

**Food Labeling Amendments**  
 2025 GENERAL SESSION  
 STATE OF UTAH  
**Chief Sponsor: R. Neil Walter**  
 Senate Sponsor:

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**LONG TITLE**

**General Description:**

This bill addresses labeling of meat type products.

**Highlighted Provisions:**

This bill:

- defines terms;
- requires labeling of food containing cultivated meat products;
- requires labeling of food containing plant or insect based meat substitutes;
- provides for notification, inspections, and the payment of a fee related to cultivated meat products and plant or insect based meat substitutes;
- addresses rulemaking; and
- makes technical and conforming amendments.

**Money Appropriated in this Bill:**

None

**Other Special Clauses:**

None

**Utah Code Sections Affected:**

AMENDS:

**4-5-102**, as last amended by Laws of Utah 2023, Chapter 528

**4-5-201**, as renumbered and amended by Laws of Utah 2017, Chapter 345

**4-5-301**, as renumbered and amended by Laws of Utah 2017, Chapter 345

**4-5a-103**, as last amended by Laws of Utah 2023, Chapter 362

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*Be it enacted by the Legislature of the state of Utah:*

Section 1. Section **4-5-102** is amended to read:

**4-5-102 . Definitions.**

As used in this chapter:

(1) "Advertisement" means a representation, other than by labeling, made to induce the

31 purchase of food.

32 (2)(a) "Color additive":

33 (i) means a dye, pigment, or other substance not exempted under the federal act that,  
34 when added or applied to a food, is capable of imparting color; and

35 (ii) includes black, white, and intermediate grays.

36 (b) "Color additive" does not include a pesticide chemical, soil or plant nutrient, or other  
37 agricultural chemical that imparts color solely because of the chemical's effect,  
38 before or after harvest, in aiding, retarding, or otherwise affecting, directly or  
39 indirectly, the growth or other natural physiological process of any plant life.

40 (3)(a) "Consumer commodity" means a food, as defined by this chapter, or by the  
41 federal act.

42 (b) "Consumer commodity" does not include:

43 (i) a commodity subject to packaging or labeling requirements imposed under the  
44 Federal Insecticide, Fungicide, and Rodenticide Act, 7 U.S.C. Sec. 136 et seq.;

45 (ii) a commodity subject to Chapter 16, Utah Seed Act;

46 (iii) a meat or meat product subject to the Federal Meat Inspection Act, 21 U.S.C.  
47 Sec. 601 et seq.;

48 (iv) a poultry or poultry product subject to the Poultry Inspection Act, 21 U.S.C. Sec.  
49 451 et seq.;

50 (v) a tobacco or tobacco product; or

51 (vi) a beverage subject to or complying with packaging or labeling requirements  
52 imposed under the Federal Alcohol Administration Act, 27 U.S.C. Sec. 201 et seq.

53 (4) "Contaminated" means not securely protected from dust, dirt, or foreign or injurious  
54 agents.

55 (5)(a) "Cultivated meat product" means a meat, as defined in Section 4-32-105, or  
56 another food or food product that is:

57 (i) produced by cultivating or culturing an animal cell in vitro; and

58 (ii) used for human consumption.

59 (b) "Cultivated meat product" includes poultry, fish, and ~~Ĥ~~→ [wild game] other livestock, as  
59a defined in Section 4-7-103, ←Ĥ that meets the  
60 requirements of Subsection (5)(a).

61 [(5)] (6)(a) "Farm" means an agricultural operation, under management by one entity,  
62 that grows or harvests crops.

63 (b) "Farm" does not include an entity that is exempt under 21 C.F.R. 112.4(a) or 21

