



94TH GENERAL ASSEMBLY

State of Illinois

2005 and 2006

SB2841

Introduced 1/20/2006, by Sen. John M. Sullivan

SYNOPSIS AS INTRODUCED:

225 ILCS 650/2	from Ch. 56 1/2, par. 302
225 ILCS 650/3	from Ch. 56 1/2, par. 303
225 ILCS 650/5.2	
225 ILCS 650/13	from Ch. 56 1/2, par. 313

Amends the Meat & Poultry Inspection Act. Defines the word "amenable". Removes a provision in the definition of "meat broker", "poultry broker", or "meat and poultry broker" that prohibits a broker from possessing any processing equipment in his or her licensed facility. Provides that "processor" means any person engaged in the business of preparing food from animals (instead of preparing animal food). Provides that, in addition to the \$50 penalty assessed, if renewal license applications are not received by July 1 of each year, establishment operations shall be discontinued until payment is received in full. Provides that establishments licensed under the Act as Type II establishments for custom slaughtering and custom processing shall stamp the words "NOT FOR SALE-NOT INSPECTED" (now, "NOT FOR SALE") on all carcasses of animals and immediate poultry product containers for poultry slaughtered in such establishment and on all meat products and immediate poultry product containers for poultry products processed in that establishment. Makes other changes.

LRB094 17299 RAS 52592 b

FISCAL NOTE ACT
MAY APPLY

1 AN ACT concerning regulation.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Meat and Poultry Inspection Act is amended
5 by changing Sections 2, 3, 5.2, and 13 as follows:

6 (225 ILCS 650/2) (from Ch. 56 1/2, par. 302)

7 Sec. 2. Definitions. As used in this Act:

8 "Adulterated" means any carcass, or part of a carcass, meat
9 or meat food product, or poultry or poultry food product if:

10 (1) it bears or contains any poisonous or deleterious
11 substance which may render it injurious to health, but if
12 the substance is not an added substance the article is not
13 adulterated under this paragraph if the quantity of such
14 substance in or on the article does not ordinarily render
15 it injurious to health;

16 (2) it bears or contains, because of the administering
17 of any substance to the live animal, poultry, or other food
18 product, any added poisonous or added deleterious
19 substance other than (A) a pesticide chemical in or on a
20 raw agricultural commodity or (B) a food additive or a
21 color additive that, in the judgment of the Director, may
22 make the article unfit for human food;

23 (3) it is, in whole or in part, a raw agricultural
24 commodity and the commodity bears or contains a pesticide
25 chemical that is unsafe within the meaning of Section 408
26 of the federal Food, Drug, and Cosmetic Act;

27 (4) it bears or contains any food additive that is
28 unsafe within the meaning of Section 409 of the federal
29 Food, Drug, and Cosmetic Act;

30 (5) it bears or contains any color additive which is
31 unsafe within the meaning of Section 706 of the federal
32 Food, Drug, and Cosmetic Act, provided that an article that

1 is not adulterated under paragraph (3), (4), or (5) is
2 nevertheless adulterated if use of the pesticide chemical,
3 food additive, or color additive in or on the article is
4 prohibited under Section 13 or 16 of this Act;

5 (6) it consists in whole or in part of any filthy,
6 putrid, or decomposed substance or is for any reason
7 unsound, unhealthful, unwholesome, or otherwise unfit for
8 human food;

9 (7) it has been prepared, packed, or held under
10 unsanitary conditions whereby it may have become
11 contaminated with filth, or whereby it may have been
12 rendered injurious to health;

13 (8) it is, in whole or in part, the product of an
14 animal or poultry that has died otherwise than by
15 slaughter;

16 (9) its container is composed, in whole or in part, of
17 any poisonous or deleterious substance that may render the
18 contents injurious to health;

19 (10) it has been intentionally subjected to radiation,
20 unless the use of the radiation was in conformity with a
21 regulation or exemption under Section 409 of the federal
22 Food, Drug, and Cosmetic Act;

