

## REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 913: Meat labeling; require accurate labeling of meat and nonmeat products by processors, retail and food establishment prior to final sale.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.
2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

44        **SECTION 1.** As used in Sections 1 through 8 of this act, the  
45 following terms shall have the meanings ascribed in this section,  
46 unless the context otherwise requires:

47            (a) "Agricultural food animal" means a domesticated  
48 animal belonging to the bovine, caprine, ovine, or porcine  
49 species; or live domestic fowl limited to chickens or turkeys.

50            (b) "Cultivated-protein food product" means a food  
51 product having one or more sensory attributes that resemble a type  
52 of tissue originating from an agricultural food animal but  
53 that, in lieu of being derived from meat processing, is derived  
54 from manufacturing cells, in which one or more stem cells are  
55 initially isolated from an agricultural food animal, are grown  
56 in vitro, and may be manipulated, as part of a manufacturing



57 operation.

58 (c) "Department" means the Mississippi Department of  
59 Agriculture and Commerce.

60 (d) "Food processing plant" means a commercial  
61 operation that manufactures, packages, labels or stores food for  
62 human consumption and does not provide food directly to a  
63 consumer. The term does not include any of the following:

64 (i) A premises covered by the legalized sale of  
65 beer, light spirit products and light wines under the provisions  
66 of Chapter 3, Title 67, Mississippi Code of 1972;

67 (ii) A premises of a residence in which honey is  
68 stored, prepared, packaged, including by placement in a container,  
69 labeled or from which honey is distributed, as regulated under the  
70 provisions of Chapter 29, Title 75, Mississippi Code of 1972;

71 (iii) The premises of a raw milk dairy where raw  
72 milk is produced, processed, labeled, marketed, or distributed by  
73 a raw milk producer in compliance with Chapter 31, Title 75,  
74 Mississippi Code of 1972; or

75 (iv) The premises of a raw milk dairy where a raw  
76 milk product or raw milk dairy product is manufactured, labeled,  
77 marketed or distributed by a raw milk producer in compliance with  
78 Chapter 31, Title 75, Mississippi Code of 1972.

79 (e) "Food product" means a perishable or nonperishable  
80 item stored in a container or package, if the item is fit for  
81 human consumption.



(f) "Identifying meat term" means any word or phrase that states, indicates, suggests, or describes a meat product, regardless of whether the word or phrase is used individually, as a portmanteau, or as a compound word. "Identifying meat term" includes, but is not limited to, any of the following:

(i) A common name for the species of the agricultural food animal subject to slaughter and processing, including a calf or cow, chicken, goat or kid, hog or pig, poultry, lamb or sheep or turkey.

(ii) A common name for a characteristic of a species of the agricultural food animal subject to slaughter and processing based on age, breed or sex.

(iii) Meat, including:

1. Beef or veal;
2. Broiler, fryer, poulet or yearling;
3. Cabrito or chevon;
4. Lamb or mutton;
5. Pork;
6. A common name used to describe a major cut of a meat of an agricultural food animal slaughtered and processed, including:
  - a. A major meat cut specified in 9 CFR Section 317.344;
  - b. A poultry product such as breast, drumstick, giblet, thigh or wing; or



c. The common name of an organ or offal,  
including gizzard, heart, liver, kidney or tongue; and

7. Any other common name that a reasonable  
purchaser would immediately and exclusively associate with a meat  
product prepared for sale in normal commercial channels such as  
bacon, baloney, bologna, bone, brat or bratwurst, brisket, burger  
or hamburger, butt, chop, chuck, cold cut, cutlet, filet, flat  
iron, frank or frankfurter, ham, hock, hot dog, jerky, liverwurst,  
loin, London broil, lunch meat, New York strip, pepperoni,  
porterhouse, ribeye, roast, rib or sparerib, salami, sausage,  
shank, sirloin, tenderloin, or a comparable word or phrase as  
approved by the department.

(g) "Insect-protein food product" means a food product  
having one or more sensory attributes that resemble a type of  
tissue originating from an agricultural food animal but that, in  
lieu of being derived from meat processing, is derived from  
manufacturing insect parts.

(h) "Label" means a display of written, printed or  
graphic matter placed upon any container storing a food product  
that is offered for sale or sold on a wholesale or retail basis,  
regardless of whether the label is printed on the container's  
packaging or a sticker affixed to the container.

(i) "Manufactured-protein food product" means a  
cultivated-protein food product, insect-protein food product  
or plant-protein food product.



132           (j) "Meat processing" means the handling, preparation,  
133 and slaughter of an agricultural food animal; the dressing of its  
134 carcass; or the cutting, storage, and packaging of its tissue  
135 or other parts as a food product.

136           (k) "Meat product" means a food product derived from  
137 meat processing.

138           (l) "Plant-protein food product" means a food product  
139 having one or more sensory attributes that resemble a type of  
140 tissue found in a species of agricultural food animal but that, in  
141 lieu of being derived from meat processing, is derived from  
142 manufacturing plant parts.

