

1 SENATE BILL NO. 210

2 INTRODUCED BY T. JACOBSON

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4 A BILL FOR AN ACT ENTITLED: "AN ACT ADOPTING THE COUNTRY OF ORIGIN PLACARDING ACT OF
5 2021; REQUIRING A PLACARD OF COUNTRY OF ORIGIN ON BEEF OR PORK PRODUCTS; PROVIDING
6 DEFINITIONS; PROVIDING RULEMAKING AUTHORITY; AMENDING SECTION 30-12-702, MCA; AND
7 PROVIDING EFFECTIVE DATES."

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9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

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11 NEW SECTION. Section 1. Short title. This part may be cited as the "Country of Origin Placarding
12 Act of 2021".

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14 NEW SECTION. Section 2. Placarding requirements. (1) A retailer who sells beef, pork, or both, or
15 offers beef, pork, or both, for sale in this state shall make a reasonable effort to display a placard, label, or
16 identifying mark that is clearly visible and readily viewable by the public. It must be placed in the immediate
17 vicinity of the beef, pork, or both, to designate the beef, pork, or both, as:

18 (a) "Born, raised, and processed in the USA", if the beef, pork, or both, is derived exclusively from
19 animals that are born, raised, and slaughtered in the United States; or

20 (b) "Imported/Origin Unlabeled", if the beef, pork, or both, does not meet the criteria provided in
21 subsection (1)(a).

22 (2) A placard, label, or identifying mark is not required for prepared foods that are for immediate sale
23 or ready to eat.

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25 NEW SECTION. Section 3. Rulemaking. (1) The department shall adopt rules to implement this
26 part. The rules must include:

27 (a) statements that delineate the difference between imported and unimported beef, pork, or both;

28 (b) the preferred placarding or labeling method for each commodity type; and

1 (c) other rules necessary to enforce the requirements of this part.

2 (2) Rules adopted to implement this part may not unduly restrict a person from conducting business.

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4 **NEW SECTION. Section 4. Retailer requirement.** (1) A retail vendor engaged in the business of
5 selling products that are labeled or identified as to the country of origin may not knowingly or purposely remove
6 a placard, label, or identifying mark.

7 (2) As used in this section, "knowingly" and "purposely" have the meanings provided in 45-2-101.

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9 **Section 5.** Section 30-12-702, MCA, is amended to read:

10 **"30-12-702. Definitions.** As used in this part, the following definitions apply:

11 (1) "Department" means the department of labor and industry provided for in Title 2, chapter 15, part
12 17.

13 (2) "Label" and "labeling" have has the meaning-meanings provided in 50-31-103.

14 ~~(2)~~(3) "Package" has the meaning provided in 50-31-103.

15 (4) "Person" means an individual, partnership, corporation, company, society, or association.

16 (5) "Placard" has the meaning provided in 50-31-103."

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18 **NEW SECTION. Section 6. Codification instruction.** [Sections 1 through 4] are intended to be
19 codified as an integral part of Title 30, chapter 12, part 7, and the provisions of Title 30, chapter 12, part 7,
20 apply to [sections 1 through 4].

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22 **NEW SECTION. Section 7. Severability.** If a part of [this act] is invalid, all valid parts that are
23 severable from the invalid part remain in effect. If a part of [this act] is invalid in one or more of its applications,
24 the part remains in effect in all valid applications that are severable from the invalid applications.

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26 **NEW SECTION. Section 8. Effective dates.** (1) Except as provided in subsection (2), [this act] is
27 effective January 1, 2022.

28 (2) [Section 4] and this section are effective on passage and approval.