23 (11) any valuable constituent has been in whole or in
24 part omitted or abstracted from the article; any substance
25 has been substituted, wholly or in part; damage or
26 inferiority has been concealed in any manner; or any
27 substance has been added, mixed, or packed with the article
28 to increase its bulk or weight, to reduce its quality or
29 strength, or to make it appear better or of greater value
30 than it is; or

31 (12) it bears or contains sodium benzoate or benzoic
32 acid or any combination thereof, except as permitted in
33 accordance with the federal meat or poultry programs.

34 "Amenable" means foods containing 3% or more raw, or more
35 than 2% cooked, red meat or poultry, other edible portions of
36 carcass or bird, or products that historically have been

1 considered by customers as products of the meat or poultry
2 industry.

3 "Animals" means cattle, calves, American bison (buffalo),
4 catalo, cattalo, sheep, swine, domestic deer, domestic elk,
5 domestic antelope, domestic reindeer, ratites, water buffalo,
6 and goats.

7 "Capable of use as human food" means the carcass of any
8 animal or poultry, or part or product of a carcass of any
9 animal or poultry, unless it is denatured to deter its use as
10 human food or it is naturally inedible by humans.

11 "Custom processing" means the cutting up, packaging,
12 wrapping, storing, freezing, smoking, or curing of meat or
13 poultry products as a service by an establishment for the owner
14 or the agent of the owner of the meat or poultry products
15 exclusively for use in the household of the owner and his or
16 her nonpaying guests and employees or slaughtering with respect
17 to live poultry purchased by the consumer at this establishment
18 and processed by a custom plant operator in accordance with the
19 consumer's instructions.

20 "Custom slaughter" means the slaughtering, skinning,
21 defeathering, eviscerating, cutting up, packaging, or wrapping
22 of animals or poultry as a service by an establishment for the
23 owner or the agent of the owner of the animals or poultry
24 exclusively for use in the household of the owner and his or
25 her nonpaying guests and employees.

26 "Department" means the Department of Agriculture of the
27 State of Illinois.

28 "Director" means, unless otherwise provided, the Director
29 of the Department of Agriculture of the State of Illinois or
30 his or her duly appointed representative.

31 "Establishment" means all premises where animals, poultry,
32 or both, are slaughtered or otherwise prepared either for
33 custom, resale, or retail for food purposes, meat or poultry
34 canneries, sausage factories, smoking or curing operations,
35 restaurants, grocery stores, brokerages, cold storage plants,
36 processing plants, and similar places.

1 "Federal Food, Drug, and Cosmetic Act" means the Act
2 approved June 25, 1938 (52 Stat. 1040), as now or hereafter
3 amended.

4 "Federal inspection" means the meat and poultry inspection
5 service conducted by the United States Department of
6 Agriculture by the authority of the Federal Meat Inspection Act
7 and the Federal Poultry Products Inspection Act.

8 "Federal Meat Inspection Act" means the Act approved March
9 4, 1907 (34 Stat. 1260), as now or hereafter amended by the
10 Wholesome Meat Act (81 Stat. 584), as now or hereafter amended.

11 "Illinois inspected and condemned" means that the meat or
12 poultry product so identified and marked is unhealthful,
13 unwholesome, adulterated, or otherwise unfit for human food and
14 shall be disposed of in the manner prescribed by the
15 Department.

16 "Illinois inspected and passed" means that the meat or
17 poultry product so stamped and identified has been inspected
18 and passed under the provisions of this Act and the rules and
19 regulations pertaining thereto at the time of inspection and
20 identification was found to be sound, clean, wholesome, and
21 unadulterated.

22 "Illinois retained" means that the meat or poultry product
23 so identified is held for further clinical examination by a
24 veterinary inspector to determine its disposal.

25 "Immediate container" means any consumer package or any
26 other container in which livestock products or poultry
27 products, not consumer packaged, are packed.