143           (m) "Qualifying term" means a word, compound word or  
144 phrase that would clearly disclose to a reasonable purchaser of  
145 meat products from a food processing plant that a food product  
146 is not a meat product. "Qualifying term" includes, but is not  
147 limited to, cell-cultivated, cell-cultured, fake, grown in a lab,  
148 imitation, insect, insect-based, insect-protein, lab-created,  
149 lab-grown, meat free, meatless, plant, plant-based, vegan,  
150 vegetable, vegetarian, veggie, or a comparable word or phrase  
151 as approved by the department.

152           (n) "Regulatory authority" means the Mississippi  
153 Department of Agriculture and Commerce, the State Department of  
154 Health, or the United States Department of Agriculture, with whom  
155 the Department of Agriculture and Commerce has a cooperative  
156 relationship under Section 75-35-201 for the purpose of carrying



out the enforcement of this act pursuant to authority granted in  
Section 75-35-203.

**SECTION 2.** (1) In conducting a routine inspection of the  
premises of a food processing plant licensed under Chapter 33,  
Title 75, Mississippi Code of 1972, retail or food establishment,  
the Department of Agriculture and Commerce is not required to  
determine if any food product located on the premises is  
misbranded as a meat product as provided in Section 3 of this act.

(2) The department shall inspect an inventory of  
food products offered for sale or sold at a food processing  
plant, retail or food establishment based on a credible complaint  
that the food products are misbranded as meat products as provided  
in Section 3 of this act.

(3) The department shall have the same powers to  
inspect a food processing plant under this act as it does  
under Chapters 33 and 35, Title 75, Mississippi Code of 1972.

**SECTION 3.** (1) A food product is misbranded as a meat  
product if all of the following apply:

(a) Except as provided in paragraph (b), the food  
product is a manufactured-protein food product or the food product  
contains a manufactured-protein food product;

(b) The food product is not misbranded as a meat  
product only because it contains a trace amount of one or more  
plant-protein food products as determined by the department;



181 (c) The food product is offered for sale or sold by a  
182 food processing plant;

183 (d) A label that is part of or placed on the package or  
184 other container storing the food product includes an identifying  
185 meat term; and

186 (e) Paragraph (d) does not apply if the label contains  
187 a conspicuous and prominent qualifying term in close proximity to  
188 an identifying meat term.

189 (2) A food processing plant, retail or food establishment  
190 shall not offer for sale or sell a food product that is misbranded  
191 as a meat product as provided in this section.

192 **SECTION 4.** (1) If the department has reasonable cause to  
193 believe that a food processing plant, retail or food establishment  
194 is offering for sale or selling a food product that is misbranded  
195 as a meat product in violation of Section 3 of this act, the  
196 department shall issue a stop order. Upon being issued the stop  
197 order, the food processing plant shall not offer for sale or sell  
198 the food product until the department determines that the food  
199 product is or is not misbranded as a meat product.

200 (2) The department may require that the food product be held  
201 by the food processing plant and be secured from purchase.

202 (3) If the department determines that the food product being  
203 offered for sale or sold by a food processing plant, retail or  
204 food establishment is misbranded as a meat product, the  
205 appropriate regulatory authority may issue an embargo order



206 requiring the food processing plant, retail or food establishment  
207 to dispose of the misbranded meat product other than by sale to  
208 purchasers in this state.

209 (4) The department or the Attorney General shall enforce the  
210 stop order or embargo order by petitioning the chancery court of  
211 that county.

212 **SECTION 5.** (1) A food processing plant, retail or food  
213 establishment shall not misbrand a food product as a meat product  
214 as provided in Section 3 of this act as determined by the  
215 department.

216 (2) A food processing plant, retail or food establishment  
217 violating subsection (1) is subject to a civil penalty of not more  
218 than Five Hundred Dollars (\$500.00), not to exceed Ten Thousand  
219 Dollars (\$10,000.00) total for violations arising out of the same  
220 transaction or occurrence. Each day that a violation continues  
221 constitutes a separate offense. Civil penalties collected under  
222 this subsection shall be deposited in the State General Fund.

223 (3) A food processing plant, retail or food establishment  
224 may contest the civil penalty imposed by the department through  
225 judicial review.

226 (4) An appeal from the decision of the department to impose  
227 a civil penalty shall be made by filing a written notice of appeal  
228 with the circuit court clerk of the county where the accused  
229 resides, or in the case of a nonresident accused, in the Circuit  
230 Court of the First Judicial District of Hinds County. The notice





of appeal and the payment of costs must be filed and paid with the circuit clerk, within thirty (30) days of the entry of the order being appealed. The appeal shall otherwise be conducted in accordance with existing laws and rules.

(5) Any party aggrieved by the action of the circuit court may appeal to the Mississippi Supreme Court in the manner provided by law and rules.

**SECTION 6.** The department shall suspend or revoke a license issued to a food processing plant, retail or food establishment under this chapter for offering for sale or selling a food product that is misbranded as a meat product in violation of Section 3.

