

1 STATE OF OKLAHOMA

2 1st Session of the 57th Legislature (2019)

3 HOUSE BILL 2052

By: Sanders

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5
6 AS INTRODUCED

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

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14 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

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

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

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

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

18 (c) The Board, whenever it determines such action is necessary
19 for the protection of the public, may prescribe: (1) the styles and
20 sizes of type to be used with respect to material required to be
21 incorporated in labeling to avoid false or misleading labeling of
22 any articles or animals subject to Sections ~~±~~ 6-181 through ~~±~~ 6-200
23 of this ~~act~~ title; (2) definitions and standards of identity or
24 composition for articles subject to Sections ~~±~~ 6-181 through ~~±~~ 6-

1 196 of this title and standards of fill of container for such
2 articles not inconsistent with any such standards established under
3 the Federal Food, Drug, and Cosmetic Act, or under the Federal Meat
4 Inspection Act, and there shall be consultation between the Board
5 and the Secretary of Agriculture of the United States prior to the
6 issuance of such standards to avoid inconsistency between such
7 standards and the federal standards.

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

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

1 determination of the Board, such person, firm, or corporation may
2 request a hearing, but the use of the marking, labeling, or
3 container shall, if the Board so directs, be withheld pending
4 hearing and final determination by the Board. Any such
5 determination by the Board shall be conclusive unless, within thirty
6 (30) days after receipt of notice of such final determination, the
7 person, firm, or corporation adversely affected thereby appeals to
8 the District Court of Oklahoma County.

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

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11 57-1-7658 AMM 01/16/19
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