

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 1st Session of the 57th Legislature (2019)

4 HOUSE BILL 2052

 By: Sanders of the House

5 and

6 **Murdock** of the Senate

7
8
9 AS INTRODUCED

10 An Act relating to agriculture; amending 2 O.S. 2011,
11 Section 6-187, which relates to the Oklahoma Meat
12 Inspection Act; prohibiting the misrepresentation of
 certain products as meat; and providing an effective
 date.

13
14
15
16 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

17 SECTION 1. AMENDATORY 2 O.S. 2011, Section 6-187, is
18 amended to read as follows:

19 Section 6-187. (a) When any meat or meat food product prepared
20 for intrastate commerce which has been inspected as hereinbefore
21 provided and marked "Oklahoma Inspected and Passed" shall be placed
22 or packed in any can, pot, tin, canvas, or other receptacle or
23 covering in any establishment where inspection under the provisions
24 of this act is maintained, the person, firm, or corporation

1 preparing said product shall cause a label to be attached to said
2 can, pot, tin, canvas, or other ~~receptable~~ receptacle or covering,
3 under supervision of an inspector, which label shall state that the
4 contents thereof have been "Oklahoma Inspected and Passed" under the
5 provisions of this act, and no inspection and examination of meat or
6 meat food products deposited or ~~inclosed~~ enclosed in cans, tins,
7 pots, canvas, or other ~~receptable~~ receptacle or covering in any
8 establishment where inspection under the provisions of this act is
9 maintained shall be deemed to be complete until such meat or meat
10 food products have been sealed or ~~inclosed~~ enclosed in said can,
11 tin, pot, canvas, or other receptacle or covering under the
12 supervision of an inspector.

13 (b) All carcasses, parts of carcasses, meat and meat food
14 products inspected at any establishment under the authority of this
15 act and found to be not adulterated, shall at the time they leave
16 the establishment bear, in distinctly legible form, directly thereon
17 or on their containers, as the Board of Agriculture may require, the
18 information required under paragraph (k) of Section ~~4~~ 6-182 of this
19 ~~act~~ title.

20 (c) The Board, whenever it determines such action is necessary
21 for the protection of the public, may prescribe: (1) the styles and
22 sizes of type to be used with respect to material required to be
23 incorporated in labeling to avoid false or misleading labeling of
24 any articles or animals subject to Sections ~~4~~ 6-181 through ~~20~~ 6-200

1 of this ~~act~~ title; (2) definitions and standards of identity or
2 composition for articles subject to Sections ~~4~~ 6-181 through ~~16~~ 6-
3 196 of this title and standards of fill of container for such
4 articles not inconsistent with any such standards established under
5 the Federal Food, Drug, and Cosmetic Act, or under the Federal Meat
6 Inspection Act, and there shall be consultation between the Board
7 and the Secretary of Agriculture of the United States prior to the
8 issuance of such standards to avoid inconsistency between such
9 standards and the federal standards.

10 (d) No article subject to Sections ~~4~~ 6-181 through ~~16~~ 6-196 of
11 this ~~act~~ title shall be sold or offered for sale by any person,
12 firm, or corporation, in intrastate commerce, under any name or
13 other marking or labeling which is false or misleading, or in any
14 container of a misleading form or size, but established trade names
15 and other marking and labeling and containers which are not false or
16 misleading and which are approved by the Board are permitted.

17 (e) If the Board has reason to believe that any marking or
18 labeling or the size or form of any container in use or proposed for
19 use with respect to any article subject to Sections ~~4~~ 6-181 through
20 ~~16~~ 6-196 of this title is false or misleading in any particular or
21 misrepresenting a product as meat that is not derived from harvested
22 production livestock or poultry, it may direct that such use be
23 withheld, unless the marking, labeling, or container is modified in
24 such manner as it may prescribe so that it will not be false or

1 misleading. If the person, firm, or corporation using or proposing
2 to use the marking, labeling or container does not accept the
3 determination of the Board, such person, firm, or corporation may
4 request a hearing, but the use of the marking, labeling, or
5 container shall, if the Board so directs, be withheld pending
6 hearing and final determination by the Board. Any such
7 determination by the Board shall be conclusive unless, within thirty
8 (30) days after receipt of notice of such final determination, the
9 person, firm, or corporation adversely affected thereby appeals to
10 the District Court of Oklahoma County.

11 SECTION 2. This act shall become effective November 1, 2019.

12
13 COMMITTEE REPORT BY: COMMITTEE ON AGRICULTURE AND RURAL DEVELOPMENT,
14 dated 02/11/2019 - DO PASS, As Coauthored.
15
16
17
18
19
20
21
22
23
24