

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE
ONE HUNDRED AND TWELFTH LEGISLATURE

SECOND REGULAR SESSION
January 8, 1986 to April 16, 1986

SECOND SPECIAL SESSION
May 28, 1986 to May 30, 1986

AND AT THE

THIRD SPECIAL SESSION
October 17, 1986

PUBLISHED BY THE DIRECTOR OF REVISOR OF STATUTES IN
ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,
TITLE 3, SECTION 163-A, SUBSECTION 4.

J.S. McCarthy Co., Inc.
Augusta, Maine

PUBLIC LAWS
OF THE
STATE OF MAINE

AS PASSED AT THE
SECOND REGULAR SESSION
of the
ONE HUNDRED AND TWELFTH LEGISLATURE
1985

CHAPTER 676

S.P. 908 - L.D. 2275

AN ACT Relating to Use of Sulfite as a Food Preservative.

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

Whereas, the Legislature wishes to insure the safety of the food buyer by establishing standards of quality and accurate labeling; and

Whereas, the Legislature intends to establish labeling requirements for foods that may be treated with sulfites to retard deterioration; and

Whereas, the Legislature wishes to apply these standards immediately; 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. 22 MRSA §2157, sub-§10, as amended by PL 1981, c. 470, Pt. A, §88, is further amended to read:

10. Dietary properties. If it purports to be or is represented for special dietary uses, unless its label bears such information concerning its vitamin, mineral and other dietary properties as the Commissioner of Agriculture, Food and Rural Resources determines to be, and by regulation prescribed as necessary in order to fully inform purchasers as to its value for such uses; ~~or~~

Sec. 2. 22 MRSA §2157, sub-§11, as amended by PL 1979, c. 731, §19, is further amended to read:

11. Artificial flavoring and coloring. If it bears or contains any artificial flavoring, artificial coloring or chemical preservative, unless it bears labeling stating the fact. If the artificial flavoring and artificial coloring declaration does

not refer to the entire contents of the package, the words "artificial flavoring" and "artificial coloring" must follow immediately each of the ingredients of the package containing one or more of these substances. The common or usual name of any chemical preservative must be immediately followed by the words "chemical preservation". To the extent that compliance with the requirements of this subsection is impracticable, exemptions shall be established by regulations promulgated by the Commissioner of "Agriculture, Food and Rural Resources". This subsection, and subsections 7 and 9, with respect to artificial coloring, shall not apply in the case of butter, cheese or ice cream; or

Sec. 3. 22 MRSA §2157, sub-§12 is enacted to read:

12. Sulfite. "Sulfite" means sulfur dioxide, sodium sulfite, sodium bisulfite, potassium bisulfite, sodium metabisulfite or potassium metabisulfite which is added to food to prevent or retard the deterioration of that food.

If a person sells, offers for sale or serves in any retail store, hotel, restaurant or other public eating place any food or food product, whether or not in package form, to which that person has added any sulfite then:

A. The package in which that food or food product is offered for sale must conspicuously bear a label or stamp indicating that the food or food product contains sulfite; or

B. When the food or food product is offered for consumption and is not packaged, a conspicuous label or sign must be placed on the food, immediately next to the food or on the menu, indicating that the food or food product contains sulfite.

This subsection shall be repealed on April 1, 1988.

Emergency clause. In view of the emergency cited in the preamble, this Act shall take effect when approved.