**SECTION 7.** (1) The executive administrative officers of state institutions of higher learning under the authority of the Board of Trustees of State Institutions of Higher Learning, the respective boards of trustees of public community and junior colleges and local school boards, shall establish policies to prevent the purchase of food products that are misbranded as a meat product as prohibited in this act, or is a cultivated-protein food product as defined in this act.

**SECTION 8.** (1) All retail and food service establishments of food products, meats, meat-food products, cultivated-protein food products, manufactured-protein food products, insect-protein food products and plant-protein food products shall inform consumers, at the final point of sale, of the products'



authenticity as a meat or nonmeat product with appropriate labeling indicating such.

(2) The methods of notification required under subsection (1) shall be accomplished as follows:

(a) Retailers shall provide information to consumers by means of a label, stamp, mark, placard or other clear and visible sign on the meat or nonmeat product or on the package, display, holding unit or bin containing the meat or nonmeat at the final point of sale to consumers. If the product is already individually labeled for retail sale regarding its authenticity as a meat or nonmeat product, the retailer shall not be required to provide any additional information to comply with this section.

(b) Food service establishments shall provide information to the consumer by indications on the menu of the food service establishment. For inauthentic meat items derived from cultivated-protein food products, manufactured-protein food products, insect-protein food products and plant-protein food products, the information shall be adjacent to the item on the menu and printed in the same font style and size as the item. If the food service establishment offers for sale only authentic meat and meat-food products as defined in Section 75-35-3, then the food service establishment may generally disclose this in a prominent location in the food service establishment in lieu of disclosure on the menu. The signage disclosing the sale of only authentic meat and meat-food products, that is to be placed in a



prominent location in the food service establishment, shall be approved by the Mississippi Department of Agriculture and Commerce, which shall be held harmless in a cause of action for a retail or food service establishment's failure to disclose or fraudulent disclosure. Any liability arising from failure to disclose authenticity shall remain with the processor, distributor, wholesaler and the retail or food service establishment.

(3) The commissioner may require that any person that prepares, stores, handles or distributes food products, meats, meat-food products, cultivated-protein food products, manufactured-protein food products, insect-protein food products and plant-protein food products for retail sale maintains a verifiable record-keeping audit trail that permits the commissioner to verify compliance with this act and any regulations promulgated hereunder.

(4) Any distributor or wholesaler engaged in the business of supplying meat, meat-food products, cultivated-protein food products, manufactured-protein food products, insect-protein food products and plant-protein food products to a retailer or food service establishment shall provide information to the retailer or food service establishment indicating the authenticity of product as a meat or nonmeat. The information shall include certification of origin through a state or federal agency that regulates the processing of meat or through a federal agency that verifies that



meat and/or other products produced in countries other than the United States meets similar sanitation requirements.

**SECTION 9.** Section 75-35-3, Mississippi Code of 1972, is amended as follows:

75-35-3. As used in this chapter, except as otherwise specified, the following terms shall have the meanings stated below:

(a) The term "commissioner" means the "commissioner of agriculture and commerce of the State of Mississippi," or his duly authorized deputies.

(b) The term "firm" means any partnership, association, or other unincorporated business organization.

(c) The term "meat broker" means any person, firm, or corporation engaged in the business of buying or selling carcasses, parts of carcasses, meat, or meat-food products of cattle, sheep, swine, goats, horses, mules, or other equines on commission, or otherwise negotiating purchases or sales of such item or products other than for his own account or as an employee of another person, firm, or corporation.

(d) The term "renderer" means any person, firm, or corporation engaged in the business of rendering carcasses, or parts or products of the carcasses, of cattle, sheep, swine, goats, horses, mules, or other equines, except rendering conducted under inspection under this article.



330           (e) The term "animal food manufacturer" means any  
331 person, firm, or corporation engaged in the business of  
332 manufacturing or processing animal food derived wholly or in part  
333 from carcasses or parts or products of the carcasses, of cattle,  
334 sheep, swine, goats, horses, mules, or other equines.

335           (f) The term "unfit for human food" means as defined in  
336 the "Meat, Meat-Food and Poultry Regulation and Inspection Law of  
337 1960," appearing in subsection (c) of Section 75-33-3, Mississippi  
338 Code of 1972.

339           (g) The term "meat-food product" means any product  
340 capable of use as human food which is made wholly or in part from  
341 any meat or other portion of the carcass of any cattle, sheep,  
342 swine, or goats, excepting products which contain meat or other  
343 portions of such carcasses only in a relatively small proportion  
344 or historically have not been considered by consumers as products  
345 of the meat-food industry, and which are exempted from definition  
346 as a meat-food product by the commissioner under such conditions  
347 as he may prescribe to assure that the meat or other portions of  
348 such carcasses contained in such product are not adulterated and  
349 that such products are not represented as meat-food products.  
350 This term as applied to food products of equines shall have a  
351 meaning comparable to that provided in this paragraph with respect  
352 to cattle, sheep, swine, and goats.

353           (h) The term "capable of use as human food" shall apply  
354 to any carcass, or part or product of a carcass, of any animal,



unless it is denatured or otherwise identified as required by regulations prescribed by the commissioner to deter its use as human food, or it is naturally inedible by humans.