- 64 C.F.R. 112.5.
- 65 [(6)] (7) "Farmers market" means a market where a producer of a food product sells only a  
66 fresh, raw, whole, unprocessed, and unprepared food item directly to the final consumer.
- 67 [(7)] (8) "Federal act" means the Federal Food, Drug, and Cosmetic Act, 21 U.S.C. Sec. 301  
68 et seq.
- 69 [(8)] (9) "Food" means:
- 70 (a) an article used for food or drink for human or animal consumption or the components  
71 of the article;
- 72 (b) chewing gum or chewing gum components; or
- 73 (c) a food supplement for special dietary use that is necessitated because of a physical,  
74 physiological, pathological, or other condition.
- 75 [(9)] (10)(a) "Food additive" means a substance, the intended use of which results in the  
76 substance becoming a component, or otherwise affecting the characteristics, of a food.
- 77 (b)(i) "Food additive" includes a substance or source of radiation intended for use in  
78 producing, manufacturing, packing, processing, preparing, treating, packaging,  
79 transporting, or holding food.
- 80 (ii) "Food additive" does not include:
- 81 (A) a pesticide chemical in or on a raw agricultural commodity;
- 82 (B) a pesticide chemical that is intended for use or is used in the production,  
83 storage, or transportation of a raw agricultural commodity; or
- 84 (C) a substance used in accordance with a sanction or approval granted pursuant  
85 to the Poultry Products Inspection Act, 21 U.S.C. Sec. 451 et seq. or the  
86 Federal Meat Inspection Act, 21 U.S.C. Sec. 601 et seq.
- 87 [(10)] (11)(a) "Food establishment" means a grocery store, bakery, candy factory, food  
88 processor, bottling plant, sugar factory, cannery, farm, rabbit processor, meat  
89 processor, flour mill, cold or dry warehouse storage, or other facility where food  
90 products are manufactured, canned, processed, packaged, stored, transported,  
91 prepared, sold, or offered for sale.
- 92 (b) "Food establishment" does not include:
- 93 (i) a dairy farm, a dairy plant, or a meat establishment, that is subject to the Poultry  
94 Products Inspection Act, 21 U.S.C. Sec. 451 et seq., or the Federal Meat  
95 Inspection Act, 21 U.S.C. Sec. 601 et seq.;
- 96 (ii) a farmers market; or
- 97 (iii) a food service establishment, as that term is defined in Section 26B-7-401.

- 98 ~~[(11)]~~ (12) "Label" means a written, printed, or graphic display on the immediate container  
99 of an article of food.
- 100 ~~[(12)]~~ (13) "Labeling" means a label and other written, printed, or graphic display:  
101 (a) on an article of food or the article of food's container or wrapper; or  
102 (b) accompanying the article of food.
- 103 ~~[(13)]~~ (14) "Official compendium" means the official documents or supplements to the:  
104 (a) United States Pharmacopoeia;  
105 (b) National Formulary; or  
106 (c) Homeopathic Pharmacopoeia of the United States.
- 107 ~~[(14)]~~ (15)(a) "Package" means a container or wrapping in which a consumer  
108 commodity is enclosed for use in the delivery or display of the consumer commodity  
109 to retail purchasers.  
110 (b) "Package" does not include:  
111 (i) a package liner;  
112 (ii) a shipping container or wrapping used solely for the transportation of a consumer  
113 commodity in bulk or in quantity to a manufacturer, packer, processor, or  
114 wholesale or retail distributor; or  
115 (iii) a shipping container or outer wrapping used by a retailer to ship or deliver a  
116 consumer commodity to a retail customer, if the container and wrapping bear no  
117 printed information relating to the consumer commodity.
- 118 ~~[(15)]~~ (16)(a) "Pesticide" means a substance intended:  
119 (i) to prevent, destroy, repel, or mitigate a pest, as defined under Section 4-14-102; or  
120 (ii) for use as a plant regulator, defoliant, or desiccant.  
121 (b) "Pesticide" does not include:  
122 (i) a new animal drug, as defined by 21 U.S.C. Sec. 321, that has been determined by  
123 the United States Secretary of Health and Human Services not to be a new animal  
124 drug by federal regulation establishing conditions of use of the drug; or  
125 (ii) animal feed, as defined by 21 U.S.C. Sec. 321, bearing or containing a new  
126 animal drug.
- 127 (17) "Plant or insect based meat substitute" means a food or food product that:  
128 (a) is plant or insect based;  
129 (b) approximates the aesthetic qualities, primarily texture, flavor, and appearance, or the  
130 chemical characteristics of a type of meat, as defined in Section 4-32-105, including  
131 fish; and

132 (c) does not include the flesh, offal, or other by-product of any part of the carcass of a  
 133 live animal that has been slaughtered.

