

# MAINE STATE LEGISLATURE

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(New Draft of H.P. 814, L.D. 1088)  
(New Title)  
FIRST REGULAR SESSION

ONE HUNDRED AND THIRTEENTH LEGISLATURE

Legislative Document

NO. 1552

H.P. 1142 House of Representatives, May 13, 1987  
Reported by Representative BRAGG from the Committee on  
Agriculture and printed under Joint Rule 2.

EDWIN H. PERT, Clerk  
Original bill sponsored by Representative CARROLL of  
Gray. Cosponsored by Senators PERKINS of Hancock, ANDREWS of  
Cumberland and Representative MITCHELL of Freeport.

STATE OF MAINE

IN THE YEAR OF OUR LORD  
NINETEEN HUNDRED AND EIGHTY-SEVEN

**AN ACT to Prohibit Sale of Foods Processed  
with Radiation.**

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

Sec. 1. 22 MRSA §2152, sub-§5-A is enacted to  
read:

5-A. Irradiated food. "Irradiated food" means:

A. Any food which has been treated with gamma  
radiation or other ionizing radiation; or

B. Any food which contains any ingredient that  
has been treated with gamma radiation or other  
ionizing radiation.

1 Spices which have been treated with gamma radiation  
2 or other ionizing radiation and are sold as spices  
3 are irradiated food, but another food which contains  
4 as an ingredient spices which have been so treated  
5 shall not be considered irradiated food solely be-  
6 cause of the presence of those spices.

7 Sec. 2. 22 MRSA §2155, sub-§8, as amended by PL  
8 1981, c. 470, Pt. A, §86, is further amended to read:

9 8. Alteration, etc. of label. The alteration,  
10 mutilation, destruction, obliteration or removal of  
11 the whole or any part of the labeling of; or the do-  
12 ing of any other act with respect to a food, if the  
13 act is done while the article is held for sale and  
14 results in the article being misbranded; or

15 Sec. 3. 22 MRSA §2155, sub-§9 is amended to  
16 read:

17 9. Forging, etc. of label. Forging, counterfeit-  
18 ing, simulating or falsely representing, or without  
19 proper authority using any mark, stamp, tag, label or  
20 other identification device authorized or required by  
21 regulations promulgated under this subchapter; or

22 Sec. 4. 22 MRSA §2155, sub-§10 is enacted to  
23 read:

24 10. Irradiated food. For any person to knowing-  
25 ly sell irradiated food.

26 STATEMENT OF FACT

27 This new draft carries out the intent of the  
28 original bill to protect Maine consumers from any po-  
29 tential hazards of food which has been irradiated  
30 with gamma radiation or other ionizing radiation.  
31 The new draft prohibits the knowing sale of  
32 irradiated food, with the exception of irradiated  
33 spices when those spices are only an ingredient in  
34 the food. Irradiated spices are irradiated food and  
35 their knowing sale is prohibited.

1           The committee notes that use of food irradiation  
2 is not widespread at present and that, in the opinion  
3 of the responsible state agencies, existing studies  
4 of the safety of irradiated food are insufficient.  
5 The new draft leaves it to the Legislature to decide  
6 at any future time whether further study has estab-  
7 lished the safety of irradiated food.

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