(i) The term "prepare" means slaughtered, canned, salted, rendered, boned, cut up, or otherwise manufactured or processed.

(j) The term "adulterated" shall apply to any carcass, part thereof, meat or meat-food product under one or more of the following circumstances:

(1) If it bears or contains any poisonous or deleterious substance which may render it injurious to health; but in case the substance is not an added substance, such article shall not be considered adulterated under this clause if the quantity of such substance in or on such item or product does not ordinarily render it injurious to health;

(2) (A) If it bears or contains (by reason of administration of any substance to the live animal or otherwise) any added poisonous or added deleterious substance (other than one which is (i) a pesticide chemical in or on a raw agricultural commodity; (ii) a food additive; or (iii) a color additive) which may, in the judgment of the commissioner, make such item or product unfit for human food;

(B) If it is, in whole or in part, a raw agricultural commodity and such commodity bears or contains a



pesticide chemical which is unsafe within the meaning of Section 408 of the Federal Food, Drug, and Cosmetic Act, as amended;

(C) If it bears or contains any food additive which is unsafe within the meaning of Section 409 of the Federal Food, Drug, and Cosmetic Act, as amended;

(D) If it bears or contains any color additive which is unsafe within the meaning of Section 706 of the Federal Food, Drug, and Cosmetic Act: provided, that an article which is not adulterated under clause (B), (C), or (D) shall nevertheless be deemed adulterated if use of the pesticide chemical, food additive, or color additive in or on such item or product is prohibited by regulations of the commissioner in establishments at which inspection is maintained under this article;

(3) If it consists, in whole or in part, of any filthy, putrid, or decomposed substance or is for any other reason unsound, unhealthful, unwholesome, or otherwise unfit for human food;

(4) If it has been prepared, packed, or held under insanitary conditions whereby it may have become contaminated with filth, or whereby it may have been rendered injurious to health;

(5) If it is, in whole or in part, the product of an animal which has died otherwise than by slaughter; or which was diseased or was in a dying condition at the time of slaughter;



403                   (6) If its container is composed, in whole or in  
404 part, of any poisonous or deleterious substance which may render  
405 the contents injurious to health;

406                   (7) If it has been intentionally subjected to  
407 radiation, unless the use of the radiation was in conformity with  
408 a regulation or exemption in effect pursuant to Section 409 of the  
409 Federal Food, Drug, and Cosmetic Act;

410                   (8) If any valuable constituent has been, in whole  
411 or in part, omitted or abstracted therefrom; or if any substance  
412 has been substituted, wholly or in part therefor; or if damage or  
413 inferiority has been concealed in any manner; or if any substance  
414 has been added thereto or mixed or packed therewith so as to  
415 increase its bulk or weight, or reduce its quality or strength, or  
416 make it appear better or of greater value than it is; or

417                   (9) If it is margarine containing animal fat and  
418 any of the raw material used therein consisted, in whole or in  
419 part of, any filthy, putrid, or decomposed substance.

420                   (k) The term "misbranded" shall apply to any carcass,  
421 part thereof, meat or meat-food product under one or more of the  
422 following circumstances:

423                   (1) If its labeling is false or misleading in any  
424 particular;

425                   (2) If it is offered for sale under the name of  
426 another food;





427                   (3) If it is an imitation of another food, unless  
428 its label bears, in type of uniform size and prominence, the word  
429 "imitation" and immediately thereafter, the name of the food  
430 imitated;

431                   (4) If its container is so made, formed, or filled  
432 as to be misleading;

433                   (5) If in a package or other container unless it  
434 bears a label showing (A) the name and place of business of the  
435 manufacturer, packer, or distributor; and (B) an accurate  
436 statement of the quantity of the contents in terms of weight,  
437 measure, or numerical count; provided, that under clause (B) of  
438 this subparagraph (5), reasonable variations may be permitted, and  
439 exemptions as to small packages may be established, by regulations  
440 prescribed by the commissioner.

441                   (6) If any word, statement, or other information  
442 required by or under authority of this chapter to appear on the  
443 label or other labeling is not prominently placed thereon with  
444 such conspicuousness (as compared with other words, statements,  
445 designs, or devices, in the labeling) and in such terms as to  
446 render it likely to be read and understood by the ordinary  
447 individual under customary conditions of purchase and use;

448                   (7) If it purports to be or is represented as a  
449 food for which a definition standard of identity or composition  
450 has been prescribed by regulations of the commissioner under  
451 Section 75-35-15 unless (A) it conforms to such definition and



standard, and (B) its label bears the name of the food specified in the definition and standard and, insofar as may be required by such regulations, the common names of optional ingredients (other than spices, flavoring, and coloring) present in such food;

(8) If it purports to be or is represented as a food for which a standard or standards of fill of container have been prescribed by regulations of the commissioner under Section 75-35-15, and it falls below the standard of fill of container applicable thereto, unless its label bears, in such manner and form as such regulations specify, a statement that it falls below such standard;

