

MAINE STATE LEGISLATURE

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114th MAINE LEGISLATURE

FIRST REGULAR SESSION - 1989

Legislative Document

No. 1118

H.P. 806

House of Representatives, April 11, 1989

Reference to the Committee on Legal Affairs suggested and ordered printed.

A handwritten signature in cursive script that reads "Ed Pert".

EDWIN H. PERT, Clerk

Presented by Representative HOGLUND of Portland.

Cosponsored by Representative MURPHY of Berwick and Representative COTE of Auburn.

STATE OF MAINE

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

**An Act to Mandate that Ingredients be Listed on Labels of Liquor
Bottles Sold at State Liquor Stores.**



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

3 **28-A MRSA §13** is enacted to read:

5 **§13. Liquor; designation of ingredients**

7 1. Definitions. As used in this section, unless the
9 context otherwise indicates, the following terms have the
following meanings.

11 A. "Principal display panel" means the part of a label that
13 is most likely to be displayed, presented, shown or examined
under customary conditions of display for retail sale.

15 B. "Information panel" means that part of the label
17 immediately contiguous and to the right of the principal
display panel as observed by an individual facing the
19 principal display panel.

21 2. Containers to bear labels. Every container of liquor
sold in this State shall bear a label listing the ingredients of
23 that liquor. Ingredients shall be listed by specific and not
common or usual name in descending order of predominance by
25 weight, except for the following.

27 A. Spices, flavorings, colorings and chemical preservatives
shall be disclosed by their common names.

29 B. An ingredient that contains 2 or more components and has
31 an established common or usual name shall be designated in
the statement of ingredients on the label by either:

33 (1) Declaring the established common or usual name of
35 the ingredient followed by a parenthetical listing of
all components contained within the ingredient in
37 descending order of predominance except that, if the
ingredient is a liquor subject to a definition and
39 standard of identity established in this section, only
the ingredients required to be declared by the
41 definition and standard of identity need be listed; or

43 (2) Incorporating in the statement of ingredients, in
descending order of predominance in the liquor, the
45 common or usual name of every component of the
ingredient without actually listing the ingredient.

- 1 C. Skim milk, concentrated skim milk, reconstituted skim
3 milk and nonfat dry milk may be declared as "skim milk."
- 5 D. Milk, concentrated milk, reconstituted milk and dry
7 whole milk may be declared as "milk."
- 9 E. Bacterial cultures may be declared by the word
11 "cultured," followed by the name of the substrate.
- 13 F. Sweetcream buttermilk, concentrated sweetcream
15 buttermilk, reconstituted sweetcream buttermilk and dried
17 sweetcream buttermilk may be declared as "buttermilk."
- 19 G. Whey, concentrated whey, reconstituted whey and dried
21 whey may be declared as "whey."
- 23 H. Cream, reconstituted cream, dried cream and plastic
25 cream, sometimes known as concentrated milk fat, may be
27 declared as "cream."
- 29 I. Butter oil and anhydrous butterfat may be declared as
31 "butterfat."
- 33 J. Dried whole eggs, frozen whole eggs and liquid whole
35 eggs may be declared as "eggs."
- 37 K. Dried egg whites, frozen egg whites and liquid egg
39 whites may be declared as "egg whites."
- 41 L. Dried egg yolks, frozen egg yolks and liquid egg yolks
43 may be declared as "egg yolks."
- 45 M. Each fat or oil ingredient of liquor shall be declared
47 by its specific, common or usual name in its order of
predominance in the liquor except that blends of fats or
oils may be designated in their order of predominance in the
liquors as "shortening" or "blend of
oils," the blank to be filled in with the word "vegetable,"
"animal" or "marine," with or without the terms "fat" or
"oils," or a combination of these, whichever is applicable
if, immediately following the term, the common or usual name
of each vegetable, animal or marine fat or oil is given in
parentheses. For products that are blends of fats or oils
and for liquors in which fats or oils constitute the
predominant ingredient, where the combined weight of all fat
or oil ingredients equals or exceeds the weight of the most
predominant ingredient that is not a fat or oil, the listing
of the common or usual names of fats or oils in parentheses

1 shall be in descending order of predominance. In all other
3 liquors in which a blend of fats or oils is used as an
5 ingredient, the listing of the common or usual names in
7 parentheses need not be in descending order of predominance
9 if the manufacturer, because of the use of varying mixtures,
11 is unable to adhere to a constant pattern of fats or oils in
13 the product. If the fat or oil is completely hydrogenated,
15 the name shall include the term "hydrogenated," or if
17 partially hydrogenated, the name shall include the term
19 "partially hydrogenated." If each fat or oil in a blend or
21 the entire blend is completely hydrogenated, the term
23 "hydrogenated" may precede the term or terms describing the
blend, rather than preceding the name of each individual fat
or oil; if the blend of fats or oils is partially
hydrogenated, the term "partially hydrogenated" may be used
in the same manner. Fat or oil ingredients not present in
the product may be listed if they may occasionally be used
in the product. Such ingredients shall be identified by
words indicating that they may not be present, such as "or,"
"and/or," and "contains one or more of the following." No
fat or oil ingredient may be listed unless actually present
if the fats or oils constitute the predominant ingredient of
the product, as defined in this subparagraph.

25 N. Ingredients that act as yeast nutrients may be declared
27 in the ingredient statement by stating the specific, common
29 or usual name of each yeast nutrient in parentheses
31 following the collective name "yeast nutrients." The
33 listing of the common or usual name of each yeast nutrient
35 in parentheses shall be in descending order of predominance,
37 except that if the manufacturer is unable to adhere to a
39 constant pattern of yeast nutrients in the product, the
listing of the common or usual names of individual yeast
nutrients need not be in descending order of predominance.
Yeast nutrients not present in the product may be listed if
they are occasionally used in the product. These
ingredients shall be identified by words indicating that
they may not be present, such as "or," "and/or" and
"contains one or more of the following."

41 O. When water is added to reconstitute, completely or
43 partially, an ingredient permitted by paragraphs A to N to
45 be declared by a class name, the position of the ingredient
47 class name in the ingredient statement shall be determined
by the weight of the unreconstituted ingredient plus the
weight of the quantity of water added to reconstitute that
ingredient, up to the amount of water needed to

