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State of Minnesota

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HOUSE OF REPRESENTATIVES

EIGHTY-SIXTH SESSION

HOUSE FILE No. 1306

March 5, 2009

Authored by Hornstein

The bill was read for the first time and referred to the Committee on Commerce and Labor

April 2, 2009

Committee Recommendation and Adoption of Report:

To Pass as Amended

Read Second Time

1.1 A bill for an act
1.2 relating to pet animals; requiring a notice for retail sales of unprocessed cocoa
1.3 bean shell mulch; proposing coding for new law in Minnesota Statutes, chapter
1.4 325E.

1.5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.6 Section 1. [325E.128] NOTICE FOR UNPROCESSED COCOA BEAN SHELL
1.7 MULCH.

1.8 (a) Except as provided in paragraph (d), a person who sells a product containing
1.9 cocoa bean shell mulch at retail must post the notice in paragraph (b) in a manner clearly
1.10 visible to a consumer examining a product containing cocoa bean mulch offered for sale.

1.11 (b) The notice must be in 36-point type or larger and state:

1.12 "The ingestion of cocoa bean shell mulch that has not been processed to be
1.13 nontoxic is poisonous to pets. If a pet has eaten unprocessed cocoa bean shell mulch,
1.14 you should immediately contact a veterinarian or the Animal Poison Control Center at
1.15 (888) 426-4435."

1.16 (c) A retailer may include additional language in the notice in order to promote
1.17 the sale of a product containing unprocessed cocoa bean shell mulch, provided that the
1.18 language in paragraph (b) is present.

1.19 (d) This section does not apply to the sale of product containing cocoa bean shell
1.20 mulch that has been processed to remove theobromine to a nontoxic level from the
1.21 cocoa bean shell mulch.