28 "Inspector" means any employee of the Department
29 authorized by the Director to inspect animals and poultry or
30 meat and poultry products.

31 "Label" means a display of written, printed, or graphic
32 matter upon any article or the immediate container, not
33 including package liners, of any article.

34 "Labeling" means all labels and other written, printed, or
35 graphic matter (i) upon any article or any of its containers or
36 wrappers or (ii) accompanying the article.

1 "Meat broker", "poultry broker", or "meat and poultry
2 broker" means any person, firm, or corporation engaged in the
3 business of buying, negotiating for purchase of, handling or
4 taking possession of, or selling meat or poultry products on
5 commission or otherwise purchasing or selling of such articles
6 other than for the person's own account in their original
7 containers without changing the character of the products in
8 any way. ~~A broker shall not possess any processing equipment in
9 his or her licensed facility.~~

10 "Meat food product" means any product capable of use as
11 human food that is made wholly or in part from any meat or
12 other portion of the carcass of any cattle, sheep, swine, or
13 goats, except products that contain meat or other portions of
14 such carcasses only in a relatively small proportion or
15 products that historically have not been considered by
16 consumers as products of the meat food industry and that are
17 exempted from definition as a meat food product by the Director
18 under such conditions as the Director may prescribe to assure
19 that the meat or other portions of such carcass contained in
20 such product are not adulterated and that such products are not
21 represented as meat food products. This term as applied to food
22 products of equines or domestic deer shall have a meaning
23 comparable to that provided in this definition with respect to
24 cattle, sheep, swine, and goats.

25 "Misbranded" means any carcass, part thereof, meat or meat
26 food product, or poultry or poultry food product if:

27 (1) its labeling is false or misleading in any
28 particular;

29 (2) it is offered for sale under the name of another
30 food;

31 (3) it is an imitation of another food, unless its
32 label bears, in type of uniform size and prominence, the
33 word "imitation" followed immediately by the name of the
34 food imitated;

35 (4) its container is made, formed, or filled so as to
36 be misleading;

1 (5) it does not bear a label showing (i) the name and
2 place of business of the manufacturer, packer, or
3 distributor and (ii) an accurate statement of the quantity
4 of the contents in terms of weight, measure, or numerical
5 count; however, reasonable variations in such statement of
6 quantity may be permitted;

7 (6) any word, statement, or other information required
8 by or under authority of this Act to appear on the label or
9 other labeling is not prominently placed thereon with such
10 conspicuousness as compared with other words, statements,
11 designs, or devices in the labeling and in such terms as to
12 make the label likely to be read and understood by the
13 general public under customary conditions of purchase and
14 use;

15 (7) it purports to be or is represented as a food for
16 which a definition and standard of identity or composition
17 is prescribed in Sections 13 and 16 of this Act unless (i)
18 it conforms to such definition and standard and (ii) its
19 label bears the name of the food specified in the
20 definition and standard and, as required by such
21 regulations, the common names of optional ingredients
22 other than spices and flavoring present in such food;

23 (8) it purports to be or is represented as a food for
24 which a standard of fill of container is prescribed in
25 Section 13 of this Act and it falls below the applicable
26 standard of fill of container applicable thereto, unless
27 its label bears, in such manner and form as such
28 regulations specify, a statement that it falls below such
29 standard;

30 (9) it is not subject to the provisions of paragraph
31 (7), unless its label bears (i) the common or usual name of
32 the food, if any, and (ii) if it is fabricated from 2 or
33 more ingredients, the common or usual name of each
34 ingredient, except that spices and flavorings may, when
35 authorized by standards or regulations adopted in or as
36 provided by Sections 13 and 16 of this Act, be designated

1 as spices and flavorings without naming each;

2 (10) it purports to be or is represented for special
3 dietary uses, unless its label bears such information
4 concerning its vitamin, mineral, and other dietary
5 properties as determined by the Secretary of Agriculture of
6 the United States in order to fully inform purchasers as to
7 its value for such uses;

8 (11) it bears or contains any artificial flavoring,
9 artificial coloring, or chemical preservative, unless it
10 bears labeling stating that fact or is exempt; or

11 (12) it fails to bear, directly thereon or on its
12 container, the inspection legend and unrestricted by any of
13 the foregoing provisions, such other information as
14 necessary to assure that it will not have false or
15 misleading labeling and that the public will be informed of
16 the manner of handling required to maintain the article in
17 a wholesome condition.