134 [(16)] (18) "Principal display panel" means that part of a label that is most likely to be  
 135 displayed, presented, shown, or examined under normal and customary conditions of  
 136 display for retail sale.

137 [(17)] (19) "Produce" means a food that is a:

138 (a) fruit, vegetable, mix of intact fruits and vegetables, mushroom, sprout from any seed  
 139 source, peanut, tree nut, or herb; and

140 (b) raw agricultural commodity.

141 [(18)] (20) "Raw agricultural commodity" means a food in the food's raw or natural state,  
 142 including all fruits that are washed, colored, or otherwise treated in the fruit's unpeeled,  
 143 natural form before marketing.

144 [(19)] (21) "Registration" means the commissioner's issuance of a certificate to a qualified  
 145 food establishment.

146 [(20)] (22) "Sprout" means the shoot of a plant generally harvested when cotyledons are  
 147 undeveloped or underdeveloped and mature leaves have not emerged.

148 Section 2. Section **4-5-201** is amended to read:

149 **4-5-201 . Labeling requirements -- Misbranded food specified.**

150 (1) The department may require that a label contain specific written, printed, or graphic  
 151 information which is:

152 (a) displayed on the outside container or wrapper of a retail package of an article; or  
 153 (b) easily legible through the outside container or wrapper.

154 (2) Food is misbranded if:

155 (a) its label is false or misleading in any way;  
 156 (b) its labeling or packaging fails to conform with the requirements of Section 4-5-205;  
 157 (c) it is offered for sale under the name of another food;  
 158 (d) its container is so made, formed, or filled with packing material or air as to be  
 159 misleading; or  
 160 (e) it fails to conform with any requirement specified in this section.

161 (3)(a) A food that is an imitation of another food shall bear a label, in type of uniform  
 162 size and prominence, stating the word "imitation," and, immediately thereafter, the  
 163 name of the food imitated.

164 (b) If the state allows a cultivated meat product to be manufactured, sold, held or offered  
 165 for sale, or distributed, a food that contains the cultivated meat product shall bear a

- 166 term or phrase on a label in a place on the packaging that is reasonably certain to  
167 notify a consumer that the food contains a cultivated meat product.
- 168 (c) A food that contains a plant or insect based meat substitute:  
169 (i) is not subject to Subsection (3)(a); and  
170 (ii) shall bear a term or phrase on a label in a place on the packaging that is  
171 reasonably certain to notify a consumer that the food contains a plant or insect  
172 based meat substitute.
- 173 (d) The department shall interpret and enforce this Subsection (3) in a manner consistent  
174 with applicable federal statute and regulations.
- 175 (e) The department may not enforce the requirements of Subsections (3)(b) and (c) on or  
176 before October 31, 2025.
- 177 (4)(a) A food in package form shall bear a label containing:  
178 (i) the name and place of business of the manufacturer, packer, or distributor; and  
179 (ii) an accurate statement of the quantity of the contents in terms of weight, measure,  
180 or numerical count.
- 181 (b) The statement required by Subsection (4)(a)(ii) shall be separately and accurately  
182 stated in a uniform location upon the principal display panel of the label unless  
183 reasonable variations and exemptions for small packages are established by a rule  
184 made by the department.
- 185 (c) A manufacturer or distributor of carbonated beverages who utilizes proprietary stock  
186 or a proprietary crown is exempt from Subsection (4)(a)(i) if [he] the manufacturer or  
187 distributor files with the department:  
188 (i) a sworn affidavit giving a full and complete description of each area within the  
189 state in which beverages of [his] the manufacturer's or distributor's manufacturing  
190 or distributing are to be distributed; and  
191 (ii) the name and address of the person responsible for compliance with this chapter  
192 within each of those areas.
- 193 (5) Any word, statement, or other information required by this chapter to appear on the  
194 label or labeling shall be:  
195 (a) prominently placed on the label;  
196 (b) conspicuous in comparison with other words, statements, designs, or devices in the  
197 labeling; and  
198 (c) in terms which render it likely to be read and understood by the ordinary individual  
199 under customary conditions of purchase and use.

