State of South Dakota

NINETY-FOURTH SESSION
LEGISLATIVE ASSEMBLY, 2019

693B0185

SENATE AGRICULTURE AND NATURAL RESOURCES

ENGROSSED NO. SB 68 - 2/14/2019

Introduced by: Senators Rusch, Blare, Cammack, DiSanto, Ewing, Greenfield (Brock), Heinert, Klumb, Kolbeck, Maher, Nelson, Nesiba, Partridge, Russell, Stalzer, Steinhauer, and Youngberg and Representatives Lesmeister, Barthel, Beal, Bordeaux, Brunner, Chaffee, Chase, Cwach, Dennert, Deutsch, Finck, Glanzer, Gosch, Greenfield (Lana), Gross, Hansen, Healy, Jensen (Kevin), Johns, Johnson (David), Lake, Latterell, Livermont, Marty, McCleerey, Mulally, Otten (Herman), Perry, Peterson (Kent), Peterson (Sue), Pischke, Qualm, Rasmussen, Rounds, Saba, Schoenfish, Smith (Jamie), Weis, Wiese, York, and Zikmund

FOR AN ACT ENTITLED, An Act to define certain acts as misbranding of food products.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

Section 1. That chapter 39-4 be amended by adding a NEW SECTION to read:

A food product shall be deemed to be misbranded if the product is labeled or branded in a false, deceptive, or misleading manner that intentionally misrepresents the product as a meat food product as defined in § 39-5-6, a meat by-product as defined in § 39-5-6, or as poultry.

For the purposes of this title, the term, poultry, includes anything containing meat intended for or capable of use for human consumption, that is derived, in whole or in part, from any domesticated bird intended for human consumption.

For the purposes of this section, an intentional violation occurs when the party committing the violation knew or should have known that the conduct was a violation of this section.

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Insertions into existing statutes are indicated by underscores.
Deletions from existing statutes are indicated by ~~overstrikes~~.