(9) If it is not subject to the provisions of subparagraph (7), unless its label bears (A) the common or usual name of the food, if any there be, and (B) in case it is fabricated from two (2) or more ingredients, the common or usual name of each such ingredient; except that spices, flavorings, and colorings may, when authorized by the commissioner, be designated as spices, flavorings, and colorings without naming each: provided, that to the extent that compliance with the requirements of clause (B) of this subparagraph (9) is impracticable, or results in deception or unfair competition, exemptions shall be established by regulations promulgated by the commissioner;

(10) If it purports to be or is represented for special dietary uses, unless its label bears such information concerning its vitamin, mineral, and other dietary properties as



the commissioner, after consultation with the secretary of agriculture of the United States, determines to be, and by regulations prescribes as, necessary in order fully to inform purchasers as to its value for such uses;

(11) If it bears or contains any artificial flavoring, artificial coloring, or chemical preservative, unless it bears labeling stating that fact: provided, that, to the extent that compliance with the requirements of this subparagraph (11) is impracticable, exemptions shall be established by regulations promulgated by the commissioner; or

(12) If it fails to bear, directly thereon or on its container, as the commissioner may by regulations prescribe, the inspection legend and, unrestricted by any of the foregoing, such other information as the commissioner may require in such regulations to assure that it will not have false or misleading labeling and that the public will be informed of the manner of handling required to maintain the item or product in a wholesome condition.

(1) The term "label" means a display of written, printed, or graphic matter upon \* \* \* any container \* \* \* storing a food product that is offered for sale or sold on a wholesale or retail basis, regardless of whether the label is printed on the container's packaging or a sticker affixed to the container.

(m) The term "labeling" means all labels and other written, printed, or graphic matter (1) upon any item or product



or any of its containers or wrappers, or (2) accompanying such item or product.

(n) The term "Federal Meat Inspection Act" means the act so entitled approved March 4, 1907 (34 Stat 1260), as amended by the Wholesome Meat Act (8 Stat 584).

(o) The term "Federal Food, Drug, and Cosmetic Act" means the act so entitled, approved June 25, 1938 (52 Stat 1040), and acts amendatory thereof or supplementary thereto.

(p) The term "pesticide chemical," "food additive," "color additive" and "raw agricultural commodity" shall have the same meanings for purposes of this chapter as under the Federal Food, Drug, and Cosmetic Act.

(q) The term "official mark" means the official inspection legend or any other symbol prescribed by regulations of the commissioner to identify the status of any product or animal under this chapter.

(r) The term "official inspection legend" means any symbol prescribed by regulations of the commissioner showing that an item or product was inspected and passed in accordance with this chapter.

(s) The term "official certificate" means any certificate prescribed by regulations of the commissioner for issuance by an inspector or other person performing official functions under this chapter.



(t) The term "official device" means any device prescribed or authorized by the commissioner for use in applying any official mark.

(u) "Cultivated-protein food product" means a food product having one or more sensory attributes that resemble a type of tissue originating from an agricultural food animal but that, in lieu of being derived from meat processing, is derived from manufacturing cells, in which one or more stem cells are initially isolated from an agricultural food animal, are grown in vitro, and may be manipulated, as part of a manufacturing operation.

(v) "Insect-protein food product" means a food product having one or more sensory attributes that resemble a type of tissue originating from an agricultural food animal but that, in lieu of being derived from meat processing, is derived from manufacturing insect parts.

(w) "Manufactured-protein food product" means a cultivated-protein food product, insect-protein food product or plant-protein food product.

(x) "Plant-protein food product" means a food product having one or more sensory attributes that resemble a type of tissue found in a species of agricultural food animal but that, in lieu of being derived from meat processing, is derived from manufacturing plant parts.



550       **SECTION 10.** Section 75-35-15, Mississippi Code of 1972, is  
551 amended as follows:

552       75-35-15. (1) When any meat or meat-food product has been  
553 inspected as hereinbefore provided and marked "Mississippi  
554 inspected and passed" or appropriate marking shall be placed or  
555 packed in any can, pot, tin, canvas, or other receptacle or  
556 covering in any establishment where inspection under the  
557 provisions of this chapter is maintained, the person, firm, or  
558 corporation preparing said product shall cause a label to be  
559 attached to said can, pot, tin, canvas, or other receptacle or  
560 covering, under supervision of an inspector, which label shall  
561 state that the contents thereof have been "Mississippi inspected  
562 and passed" or appropriate marking under the provisions of this  
563 chapter, and no inspection and examination of meat or meat-food  
564 products deposited or enclosed in cans, tins, pots, canvas, or  
565 other receptacle or covering in any establishment where inspection  
566 under the provisions of this chapter is maintained shall be deemed  
567 to be complete until such meat or meat-food products have been  
568 sealed or enclosed in said can, tin, pot, canvas, or other  
569 receptacle or covering under the supervision of an inspector.

570       (2) All carcasses, parts of carcasses, meat and meat-food  
571 products inspected at any establishment under the authority of  
572 this chapter and found to be not adulterated, shall at the time  
573 they leave the establishment bear, in distinctly legible form,  
574 directly thereon or on their containers, as the commissioner may



require, the information required under paragraph (k) of Section 75-35-3.

