

MAINE STATE LEGISLATURE

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SMO
ROTS

L.D. 351

Date: 5/31/19 Minority

(Filing No. H- 424)

AGRICULTURE, CONSERVATION AND FORESTRY

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**STATE OF MAINE
HOUSE OF REPRESENTATIVES
129TH LEGISLATURE
FIRST REGULAR SESSION**

COMMITTEE AMENDMENT "B" to H.P. 277, L.D. 351, Bill, "An Act To Ensure Accuracy in the Labeling of Maine Meat and Poultry"

Amend the bill by striking out everything after the enacting clause and inserting the following:

Sec. 1. 22 MRSA §2157, sub-§15 is enacted to read:

15. Mislabeling poultry and meat. If it is poultry, a poultry product, meat or a meat product offered for sale, sold or distributed within the State and labeled or advertised as "Maine-raised" or by a similar designation unless the poultry or animal was raised in Maine. A determination that poultry, a poultry product, meat or a meat product is misbranded may be waived by the commissioner upon application if the commissioner finds a waiver warranted due to economic factors, including, but not limited to, the proximity of processing facilities to the in-state poultry producer or meat producer and the availability of poultry processing facilities or meat processing facilities in the State. For purposes of this subsection, "raised in Maine" means:

A. For poultry and poultry products, that the poultry was raised solely in the State from no later than the 7th day after hatching and processed solely in the State; and

B. For meat and meat products, that:

(1) The cattle were raised in the State for at least 150 days or the swine were raised in the State for at least 100 days; and

(2) The animal was processed solely in the State.

As used in this subsection, "poultry," "poultry product," "meat" and "meat product" have the same meanings as in section 2511.'

Amend the bill by relettering or renumbering any nonconsecutive Part letter or section number to read consecutively.

COMMITTEE AMENDMENT

R.O.F.S

SUMMARY

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This amendment, which is the minority report, replaces the bill. It provides that poultry, poultry products, meat and meat products labeled or advertised as Maine-raised or by a similar designation are considered misbranded if offered for sale, sold or distributed within the State unless the poultry or animals were raised in Maine. The Commissioner of Agriculture, Conservation and Forestry may grant a waiver of the determination that such poultry, poultry products, meat and meat products are misbranded upon consideration of economic factors, including, but not limited to, the proximity of processing facilities to the in-state poultry producer or meat producer and the availability of poultry processing facilities or meat processing facilities in the State.

The amendment provides that "raised in Maine" includes:

1. Poultry raised solely in the State from no later than the 7th day after hatching and processed solely in the State;
2. Cattle raised for at least 150 days in the State and processed solely in the State; and
3. Swine raised for at least 100 days in the State and processed solely in the State.

FISCAL NOTE REQUIRED
(See attached)



129th MAINE LEGISLATURE

LD 351

LR 774(03)

An Act To Ensure Accuracy in the Labeling of Maine Meat and Poultry

Fiscal Note for Bill as Amended by Committee Amendment

B(H-424)

Committee: Agriculture, Conservation and Forestry

Fiscal Note Required: Yes

Fiscal Note

Minor cost increase - General Fund

Fiscal Detail and Notes

Any additional costs to the Department of Agriculture, Conservation and Forestry as a result of clarifications to the rules regarding the definition of "Maine-raised" for poultry and meat products are anticipated to be minor and can be absorbed within existing budgeted resources.