

State of South Dakota

NINETY-SECOND SESSION
LEGISLATIVE ASSEMBLY, 2017

615Y0444

SENATE BILL NO. 135

Introduced by: Senators Russell, Frerichs, Heinert, and Maher and Representatives Brunner, Lesmeister, Marty, May, McCleerey, and Otten (Herman)

1 FOR AN ACT ENTITLED, An Act to revise certain meat labeling requirements.

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

3 Section 1. That § 39-5-5 be repealed.

4 ~~—39-5-5. Any person who knowingly sells or offers for sale any meat which is the product of~~
5 ~~any foreign country or imported from without the boundaries of the United States, or any meat~~
6 ~~product containing such imported meat, without indicating this fact by display of a conspicuous~~
7 ~~sign in his place of business and by labels or brands on each quarter, half or whole carcass of~~
8 ~~such meat, or on each can, case, or package containing any of the above-mentioned product,~~
9 ~~naming the country of its origin and the date of exportation is guilty of a Class 2 misdemeanor.~~

10 Section 2. That the code be amended by adding a NEW SECTION to read:

11 Terms used in this Act mean:

12 (1) "Beef," any meat product produced from cattle, including veal;

13 (2) "Ground beef," chopped fresh or frozen beef;

14 (3) "Label," a legible display of written, printed, or graphic matter on the immediate

15 container of an article and placed in a conspicuous location, as to render it likely to



1 be read and understood by a customer under normal conditions of purchase;

2 (4) "Secretary," executive secretary of the South Dakota Animal Industry Board; and

3 (4) "Slaughter," the killing of livestock for processing for human consumption.

4 Section 3. That the code be amended by adding a NEW SECTION to read:

5 All beef and ground beef sold for retail sale within the state, except prepared foods for
6 immediate sale or ready to eat, shall bear a label of country of origin. Any beef or ground beef
7 verified as originating in the United States shall bear a label declaring it to be a product of the
8 United States of America. Any beef or ground beef determined to be of imported or mixed
9 origin shall bear a label declaring the country or countries of origin. If the origin of any beef or
10 ground beef cannot be determined, the product shall be labeled as, unknown, or as, country of
11 origin unknown.

12 Section 4. That the code be amended by adding a NEW SECTION to read:

13 All labels shall comply with federal regulation and not obscure other labeling information
14 required by other federal regulations. All labels shall comply with the country abbreviations for
15 use under customs and border protection rules, regulation, and policies. A symbol or flag alone
16 may not be used to denote a country of origin.

17 Section 5. That the code be amended by adding a NEW SECTION to read:

18 Any person engaged in the business of retail vending of beef and ground beef who
19 knowingly or purposely offers beef or ground beef for sale without ensuring the products are
20 clearly labeled with a country of origin pursuant to section 3 of this Act is guilty of a Class 2
21 misdemeanor.