

MAINE STATE LEGISLATURE

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1 (EMERGENCY)
2 (New Draft of S.P. 793, L.D. 1994)
3 SECOND REGULAR SESSION
4

5 ONE HUNDRED AND TWELFTH LEGISLATURE
6

7 Legislative Document

No. 2275

9 S.P. 908

In Senate, March 31, 1986

10 Reported by majority report from the committee on Agriculture and
11 printed under Joint Rule 2. Original bill sponsored by Senator Perkins of
12 Hancock. Cosponsored by Senator Gauvreau of Androscoggin, Representative
Nelson of Portland and Representative Pines of Limestone.

JOY J. O'BRIEN, Secretary of the Senate

13
14 STATE OF MAINE
15

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

19 AN ACT Relating to Use of Sulfite as a Food
20 Preservative.
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, the Legislature wishes to insure the
26 safety of the food buyer by establishing standards of
27 quality and accurate labeling; and

28 Whereas, the Legislature intends to establish la-
29 beling requirements for foods that may be treated
30 with sulfites to retard deterioration; and

31 Whereas, the Legislature wishes to apply these
32 standards immediately; and

33 Whereas, in the judgment of the Legislature,
34 these facts create an emergency within the meaning of

1 the Constitution of Maine and require the following
2 legislation as immediately necessary for the preser-
3 vation of the public peace, health and safety; now,
4 therefore,

5 Be it enacted by the People of the State of Maine as
6 follows:

7 Sec. 1. 22 MRSA §2157, sub-§10, as amended by PL
8 1981, c. 470, Pt. A, §88, is further amended to read:

9 10. Dietary properties. If it purports to be or
10 is represented for special dietary uses, unless its
11 label bears such information concerning its vitamin,
12 mineral and other dietary properties as the Commis-
13 sioner of Agriculture, Food and Rural Resources de-
14 termines to be, and by regulation prescribed as nec-
15 essary in order to fully inform purchasers as to its
16 value for such uses; ~~or~~

17 Sec. 2. 22 MRSA §2157, sub-§11, as amended by PL
18 1979, c. 731, §19, is further amended to read:

19 11. Artificial flavoring and coloring. If it
20 bears or contains any artificial flavoring, artifi-
21 cial coloring or chemical preservative, unless it
22 bears labeling stating the fact. If the artificial
23 flavoring and artificial coloring declaration does
24 not refer to the entire contents of the package, the
25 words "artificial flavoring" and "artificial color-
26 ing" must follow immediately each of the ingredients
27 of the package containing one or more of these sub-
28 stances. The common or usual name of any chemical
29 preservative must be immediately followed by the
30 words "chemical preservation". To the extent that
31 compliance with the requirements of this subsection
32 is impracticable, exemptions shall be established by
33 regulations promulgated by the Commissioner of "Agri-
34 culture, Food and Rural Resources". This subsection,
35 and subsections 7 and 9, with respect to artificial
36 coloring, shall not apply in the case of butter,
37 cheese or ice cream; or

38 Sec. 3. 22 MRSA §2157, sub-§12 is enacted to
39 read:

1 12. Sulfite. "Sulfite" means sulfur dioxide,
2 sodium sulfite, sodium bisulfite, potassium
3 bisulfite, sodium metabisulfite or potassium
4 metabisulfite which is added to food to prevent or
5 retard the deterioration of that food.

6 If a person sells, offers for sale or serves in any
7 retail store, hotel, restaurant or other public eat-
8 ing place any food or food product, whether or not in
9 package form, that contains any sulfite then:

10 A. The package in which that food or food
11 product is offered for sale must conspicuously
12 bear a label or stamp indicating that the food or
13 food product contains sulfite; or

14 B. When the food or food product is offered for
15 consumption and is not packaged, a conspicuous
16 label or sign must be placed on the food, immedi-
17 ately next to the food or on the menu, indicating
18 that the food or food product contains sulfite.

19 This subsection shall be repealed on April 1, 1988.

20 Emergency clause. In view of the emergency cited
21 in the preamble, this Act shall take effect when ap-
22 proved.

23 STATEMENT OF FACT

24 The purpose of this new draft is to transfer the
25 provisions of this bill from the Maine Revised Stat-
26 utes, Title 7 to Title 22, which relates to Pure Food
27 and Accurate Labeling. A number of minor stylistic
28 modifications are made to allow this transfer to take
29 place and an emergency preamble is added.

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