

REFERENCE TITLE: meat; poultry; sale; misrepresentation

State of Arizona
House of Representatives
Fifty-fourth Legislature
Second Regular Session
2020

HB 2044

Introduced by
Representatives Cook: Pierce

AN ACT

AMENDING TITLE 3, CHAPTER 13, ARTICLE 3, ARIZONA REVISED STATUTES, BY
ADDING SECTION 3-2099; AMENDING SECTION 3-2156, ARIZONA REVISED STATUTES;
RELATING TO THE SALE OF MEAT AND POULTRY.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Title 3, chapter 13, article 3, Arizona Revised
3 Statutes, is amended by adding section 3-2099, to read:

4 3-2099. Products not derived from harvested production
5 livestock; misrepresentation as meat; prohibition;
6 definition

7 A. A PERSON MAY NOT MISREPRESENT A PRODUCT THAT IS NOT DERIVED FROM
8 HARVESTED PRODUCTION LIVESTOCK AS MEAT OR A MEAT FOOD PRODUCT.

9 B. FOR THE PURPOSES OF THIS SECTION, "MISREPRESENT" MEANS TO USE
10 ANY UNTRUE, MISLEADING OR DECEPTIVE ORAL OR WRITTEN STATEMENT,
11 ADVERTISEMENT, LABEL, DISPLAY, PICTURE, ILLUSTRATION OR SAMPLE.

12 Sec. 2. Section 3-2156, Arizona Revised Statutes, is amended to
13 read:

14 3-2156. Prohibited acts

15 A. A person shall not:

16 1. Slaughter any poultry or process any poultry products ~~which are~~
17 ~~capable of use~~ THAT MAY BE USED as human food at any establishment
18 processing any such articles solely for intrastate commerce, except in
19 compliance with the requirements of this chapter.

20 2. Sell, transport, offer for sale or transportation or receive for
21 transportation in intrastate commerce any poultry products ~~which are~~
22 ~~capable of use~~ THAT MAY BE USED as human food and THAT are adulterated or
23 misbranded at the time of ~~such~~ THE sale, transportation, offer for sale or
24 transportation or receipt for transportation or any poultry products THAT
25 ARE required to be inspected unless they have been so inspected and
26 passed.

27 3. ~~Do,~~ With respect to any poultry products ~~which are capable of~~
28 ~~use~~ THAT MAY BE USED as human food, COMMIT any act while ~~they~~ THE PRODUCTS
29 are being transported in intrastate commerce or held for sale after such
30 transportation ~~which~~ THAT is intended to cause or has the effect of
31 causing such products to be adulterated or misbranded.

32 4. Sell, transport, offer for sale or transportation or receive for
33 transportation in intrastate commerce or from an official establishment
34 any slaughtered poultry from which the blood, feathers, feet, head or
35 viscera have not been removed in accordance with rules adopted by the
36 director, except as may be authorized by rule.

37 5. Use to ~~his~~ THE PERSON'S own advantage, or reveal other than to
38 the authorized representatives of the state government or any other
39 government in their official capacity, or as ordered by a court in any
40 judicial proceedings, any information acquired under the authority of this
41 chapter concerning any matter ~~which~~ THAT is entitled to protection as a
42 trade secret.

43 ~~C. A person shall not:~~

44 ~~1.~~ 6. Forge any official device, mark or certificate.

1 ~~2.~~ 7. Without authorization from the division, use any official
2 device, mark or certificate, or simulation thereof, or alter, detach,
3 deface or destroy any official device, mark or certificate.

4 ~~3.~~ 8. Contrary to the rules prescribed by the director, fail to
5 use, or detach, deface or destroy, any official device, mark or
6 certificate.

7 ~~4.~~ 9. Knowingly possess, without promptly notifying the department
8 or its representative, any official device or any counterfeit, simulated,
9 forged or improperly altered official certificate or any device or label
10 or any carcass of any poultry, or part or product thereof, bearing any
11 counterfeit, simulated, forged or improperly altered official mark.

12 ~~5.~~ 10. Knowingly make any false statement in any shipper's
13 certificate or other nonofficial or official certificate provided for in
14 the rules prescribed by the director.

15 ~~6.~~ 11. Knowingly represent that any article has been inspected and
16 passed or exempted, ~~when~~ IF in fact it has not been ~~so~~ inspected and
17 passed or exempted.

18 12. MISREPRESENT A PRODUCT THAT IS NOT DERIVED FROM HARVESTED
19 PRODUCTION POULTRY AS A POULTRY PRODUCT. FOR THE PURPOSES OF THIS
20 PARAGRAPH, "MISREPRESENT" MEANS TO USE ANY UNTRUE, MISLEADING OR DECEPTIVE
21 ORAL OR WRITTEN STATEMENT, ADVERTISEMENT, LABEL, DISPLAY, PICTURE,
22 ILLUSTRATION OR SAMPLE.

23 B. ~~No~~ A brand manufacturer, printer, ~~or~~ or other person shall NOT
24 cast, print, lithograph or otherwise make any device containing any
25 official mark or simulation thereof, or any label bearing any such mark or
26 simulation, or any form of official certificate or simulation thereof,
27 except as authorized by the division.