

# MAINE STATE LEGISLATURE

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A.S.

L.D. 1980

DATE: April 23, 1999

(Filing No. S-119 )

**AGRICULTURE, CONSERVATION AND FORESTRY**

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**STATE OF MAINE  
SENATE  
119TH LEGISLATURE  
FIRST REGULAR SESSION**

COMMITTEE AMENDMENT "A" to S.P. 705, L.D. 1980, Bill, "An Act to Provide Labeling for Cider"

Amend the bill by striking out everything after the title and before the summary and inserting in its place the following:

**Emergency preamble.** Whereas, Acts of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

**Whereas,** the appropriate labeling of cider is important to consumers and producers; and

**Whereas,** cider is a seasonal crop and changes are needed prior to the 1999 cider season; and

**Whereas,** in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

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

**Sec. 1. 7 MRSA §543-A,** as enacted by PL 1983, c. 220, is repealed and the following enacted in its place:

**§543-A. Cider**

**1. Restriction on product labeled as cider.** A person may not sell, advertise, offer or expose for sale any product labeled as "cider" if that product has been heated to a temperature of 155° Fahrenheit or higher for more than 10 seconds.

**COMMITTEE AMENDMENT**

2           2. Accepted processing methods. All cider sold, advertised,  
offered or exposed for sale must be heat treated, treated by  
4           ultraviolet light or pressed under a state-approved hazard and  
critical control plan unless the cider bears a warning label in  
6           accordance with subsection 3. A state-approved hazard and  
critical control plan must prohibit the pressing of apples that  
8           have dropped from the trees for use in cider. For the purposes of  
this section, "heat treated" means heated to a temperature of  
10          155° Fahrenheit or higher for no more than 10 seconds.

12          3. Warning label. A person selling, advertising, offering  
or exposing for sale cider that has not been processed in  
14          accordance with subsection 2 must affix a label to that product  
stating: "WARNING: This product has not been pasteurized. It may  
16          contain harmful bacteria that can cause serious illness in  
children, the elderly, and persons with weakened immune systems."

18          4. Exemption. Hard cider as defined in Title 28-A, section  
20          2, subsection 12-A is exempt from this section.

22          **Emergency clause.** In view of the emergency cited in the  
preamble, this Act takes effect when approved.'

24  
Further amend the bill by inserting at the end before the  
26          summary the following:

28  
30    **FISCAL NOTE**

This bill may increase the number of civil violations filed  
32          in the court system. The additional workload and administrative  
costs associated with the minimal number of new cases filed can  
34          be absorbed within the budgeted resources of the Judicial  
Department. The collection of additional fines may also increase  
36          General Fund revenue by minor amounts.'

38  
40    **SUMMARY**

This amendment replaces the bill. It adds an emergency  
42          preamble and emergency clause and provides for a warning label on  
cider that has not been processed by an approved method. It also  
44          exempts hard cider from the cider labeling restrictions and  
requirements. It also adds a fiscal note to the bill.