(3) The commissioner, whenever he determines such action is necessary for the protection of the public, may prescribe:

(a) The styles and sizes of type to be used with respect to material required to be incorporated in labeling to avoid false or misleading labeling of any products or animals subject to this article or Article 3 of this chapter; and

(b) Definitions and standards of identity or composition for items subject to this article and standards of fill of container for such products not inconsistent with any such standards established under the Federal Food, Drug, and Cosmetic Act, or under the Federal Meat Inspection Act, and there shall be consultation between the commissioner and the Secretary of Agriculture of the United States prior to the issuance of such standards to avoid inconsistency between such standards and the federal standards.

(4) (a) No item or product subject to this article shall be sold or offered for sale by any person, firm, \* \* \* corporation, retailer or food service establishment under any name or other marking or labeling which is false or misleading, or in any container of a misleading form or size, but established trade names and other marking and labeling and containers which are not false or misleading and which are approved by the commissioner, are permitted. A food product or cultivated-protein food product



that contains cultured animal tissue produced from animal cell cultures outside of the organism from which it is derived shall not be \* \* \* manufactured or sold within the state. A plant-based \* \* \*, plant-protein, insect-based or insect-protein food product shall not be labeled as meat or a meat-food product. A manufactured-protein food product, as defined in Section 1 of this act, shall not be labeled as meat or a meat-food product.

(b) Every person, firm, corporation, retailer or food service establishment governed by the provisions of this chapter shall inform consumers, at the final point of sale, of the products' authenticity as a meat or nonmeat product with appropriate labeling indicating such in a manner consistent with the requirements of Section 8 of this act.

(5) If the commissioner has reason to believe that any marking or labeling or the size or form of any container in use or proposed for use with respect to any item subject to this article is false or misleading in any particular, he may direct that such use be withheld unless the marking, labeling, or container is modified in such manner as he may prescribe so that it will not be false or misleading. If the person, firm, or corporation using or proposing to use the marking, labeling or container does not accept the determination of the commissioner, such person, firm, or corporation may request a hearing, but the use of the marking, labeling, or container shall, if the commissioner so directs, be withheld pending hearing and final determination by the





commissioner. Any party aggrieved by such final determination may, within thirty (30) days after receipt of notice of such final determination, effect an appeal therefrom to the chancery court of the county in which such party resides or in which the principal place of his business is domiciled; and, on appeal, such chancery court shall affirm, modify, or set aside the commissioner's final determination.

**SECTION 11.** Section 75-33-3, Mississippi Code of 1972, is amended as follows:

75-33-3. (1) For the purpose of this article, the words and terms used herein shall have ascribed to them the following meanings:

(a) The word "person" shall include individuals, partnerships, corporations, associations, and any other legal entity recognized by law.

(b) The terms "meat" and "meat-food products" whenever used in this article, shall include the carcasses or parts thereof, of cattle, sheep, goats, other ruminants, including exotic animals, swine, horses, mules, rabbits, poultry and ratites and the meat and meat-food products of such animals.

(c) The term "food unfit for human consumption" shall be construed to include the meat and meat-food products of horses and mules and all meats or meat-food products which are so affected with disease that it would be dangerous to use the meat or other parts for human food; also, all meats or meat-food



650 products which are contaminated, putrid, unsound, unhealthful, or  
651 otherwise unfit for food, or which have been derived from any  
652 animal which has died as a result of disease or accident, or which  
653 was in a dying condition at the time of slaughter.

654 (d) The word "establishment" as used in this article,  
655 shall include: (i) any building or structure in which  
656 slaughtering, butchering, meat processing, meat canning, meat  
657 packing, meat manufacturing or rendering is carried on; and (ii)  
658 the ground upon which such building or structure is erected, and  
659 so much ground adjacent thereto as is used in carrying on the  
660 business of such establishment, including drains, gutters, waste  
661 disposal and cesspools used in connection with the establishment.

662 (e) The word "equipment" as used in this article, shall  
663 include all machinery, fixtures, containers, vessels, tools,  
664 implements and apparatus used in and about an establishment.

665 (f) The word "commissioner" as used in this article,  
666 shall mean the Commissioner of Agriculture and Commerce, or his  
667 duly authorized deputies.

668 (g) The word "ratite" means a member of a group of  
669 large flightless birds including the ostrich, rhea and emu.

670 (h) The words "exotic animal" mean a member of a  
671 species of game not indigenous to this state, including axis deer,  
672 fallow deer, red deer or other cloven-hooved ruminant animals and  
673 ratites.



674           (i) The term "food establishment" means any place,  
675 vehicle, or vessel that prepares, stores, holds, transports,  
676 serves, or dispenses food for human consumption.

677           (2) All persons engaged in business as a meat broker,  
678 jobber, dealer, distributor, peddler, transporter, or wholesaler  
679 of any carcasses of meat animals or poultry or parts or products  
680 thereof, whether fresh, frozen, cured or otherwise and whether  
681 canned, wrapped, packaged or prepackaged, but not otherwise  
682 handled, whether intended for human food or other purposes, or any  
683 person engaged in the business as a public warehouseman storing  
684 any such items or products shall register with the commissioner on  
685 forms provided and shall operate under the applicable inspection  
686 authority provided in this article and by the Mississippi Meat  
687 Inspection Act of 1968 [Chapter 35 of Title 75], provided persons  
688 operating the aforementioned nonslaughter and nonprocessing  
689 businesses are exempt from the license and fee specified in  
690 Section 75-33-7.