- 200 (6) If a food is represented as a food for which a definition and standard of identity has  
201 been prescribed by federal regulations or department rules as provided by Section  
202 4-5-207, it shall:
- 203 (a) conform to the definition and standard; and
  - 204 (b) have a label bearing:
    - 205 (i) the name of the food specified in the definition and standard; and
    - 206 (ii) insofar as may be required by the rules, the common names of optional  
207 ingredients, other than spices, flavorings, and colorings, present in the food.
- 208 (7) If a food is represented as a food for which a standard of quality has been prescribed by  
209 federal regulations or department rules as provided by Section 4-5-207, and its quality  
210 falls below the standard, its label shall bear, in the manner and form as the regulations or  
211 rules specify, a statement indicating that it falls below the standards.
- 212 (8) If a food is represented as a food for which a standard of fill of container has been  
213 prescribed by federal regulations or department rules as provided by Section 4-5-207,  
214 and it falls below the applicable standard of fill, its label shall bear, in the manner and  
215 form as the regulations or rules specify, a statement indicating that it falls below the  
216 standard.
- 217 (9)(a) Any food for which neither a definition nor standard of identity has been  
218 prescribed by federal regulations or department rules as provided by Section 4-5-207  
219 shall bear labeling clearly giving:
- 220 (i) the common or usual name of the food, if any; and
  - 221 (ii) in case it is fabricated from two or more ingredients, the common or usual name  
222 of each ingredient, except that spices, flavorings, and colorings, other than those  
223 sold as such, may be designated as spices, flavorings, and colorings without  
224 naming each.
- 225 (b) To the extent that compliance with the requirements of Subsection (9)(a)(ii) is  
226 impractical or results in deception or unfair competition, exemptions shall be  
227 established by rules made by the department.
- 228 (10) If a food is represented as a food for special dietary uses, its label shall bear the  
229 information concerning its vitamin, mineral, and other dietary properties as the  
230 department by rule prescribes.
- 231 (11)(a) If a food bears or contains any artificial flavoring, artificial coloring, or  
232 chemical preservatives, its label shall state that fact.
- 233 (b) If compliance with the requirements of Subsection (11)(a) is impracticable,

- 234 exemptions shall be established by rules made by the department.
- 235 (12)(a) The shipping container of any raw agricultural commodity bearing or containing  
236 a pesticide chemical applied after harvest shall bear labeling which declares the  
237 presence of the chemical in or on the commodity and the common or usual name and  
238 function of the chemical.
- 239 (b) The declaration is not required while the commodity, having been removed from the  
240 shipping container, is being held or displaced for sale at retail out of the container in  
241 accordance with the custom of the trade.
- 242 (13) A product intended as an ingredient of another food, when used according to the  
243 directions of the purveyor, may not result in the final food product being adulterated or  
244 misbranded.
- 245 (14) The packaging and labeling of a color additive shall be in conformity with the  
246 packaging and labeling requirements applicable to the color additive prescribed under  
247 the federal act.
- 248 (15)(a) Subsections (6), (9), and (11) with respect to artificial coloring do not apply to  
249 butter, cheese, or ice cream.
- 250 (b) Subsection (11) with respect to chemical preservatives does not apply to a pesticide  
251 chemical when used in or on a raw agricultural commodity.
- 252 Section 7. Section **4-5-301** is amended to read:
- 253 **4-5-301 . Registration of food establishments -- Fee -- Suspension and**  
254 **reinstatement of registration -- Inspection for compliance.**
- 255 (1)(a) Pursuant to Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the  
256 department shall [~~establish~~] make rules providing for the registration of food  
257 establishments to protect public health and ensure a safe food supply.
- 258 (b) The owner or operator of a food establishment shall register with the department  
259 before operating a food establishment.
- 260 (c) Before granting a registration to the owner or operator of a food establishment, the  
261 department shall inspect and assess the food establishment to determine whether it  
262 complies with the rules established under Subsection (1)(a).
- 263 (d) An applicant shall register with the department, in writing, using forms required by  
264 the department.
- 265 (e) The department shall issue a registration to an applicant, if the department  
266 determines that the applicant meets the qualifications of registration established  
267 under Subsection (1)(a).



