

MAINE STATE LEGISLATURE

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1 (EMERGENCY)
2 (New Draft of H.P. 633, L.D. 901)
3 FIRST REGULAR SESSION
4

5 ONE HUNDRED AND TWELFTH LEGISLATURE
6

7 Legislative Document

No. 1528

9 H.P. 1052

House of Representatives, May 17, 1985

10 Reported by Representative Rydell from the Committee on Business and
11 Commerce and printed under Joint Rule 2. Original bill sponsored by
12 Representative Scarpino of St. George. Cosponsored by Representative
Holloway of Edgecomb.

EDWIN H. PERT, Clerk

13
14 STATE OF MAINE
15

16 IN THE YEAR OF OUR LORD
17 NINETEEN HUNDRED AND EIGHTY-FIVE
18

19 AN ACT to Require Final Usage Labeling for
20 all Surimi Products.
21

22 **Emergency preamble.** Whereas, Acts of the Legis-
23 lature do not become effective until 90 days after
24 adjournment unless enacted as emergencies; and

25 Whereas, it is essential that people are able to
26 know the full content of foods eaten in order to pro-
27 tect themselves against possible dangerous physical
28 reactions; and

29 Whereas, it is important to preserve the good
30 reputation of Maine seafoods and seafood products in
31 the eyes of Maine citizens and visitors to Maine who
32 rely on the high quality of Maine products; and

33 Whereas, a large volume of seafood and seafood
34 products are sold to summer visitors to this State;
35 and

1 Whereas, in the judgment of the Legislature,
2 these facts create an emergency within the meaning of
3 the Constitution of Maine and require the following
4 legislation as immediately necessary for the preser-
5 vation of the public peace, health and safety; now,
6 therefore,

7 Be it enacted by the People of the State of Maine as
8 follows:

9 12 MRSA c. 605, sub-c. III-A is enacted to read:

10 SUBCHAPTER III-A

11 SURIMI or SURIMI PRODUCTS

12 §6111. Definitions

13 As used in this chapter, unless the context oth-
14 erwise indicates, the following terms have the fol-
15 lowing meanings.

16 1. Surimi. "Surimi" means an intermediate raw
17 material consisting of a semiprocessed, wet fish pro-
18 tein or fish paste, from which a variety of finished
19 products are derived, including, but not limited to,
20 chikuwa, kamaboko, date-maki, tsumire, fish sausages,
21 fish hams and other related products.

22 2. Surimi-based analogue. "Surimi-based ana-
23 logue" means a product containing surimi which is
24 processed to resemble crab, lobster, scallops, shrimp
25 or other specific variety of shellfish or fish.

26 §6112. Labeling of food products containing surimi

27 No food product may be sold in this State con-
28 sisting of or containing surimi unless the packaging
29 containing the food product is clearly and conspicu-
30 ously labeled as "imitation," followed by the name of
31 the food imitated, in the case of surimi-based
32 analogues or as "processed seafood" in the case of
33 generic seafood products.

34 §6113. Serving food containing surimi

1 No food containing surimi or a surimi product may
2 be served in any eating establishment in the State
3 whether for consumption on or off the premises, un-
4 less on the menu and all notices advertising the food
5 it is clearly and conspicuously labeled with the term
6 "imitation," followed by the name of the food
7 imitated, in the case of surimi-based analogues or as
8 "processed seafood" in the case of generic seafood
9 products.

10 §6114. Violation; enforcement

11 1. Forfeiture. A violation of this chapter is a
12 civil violation for which a forfeiture not to exceed
13 \$100 may be adjudged.

14 2. Enforcement procedure. This subchapter shall
15 be enforced using the procedures set out in section
16 6101.

17 **Emergency clause.** In view of the emergency cited
18 in the preamble, this Act shall take effect when ap-
19 proved.

20 STATEMENT OF FACT

21 Surimi is a seafood product composed of
22 semiprocessed fish, a binder base and other ingredi-
23 ents and processed to appear or taste as a different
24 seafood products. This new draft requires that all
25 products containing surimi be labeled as such.
26 Surimi-based analogues must be labeled as "imitation"
27 followed by the name of the food imitated, for exam-
28 ple, "imitation lobster" and generic seafood products
29 must be labeled as "processed seafood."

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