691           (3) The slaughtering by any person of animals and poultry of  
692 his own raising, and the processing and transportation by him of  
693 animals and poultry products exclusively for use by him and  
694 members of his household and his nonpaying guests and employees,  
695 shall be exempt from the provisions of this article. Any other  
696 operations of an unlicensed, unapproved slaughterhouse and/or  
697 processing facility to escape the provisions of this article shall



698 be unlawful, and any person found guilty of such violation shall  
699 be punished as provided in Section 75-33-37.

700 (4) The provisions of this article shall not apply to  
701 poultry producers with respect to poultry of their own raising on  
702 their own farms on the same basis as now provided in the United  
703 States Wholesome Poultry Products Act and regulations thereunder,  
704 and such exemptions shall be consistent with said act and  
705 regulations. However, the adulteration and misbranding provisions  
706 of said act, other than the requirement of the inspection legend,  
707 shall apply to articles which are exempt from inspection by said  
708 act and regulations.

709 **SECTION 12.** Section 75-33-7, Mississippi Code of 1972, is  
710 amended as follows:

711 75-33-7. (1) It shall be the duty of every person operating  
712 an establishment or food establishment as defined in Section  
713 75-33-3, except retail dealers, restaurants or eating places and  
714 establishments operating under the United States Department of  
715 Agriculture system of inspection, to apply to the commissioner for  
716 a license to operate such establishment \* \* \*, and annually  
717 thereafter before July of each succeeding year, and pay to the  
718 commissioner at the time said application for registration and  
719 license is filed, a fee of ten dollars (\$10.00) for each  
720 establishment operated, and a like fee of ten dollars (\$10.00) for  
721 the renewal thereof.



722           The fees for the issuance of the license and the renewals  
723           thereof, together with such other fees and charges authorized by  
724           this article, shall be kept by the commissioner in a separate fund  
725           to be used to defray the expenses of the enforcement of this  
726           article. A strict accounting shall be made of all funds received  
727           and disbursed.

728           (2) The application for a license shall be made on a form to  
729           be supplied by the commissioner, and shall show the location of  
730           each establishment and the name and address of the owner, and the  
731           name and address of the lessor or lessee. The application shall  
732           have attached thereto the affidavit of the person applying for the  
733           license that the facts set forth are true and correct.

734           (3) Upon approval of application for license and payment of  
735           license fee, and upon approval of sanitary conditions in the  
736           establishment, and every place used in connection therewith, the  
737           commissioner shall issue to each applicant a license which shall  
738           expire on June 30 of each year, and which shall authorize the  
739           operation of said establishment for the fiscal year, or portion  
740           thereof, for which a license is issued.

741           (4) Such license shall be posted in a conspicuous place in  
742           or at the place of business of such licensee, and exposed for  
743           inspection by any person or persons who may be properly authorized  
744           to make such examination.

745           (5) From and after the first day of July 1960, it shall be  
746           unlawful for any person to operate an establishment unless said



establishment is duly licensed and inspected in accordance with the provisions of this article.

The Commissioner of Agriculture and Commerce shall develop and administer a poultry inspection program which shall require mandatory poultry product inspection that imposes antemortem and postmortem inspection, reinspection and sanitation requirements that are at least equal to those under the federal Poultry Products Inspection Act of 1968 [21 USCS 451 et seq.], and the regulations thereunder with respect to all or certain classes of persons engaged in slaughtering poultry or processing poultry products for use as human food solely for distribution within this state.

Any existing provision of law in regard to fees, mandatory requirements, other options, or inspection administration in conflict herewith, shall not affect the foregoing mandatory inspection provision.

Provided, further, that the Commissioner of Agriculture and Commerce shall be authorized to enter into a cooperative agreement with the United States Department of Agriculture for compliance with the Poultry Products Inspection Act of 1968 and amendments thereto [21 USCS 451 et seq.], for the purpose of financing and enforcing a mandatory antemortem and postmortem inspection, reinspection and sanitation requirements that are at least equal to those under the within cited federal act with respect to all or certain persons engaged in slaughtering poultry or processing



772 poultry products in this state for use as human food solely for  
773 distribution within this state. The commissioner is further  
774 empowered to make inspection of other poultry slaughtering and  
775 processing facilities when he deems same necessary to the proper  
776 sanitation and distribution of such products solely within this  
777 state.

778       **SECTION 13.** This act shall take effect and be in force from  
779 and after July 1, 2025.

