

REFERENCE TITLE: **misbranding; misrepresenting; food products.**

State of Arizona
Senate
Fifty-sixth Legislature
Second Regular Session
2024

SB 1649

Introduced by
Senator Bennett

AN ACT

AMENDING TITLE 36, CHAPTER 8, ARTICLE 1, ARIZONA REVISED STATUTES, BY
ADDING SECTION 36-917; RELATING TO PURE FOOD CONTROL.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Title 36, chapter 8, article 1, Arizona Revised
3 Statutes, is amended by adding section 36-917, to read:

4 36-917. Products not derived from livestock or poultry;
5 misrepresenting or misbranding as meat or poultry;
6 prohibition; violation; civil penalty; definitions

7 A. A PERSON WHO PLACES A LABEL ON A FOOD PRODUCT MAY NOT
8 INTENTIONALLY MISBRAND OR MISREPRESENT A PRODUCT THAT IS NOT DERIVED FROM
9 LIVESTOCK OR POULTRY AS MEAT, A MEAT FOOD PRODUCT, POULTRY OR A POULTRY
10 PRODUCT THROUGH ANY ACTIVITY, INCLUDING MISBRANDING OR MISREPRESENTING BY
11 DOING ANY OF THE FOLLOWING:

12 1. AFFIXING A FALSE OR MISLEADING LABEL ON MEAT, A MEAT FOOD
13 PRODUCT, POULTRY OR A POULTRY PRODUCT.

14 2. USING A TERM THAT IS THE SAME AS OR DECEPTIVELY SIMILAR TO A
15 TERM THAT HAS BEEN USED OR DEFINED HISTORICALLY IN REFERENCE TO A SPECIFIC
16 MEAT FOOD PRODUCT OR POULTRY PRODUCT.

17 3. REPRESENTING A PRODUCT AS MEAT, A MEAT FOOD PRODUCT, POULTRY OR
18 A POULTRY PRODUCT IF THE PRODUCT IS A CELL-CULTURED FOOD PRODUCT.

19 4. REPRESENTING A PRODUCT AS MEAT, A MEAT FOOD PRODUCT, POULTRY OR
20 A POULTRY PRODUCT IF THE PRODUCT IS A SYNTHETIC PRODUCT DERIVED FROM A
21 PLANT, INSECT OR OTHER SOURCE.

22 B. THE DEPARTMENT MAY DO ANY OF THE FOLLOWING:

23 1. ADOPT RULES TO ENFORCE THIS SECTION.

24 2. RECEIVE COMPLAINTS AND INVESTIGATE VIOLATIONS OF THIS SECTION.

25 3. EMPLOY PERSONNEL TO INVESTIGATE AND ENFORCE THIS SECTION OR
26 DELEGATE INVESTIGATION AND ENFORCEMENT AUTHORITY TO COUNTY HEALTH
27 DEPARTMENTS OR THE WEIGHTS AND MEASURES SERVICES DIVISION OF THE ARIZONA
28 DEPARTMENT OF AGRICULTURE.

29 4. SEEK AND OBTAIN INJUNCTIVE RELIEF OR OTHER CIVIL RELIEF TO
30 RESTRAIN AND PREVENT VIOLATIONS OF THIS SECTION AND RULES ADOPTED PURSUANT
31 TO THIS SECTION.

32 5. AFTER A HEARING, IMPOSE A CIVIL PENALTY OF NOT MORE THAN
33 \$100,000 FOR EACH VIOLATION OF THIS SECTION. EACH DAY A VIOLATION OCCURS
34 IS A SEPARATE OFFENSE.

35 C. FOR THE PURPOSES OF THIS SECTION:

36 1. "CELL-CULTURED FOOD PRODUCT" MEANS ANY CULTURED ANIMAL TISSUE
37 THAT IS PRODUCED FROM IN VITRO ANIMAL CELL CULTURES OUTSIDE OF THE
38 ORGANISM FROM WHICH IT IS DERIVED.

39 2. "DECEPTIVELY SIMILAR" MEANS MISLEADING TO A REASONABLE PERSON.

40 3. "DEPARTMENT" MEANS THE DEPARTMENT OF HEALTH SERVICES.

41 4. "MEAT" HAS THE SAME MEANING PRESCRIBED IN SECTION 3-2001.

- 1 5. "MEAT FOOD PRODUCT" HAS THE SAME MEANING PRESCRIBED IN SECTION
- 2 3-2001.
- 3 6. "MISREPRESENT" MEANS TO USE ANY UNTRUE, MISLEADING OR DECEPTIVE
- 4 ORAL OR WRITTEN STATEMENT, ADVERTISEMENT, LABEL, DISPLAY, PICTURE,
- 5 ILLUSTRATION OR SAMPLE.
- 6 7. "POULTRY" HAS THE SAME MEANING PRESCRIBED IN SECTION 3-2151.
- 7 8. "POULTRY PRODUCT" HAS THE SAME MEANING PRESCRIBED IN SECTION
- 8 3-2151.