- 268 (f) If the applicant does not meet the qualifications of registration, the department shall  
269 notify the applicant, in writing, that the applicant's registration is denied.
- 270 (g)(i) If an applicant submits an incomplete application, a written notice of  
271 conditional denial of registration shall be provided to an applicant.
- 272 (ii) The applicant shall correct the deficiencies within the time period specified in the  
273 notice to receive a registration.
- 274 (h)(i) The department may, as provided under Subsection 4-2-103(2), charge the  
275 food establishment a registration fee.
- 276 (ii) The department shall retain the fees as dedicated credits and shall use the fees to  
277 administer the registration of food establishments.
- 278 (2)(a) A registration, issued under this section, shall be valid from the date the  
279 department issues the registration, to December 31 of the year the registration is  
280 issued.
- 281 (b) A registration may be renewed for the following year by applying for renewal by  
282 December 31 of the year the registration expires.
- 283 (3) A registration, issued under this section, shall specify:
- 284 (a) the name and address of the food establishment;
- 285 (b) the name of the owner or operator of the food establishment; and
- 286 (c) the registration issuance and expiration date.
- 287 (4)(a) The department may immediately suspend a registration, issued under this  
288 section, if any of the conditions of registration have been violated.
- 289 (b)(i) The holder of a registration suspended under Subsection (4)(a) may apply for  
290 the reinstatement of a registration.
- 291 (ii) If the department determines that all registration requirements have been met, the  
292 department shall reinstate the registration.
- 293 (5)(a) A food establishment, registered under this section, shall allow the department to  
294 have access to the food establishment to determine if the food establishment is  
295 complying with the registration requirements.
- 296 (b) If a food establishment denies access for an inspection required under Subsection  
297 (5)(a), the department may suspend the food establishment's registration until the  
298 department is allowed access to the food establishment's premises.
- 299 (6)(a) A food establishment shall:
- 300 (i) notify the department as part of the registration or renewal process whether the  
301 food establishment plans to sell, hold or offer for sale, or distribute a cultivated

- 302                    meat product or a plant or insect based meat substitute;  
 303                    (ii) permit the department to inspect for compliance with Subsection 4-5-201(3); and  
 304                    (iii) pay a fee established in accordance with Subsection 4-2-103(2).  
 305                    (b) The department shall retain the fee as a dedicated credit and shall use the fee to  
 306                    administer Subsection 4-5-201(3).  
 307                    (c) Pursuant to Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the  
 308                    department may make rules to address notification, inspection, and payment of fees  
 309                    under this Subsection (6).

310                    Section 6. Section **4-5a-103** is amended to read:

311                    **4-5a-103 . Regulation of a direct-to-sale farmers market.**

- 312                    (1) Except as provided in Subsection (4), a direct-to-sale farmers market selling homemade  
 313                    food under this chapter shall:  
 314                    (a) display signage indicating to an informed final consumer that the homemade food  
 315                    and food products sold by producers at the market have not been certified, licensed,  
 316                    regulated, or inspected by state or local authorities; and  
 317                    (b) only include products for sale that have not been certified, licensed, regulated, or  
 318                    inspected by state or local authorities.  
 319                    (2) If the direct-to-sale farmers market is in any way associated with a farmers market as  
 320                    defined in [~~Subsection 4-5-102(6)~~] Section 4-5-102, the direct-to-sale farmers market  
 321                    section selling homemade food under this chapter shall comply with the following  
 322                    requirements:  
 323                    (a) the direct-to-sale farmers market section shall be separated from the farmers market  
 324                    section; and  
 325                    (b) the separate direct-to-sale farmers market section shall include signs or other  
 326                    markings clearly indicating which space is the farmers market space offering  
 327                    inspected items for sale and which space is the direct-to-sale farmers market space  
 328                    offering items that are uninspected.  
 329                    (3) The department may make rules, in accordance with Title 63G, Chapter 3, Utah  
 330                    Administrative Rulemaking Act, regarding the signage described in Subsection (1).  
 331                    (4) The requirements described in Subsection (1) do not apply to a direct-to-sale farmers  
 332                    market comprising only minor producers or minor-operated businesses.

333                    Section 3. **Effective date.**

334                    This bill takes effect on May 7, 2025.