**Further, amend by striking the title in its entirety and  
inserting in lieu thereof the following:**

1       AN ACT TO PROVIDE FOR LABELING REQUIREMENTS FOR MEAT AND MEAT  
2 SUBSTITUTE PRODUCTS IN AN EFFORT TO PREVENT CONSUMER CONFUSION; TO  
3 DEFINE TERMINOLOGY USED IN THIS ACT; TO PROVIDE THAT THE  
4 DEPARTMENT OF AGRICULTURE SHALL INSPECT AN INVENTORY OF FOOD  
5 PRODUCTS OFFERED FOR SALE OR SOLD AT A FOOD PROCESSING PLANT,  
6 RETAIL OR FOOD ESTABLISHMENT BASED ON A CREDIBLE COMPLAINT; TO  
7 PRESCRIBE THE CRITERIA THAT ALLOWS FOR THE IDENTIFICATION OF  
8 MISBRANDED MEAT PRODUCTS; TO PROHIBIT FOOD PROCESSING PLANTS,  
9 RETAIL AND FOOD ESTABLISHMENTS FROM OFFERING FOR SALE OR SELL A  
10 FOOD PRODUCT THAT IS MISBRANDED AS A MEAT PRODUCT; TO PRESCRIBE  
11 ENFORCEMENT ACTIONS THAT MAY BE TAKEN BY THE DEPARTMENT AGAINST  
12 ENTITIES THAT VIOLATE THE PROVISIONS OF THIS ACT; TO PRESCRIBE  
13 CIVIL PENALTIES FOR VIOLATIONS; TO PRESCRIBE THE MANNER BY WHICH  
14 ACCUSED VIOLATORS WHO HAVE RECEIVED THE IMPOSITION OF A CIVIL  
15 PENALTY TO CONTEST AND APPEAL THE DECISION OF THE DEPARTMENT TO  
16 IMPOSE SUCH PENALTY; TO PROVIDE THAT THE DEPARTMENT SHALL NOT  
17 SUSPEND OR REVOKE A LICENSE ISSUED TO A FOOD PROCESSING PLANT,  
18 RETAIL OR FOOD ESTABLISHMENT FOR VIOLATIONS; TO REQUIRE THE  
19 EXECUTIVE ADMINISTRATIVE OFFICERS OF STATE INSTITUTIONS OF HIGHER  
20 LEARNING UNDER THE AUTHORITY OF THE BOARD OF TRUSTEES OF STATE  
21 INSTITUTIONS OF HIGHER LEARNING, THE BOARDS OF TRUSTEES OF PUBLIC  
22 COMMUNITY AND JUNIOR COLLEGES AND LOCAL SCHOOL BOARDS TO ESTABLISH  
23 POLICIES TO PREVENT THE PURCHASE OF FOOD PRODUCTS THAT ARE  
24 MISBRANDED AS A MEAT PRODUCT OR IS A CULTIVATED-PROTEIN FOOD  
25 PRODUCT; TO REQUIRE ALL RETAIL AND FOOD SERVICE ESTABLISHMENTS OF  
26 FOOD PRODUCTS, MEATS, MEAT-FOOD PRODUCTS, CULTIVATED-PROTEIN FOOD  
27 PRODUCTS, MANUFACTURED-PROTEIN FOOD PRODUCTS, INSECT-PROTEIN FOOD  
28 PRODUCTS TO INFORM CONSUMERS OF THE PRODUCTS' AUTHENTICITY AS A



29 MEAT OR NONMEAT PRODUCT WITH APPROPRIATE LABELING AT THE FINAL  
30 POINT OF SALE; TO PRESCRIBE THE REQUIRED METHOD OF NOTIFICATION;  
31 TO PROVIDE THAT THE COMMISSIONER MAY REQUIRE CERTAIN ENTITIES TO  
32 MAINTAIN A VERIFIABLE RECORD-KEEPING AUDIT TRAIL FOR PURPOSES OF  
33 VERIFYING COMPLIANCE; TO REQUIRE DISTRIBUTORS OR WHOLESALERS  
34 ENGAGED IN THE BUSINESS OF SUPPLYING MEAT, MEAT-FOOD PRODUCTS,  
35 CULTIVATED-PROTEIN FOOD PRODUCTS, MANUFACTURED-PROTEIN FOOD  
36 PRODUCTS, INSECT-PROTEIN FOOD PRODUCTS AND PLANT-PROTEIN FOOD  
37 PRODUCTS TO A RETAILER OR FOOD SERVICE ESTABLISHMENT TO PROVIDE  
38 INFORMATION TO THE RETAILER OR FOOD SERVICE ESTABLISHMENT  
39 INDICATING THE AUTHENTICITY OF PRODUCT AS A MEAT OR NONMEAT; TO  
40 AMEND SECTIONS 75-35-3, 75-35-15, 75-33-3 AND 75-33-7, MISSISSIPPI  
41 CODE OF 1972, IN CONFORMITY TO THE PRECEDING PROVISIONS; AND FOR  
42 RELATED PURPOSES.

CONFEREES FOR THE HOUSE

X (SIGNED)  
Pigott

X (SIGNED)  
Mangold

X (SIGNED)  
Wallace

CONFEREES FOR THE SENATE

X (SIGNED)  
Whaley

X (SIGNED)  
Berry

X (SIGNED)  
Hill

