

FEB 15 2000

Agriculture

HOUSE FILE 2258  
BY SCHERRMAN

Passed House, Date \_\_\_\_\_ Passed Senate, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

**A BILL FOR**

1 An Act relating to the labeling of imported meat products by  
2 retailers and providing penalties.

3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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HF 2258

1 Section 1. NEW SECTION. 191.9A IMPORTED MEAT PRODUCTS --  
2 LABELING.

3 1. As used in this section, unless the context otherwise  
4 requires:

5 a. "Consumer" means a person who buys a meat product for  
6 personal consumption.

7 b. "Imported meat product" means a meat product that has  
8 been imported into the United States.

9 c. "Livestock" means the same as defined in section 717.1.

10 d. "Meat product" means any fresh or frozen raw meat  
11 derived from the carcass of livestock, if the product is sold  
12 for use as human food in this state.

13 e. "Retailer" means a food establishment licensed pursuant  
14 to section 137F.3 which sells meat products on a retail basis.

15 f. "Sell" means any transfer, exchange, or barter, in any  
16 manner or by any means, for consideration, and includes an  
17 offer for sale.

18 2. A retailer shall not sell an imported meat product to a  
19 consumer, unless the imported meat product or its packaging is  
20 affixed with a label, as prescribed by rules which shall be  
21 adopted by the department. The label shall state that the  
22 meat product is imported, and include the name of the nation  
23 exporting the meat product to the United States. If the  
24 retailer is unable to determine whether the meat product is  
25 imported or the name of the exporting nation, the label shall  
26 state that the meat product is imported without identifying  
27 the name of the exporting nation.

28 3. a. A retailer is subject to a civil penalty of not  
29 more than one thousand dollars for each sale made by the  
30 retailer in violation of this section. The department shall  
31 establish a schedule of civil penalties based on the dollar  
32 amount of meat products sold in violation of this section.

33 b. A retailer shall not be subject to a civil penalty for  
34 selling a meat product in violation of this section, if the  
35 retailer sells the meat product after making a good faith

1 effort to comply with the requirements of this section.  
2 Evidence of good faith includes compliance with established  
3 practices and routine procedures which reasonably provide  
4 labeling consistent with the requirements of this section.

5 EXPLANATION

6 This bill amends Code chapter 191 which provides general  
7 requirements for labeling certain food products such as dairy  
8 products and imitation dairy products as administered by the  
9 department of agriculture and land stewardship.

10 This bill provides that a person selling meat products on a  
11 retail basis (referred to as a "retailer") is prohibited from  
12 selling an imported meat product to a consumer unless the  
13 imported meat product or its packaging is affixed with a  
14 label, as prescribed by rules which must be adopted by the  
15 department. According to the bill, the label must state that  
16 the meat product is imported, and include the name of the  
17 exporting nation. If the retailer is unable to determine  
18 whether the meat product is imported or the name of the  
19 exporting nation, the label must state that the meat product  
20 is imported without identifying the name of the exporting  
21 nation.

22 The bill provides that a retailer who violates the labeling  
23 requirement is subject to a civil penalty of not more than  
24 \$1,000 for each sale made in violation of the bill's  
25 requirements. The bill authorizes the department to establish  
26 a schedule of civil penalties. The bill excuses a retailer  
27 from the civil penalty if a sale made in violation of the  
28 bill's requirements is in good faith.

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