated animal belonging to the bovine, caprine, ovine, or porcine species; or live domestic fowl limited to chickens or turkeys.

2. “*Cultivated-protein food product*” means a food product having one or more sensory attributes that resemble a type of tissue originating from an agricultural food animal but that, in lieu of being derived from meat processing, is derived from manufacturing cells, in which one or more stem cells are initially isolated from an agricultural food animal, are grown in vitro, and may be manipulated, as part of a manufacturing operation.

3. “*Department*” means the department of inspections, appeals, and licensing.

4. “*Food processing plant*” means the same as defined in [section 137F.1](#).

5. “*Food product*” means a perishable or nonperishable item stored in a container or package, if the item is fit for human consumption.

6. a. “*Identifying meat term*” means any word or phrase that states, indicates, suggests, or describes a meat product, regardless of whether the word or phrase is used individually, as a portmanteau, or as a compound word.

b. “*Identifying meat term*” includes but is not limited to any of the following:

(1) (a) A common name for the species of the agricultural food animal subject to slaughter and processing, including a calf or cow, chicken, goat or kid, hog or pig, poultry, lamb or sheep, or turkey.

(b) A common name for a characteristic of a species of the agricultural food animal subject to slaughter and processing based on age, breed, or sex.

(2) (a) Meat.

(b) Beef or veal; broiler, fryer, poulet, or yearling; cabrito or chevon; lamb or mutton; or pork.

(c) A common name used to describe a major cut of a meat of an agricultural food animal slaughtered and processed, including a major meat cut specified in 9 C.F.R. §317.344; a poultry product such as breast, drumstick, gible, thigh, or wing; or the common name of an organ or offal, including gizzard, heart, liver, kidney, or tongue.

(d) Any other common name that a reasonable purchaser would immediately and exclusively associate with a meat product prepared for sale in normal commercial channels such as bacon, baloney, bologna, bone, brat or bratwurst, brisket, burger or hamburger, butt, chop, chuck, cold cut, cutlet, filet, flat iron, frank or frankfurter, ham, hock, hot dog, jerky, liverwurst, loin, London broil, lunch meat, New York strip, pepperoni, porterhouse, ribeye, roast, rib or sparerib, salami, sausage, shank, sirloin, tenderloin, or a comparable word or phrase as approved by the department.

7. “*Insect-protein food product*” means a food product having one or more sensory attributes that resemble a type of tissue originating from an agricultural food animal but that, in lieu of being derived from meat processing, is derived from manufacturing insect parts.

8. “*Label*” means a display of written, printed, or graphic matter placed upon any container storing a food product that is offered for sale or sold on a wholesale or retail basis, regardless of whether the label is printed on the container’s packaging or a sticker affixed to the container.

9. “*Manufactured-protein food product*” means a cultivated-protein food product, insect-protein food product, or plant-protein food product.

10. “*Meat processing*” means the handling, preparation, and slaughter of an agricultural food animal; the dressing of its carcass; or the cutting, storage, and packaging of its tissue or other parts as a food product.

11. “*Meat product*” means a food product derived from meat processing.

12. “*Plant-protein food product*” means a food product having one or more sensory attributes that resemble a type of tissue found in a species of agricultural food animal but that, in lieu of being derived from meat processing, is derived from manufacturing plant parts.

13. *a.* “*Qualifying term*” means a word, compound word, or phrase that would clearly disclose to a reasonable purchaser of meat products from a food processing plant that a food product is not a meat product.

b. “*Qualifying term*” includes but is not limited to cell-cultivated, cell-cultured, fake, grown in a lab, imitation, insect, insect-based, insect-protein, lab-created, lab-grown, meat free, meatless, plant, plant-based, vegan, vegetable, vegetarian, veggie, or a comparable word or phrase as approved by the department.

14. “*Regulatory authority*” means the same as defined in [section 137F.1](#).

[2024 Acts, ch 1158, §2](#)

Referred to in [§135.16C](#), [260C.10](#), [262.25D](#), [283A.12](#)

137E.2 Administration.

1. In conducting a routine inspection of the premises of a food processing plant licensed under [chapter 137F](#), a regulatory authority is not required to determine if any food product located on the premises is misbranded as a meat product as provided in [section 137E.3](#).

2. A regulatory authority shall inspect an inventory of food products offered for sale or sold at a food processing plant based on a credible complaint that the food products are misbranded as meat products as provided in [section 137E.3](#).

3. A regulatory authority shall have the same powers to inspect a food processing plant under [this chapter](#) as it does under [chapter 137F](#).

4. The department shall adopt rules pursuant to [chapter 17A](#) that are necessary or desirable to administer and enforce [this chapter](#).

[2024 Acts, ch 1158, §3](#)

137E.3 Misbranded food product.

A food product is misbranded as a meat product if all of the following apply:

1. *a.* Except as provided in paragraph “*b*”, the food product is a manufactured-protein food product or the food product contains a manufactured-protein food product.

b. The food product is not misbranded as a meat product only because it contains a trace amount of one or more plant-protein food products as determined by the department.

2. The food product is offered for sale or sold by a food processing plant.

3. *a.* A label that is part of or placed on the package or other container storing the food product includes an identifying meat term.

b. Paragraph “*a*” does not apply if the label contains a conspicuous and prominent qualifying term in close proximity to an identifying meat term.

[2024 Acts, ch 1158, §4](#)

Referred to in [§137E.2](#), [137E.4](#), [137E.6](#)

137E.4 Prohibition — sale.

A food processing plant shall not offer for sale or sell a food product that is misbranded as a meat product as provided in [section 137E.3](#).

[2024 Acts, ch 1158, §5](#)

Referred to in [§137E.5](#), [137E.4](#)

137E.5 Enforcement — stop order.

1. If a regulatory authority has reasonable cause to believe that a food processing plant is offering for sale or selling a food product that is misbranded as a meat product in violation of [section 137E.4](#), the regulatory authority may issue a stop order. Upon being issued the

stop order, the food processing plant shall not offer for sale or sell the food product until the regulatory authority determines that the food product is or is not misbranded as a meat product.

2. The regulatory authority may require that the food product be held by the food processing plant and be secured from purchase.

3. If a regulatory authority determines that the food product being offered for sale or sold by a food processing plant is misbranded as a meat product, the regulatory authority may issue an embargo order requiring the food processing plant to dispose of the misbranded meat product other than by sale to purchasers in this state.

4. The department, the attorney general, or the county attorney in the county where the food product is being offered for sale or sold may enforce the stop order or embargo order by petitioning the district court of that county.

[2024 Acts, ch 1158, §6](#)

137E.6 Violation — misbranding — civil penalty.

1. A food processing plant shall not misbrand a food product as a meat product as provided in [section 137E.3](#) as determined by the department.

2. A food processing plant violating [subsection 1](#) is subject to a civil penalty of not more than five hundred dollars, not to exceed ten thousand dollars total for violations arising out of the same transaction or occurrence. Each day that a violation continues constitutes a separate offense.

3. The department shall impose the civil penalty provided in [subsection 2](#). A food processing plant may contest the imposition of the civil penalty by initiating a contested case proceeding pursuant to [chapter 17A](#).

4. Civil penalties collected under [this section](#) shall be deposited in the general fund of the state.

[2024 Acts, ch 1158, §7](#)