

MAINE STATE LEGISLATURE

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129th MAINE LEGISLATURE

FIRST REGULAR SESSION-2019

Legislative Document

No. 351

H.P. 277

House of Representatives, January 24, 2019

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

Reference to the Committee on Agriculture, Conservation and Forestry suggested and ordered printed.

A handwritten signature in cursive script that reads "Robert B. Hunt".

ROBERT B. HUNT
Clerk

Presented by Representative PLUECKER of Warren.
Cosponsored by Senator BLACK of Franklin and
Representatives: COSTAIN of Plymouth, HALL of Wilton, HICKMAN of Winthrop,
MAXMIN of Nobleboro, McCREA of Fort Fairfield, SKOLFIELD of Weld, Senator: DILL of
Penobscot.

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

2 **Sec. 1. 7 MRSA §443-B, sub-§2**, as enacted by PL 1987, c. 844, §1, is amended
3 to read:

4 **2. Origin of product.** For purposes of this section, the commissioner shall define,
5 by rule, for each commodity group other than poultry and poultry products covered under
6 subsection 2-A and meat and meat products covered under subsection 2-B, the meaning
7 of the term "produced within the State" and the minimum percent of the content of any
8 package that must have actually been produced within the State to meet the requirements
9 for use of any mark under this section.

10 The commissioner shall grant a waiver to the minimum content criteria when emergency
11 market conditions arise ~~which~~ that are abnormal to the historic flow of a specific
12 commodity, with the degree of the waiver to be determined by the commissioner. The
13 commissioner shall determine what constitutes an emergency condition.

14 **Sec. 2. 7 MRSA §443-B, sub-§§2-A and 2-B** are enacted to read:

15 **2-A. Maine poultry and poultry products.** Poultry and poultry products as defined
16 in Title 22, section 2511 sold or offered for sale may not be labeled with a certified
17 "Maine" trademark under subsection 1 unless the poultry was raised solely in the State
18 from no later than the 7th day after hatching.

19 **2-B. Maine meat and meat products.** Meat and meat products as defined in Title
20 22, section 2511 sold or offered for sale may not be labeled with a certified "Maine"
21 trademark under subsection 1 unless the animal was born in the State and raised solely in
22 the State.

23 **Sec. 3. 7 MRSA §443-C** is enacted to read:

24 **§443-C. Prohibition; mislabeling poultry and meat**

25 **1. Prohibition; mislabeling poultry and meat.** Poultry, poultry products, meat and
26 meat products as defined in Title 22, section 2511 sold or offered for sale may not be
27 labeled or advertised as "Maine-raised" or by a similar designation unless:

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

30 B. For meat and meat products, the animal was born in the State and raised solely in
31 the State.

32 **2. Violation.** For a violation of subsection 1, the commissioner may suspend or
33 revoke a license or may take any other action that the commissioner determines
34 appropriate as provided under Title 22, section 2514, subsection 6.

35 **Sec. 4. 22 MRSA §2512, sub-§1, ¶B-1** is enacted to read:

1 B-1. Enforce the prohibition under Title 7, section 443-C on labeling or advertising
2 poultry, poultry products, meat and meat products sold or offered for sale as "Maine-
3 raised" or by a similar designation;

4 **SUMMARY**

5 This bill provides that:

6 1. Poultry and poultry products sold or offered for sale may not be labeled with a
7 certified "Maine" trademark or labeled or advertised as "Maine-raised" or by a similar
8 designation unless the poultry was raised solely in the State from no later than the 7th day
9 after hatching; and

10 2. Meat and meat products sold or offered for sale may not be labeled with a certified
11 "Maine" trademark or labeled or advertised as "Maine-raised" or by a similar designation
12 unless the animal was born in the State and raised solely in the State.

13 The bill also requires the Commissioner of Agriculture, Conservation and Forestry,
14 under the Maine Revised Statutes, Title 22, chapter 562-A relating to preparation of
15 livestock and poultry products for human consumption, to enforce the prohibition on
16 labeling or advertising poultry, poultry products, meat and meat products sold or offered
17 for sale as "Maine-raised" unless the requirements in this bill are met.