

House Study Bill 683

HOUSE FILE _____
BY (PROPOSED COMMITTEE ON
JUDICIARY BILL BY
CHAIRPERSON PAULSEN)

Passed House, Date _____ Passed Senate, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act limiting the liability of a manufacturer, packer,
2 distributor, carrier, holder, seller, marketer, or advertiser
3 of a food product intended for human consumption.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
5 TLSB 5897HC 81
6 rh/gg/14

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1 1 Section 1. NEW SECTION. 668.12A MANUFACTURERS, PACKERS,
1 2 DISTRIBUTORS, CARRIERS, HOLDERS, SELLERS, MARKETERS, AND
1 3 ADVERTISERS OF FOOD PRODUCTS == LIMITATION OF LIABILITY.
1 4 The manufacturer, packer, distributor, carrier, holder,
1 5 seller, marketer, or advertiser of a food product intended for
1 6 human consumption shall not be subject to civil liability,
1 7 whether based on breach of contract, breach of warranty,
1 8 negligence, strict liability, or tort, arising out of weight
1 9 gain, obesity, a health condition associated with weight gain
1 10 or obesity, or any other condition allegedly caused by or
1 11 allegedly likely to result from the consumption of the food
1 12 product, unless the plaintiff proves that at the time of sale,
1 13 the food product was not in compliance with applicable federal
1 14 or state statutory and regulatory requirements.

1 15 EXPLANATION

1 16 This bill limits the liability of a manufacturer, packer,
1 17 distributor, carrier, holder, seller, marketer, or advertiser
1 18 of a food product intended for human consumption.
1 19 The bill provides that a manufacturer, packer, distributor,
1 20 carrier, holder, seller, marketer, or advertiser of a food
1 21 product intended for human consumption shall not be subject to
1 22 civil liability, whether based on breach of contract, breach
1 23 of warranty, negligence, strict liability, or tort, arising
1 24 out of weight gain, obesity, a health condition associated
1 25 with weight gain or obesity, or any other condition allegedly
1 26 caused by or allegedly likely to result from the consumption
1 27 of the food product, unless the plaintiff proves that at the
1 28 time of sale, the food product was not in compliance with
1 29 applicable federal or state statutory and regulatory
1 30 requirements.
1 31 LSB 5897HC 81
1 32 rh:nh/gg/14