18 "Official establishment" means any establishment as
19 determined by the Director at which inspection of the slaughter
20 of livestock or poultry or the preparation of livestock
21 products or poultry products is maintained under the authority
22 of this Act.

23 "Official mark of inspection" means the official mark of
24 inspection used to identify the status of any meat product or
25 poultry product or animal under this Act as established by
26 rule.

27 Prior to the manufacture, a complete and accurate
28 description and design of all the brands, legends, and symbols
29 shall be submitted to the Director for approval as to
30 compliance with this Act. Each brand or symbol that bears the
31 official mark shall be delivered into the custody of the
32 inspector in charge of the establishment and shall be used only
33 under the supervision of a Department employee. When not in
34 use, all such brands and symbols bearing the official mark of
35 inspection shall be secured in a locked locker or compartment,
36 the keys of which shall not leave the possession of Department

1 employees.

2 "Person" means any individual or entity, including, but not
3 limited to, a sole proprietorship, partnership, corporation,
4 cooperative, association, limited liability company, estate,
5 or trust.

6 "Pesticide chemical", "food additive", "color additive",
7 and "raw agricultural commodity" have the same meanings for
8 purposes of this Act as under the federal Food, Drug, and
9 Cosmetic Act.

10 "Poultry" means domesticated birds or rabbits, or both,
11 dead or alive, capable of being used for human food.

12 "Poultry products" means the carcasses or parts of
13 carcasses of poultry produced entirely or in substantial part
14 from such poultry, including but not limited to such products
15 cooked, pressed, smoked, dried, pickled, frozen, or similarly
16 processed.

17 "Poultry Products Inspection Act" means the Act approved
18 August 28, 1957 (71 Stat. 441), as now or hereafter amended by
19 the Wholesome Poultry Products Act, approved August 18, 1968
20 (82 Stat. 791), as now or hereafter amended.

21 "Poultry Raiser" means any person who raises poultry,
22 including rabbits, on his or her own farm or premises who does
23 not qualify as a producer as defined under this Act.

24 "Processor" means any person engaged in the business of
25 preparing ~~animal~~ food from animals, including poultry, derived
26 wholly or in part from livestock or poultry carcasses or parts
27 or products of such carcasses.

28 "Shipping container" means any container used or intended
29 for use in packaging the product packed in an immediate
30 container.

31 "Slaughterer" means an establishment where any or all of
32 the following may be performed on animals or poultry: (i)
33 stunning; (ii) bleeding; (iii) defeathering, dehairing, or
34 skinning; (iv) eviscerating; or (v) preparing carcasses for
35 chilling.

36 "State inspection" means the meat and poultry inspection

1 service conducted by the Department of Agriculture of the State
2 of Illinois by the authority of this Act.

3 (Source: P.A. 91-170, eff. 1-1-00.)

4 (225 ILCS 650/3) (from Ch. 56 1/2, par. 303)

5 Sec. 3. Licenses.

6 (a) No person shall operate an establishment as defined in
7 Section 2 or act as a broker as defined in Section 2 without
8 first securing a license from the Department except as
9 otherwise exempted.

10 (b) The following annual fees shall accompany each license
11 application for the license year from July 1 to June 30 or any
12 part thereof. These fees are non-refundable.

13	Meatbroker, Poultry broker or Meat and Poultry	
14	broker	\$50
15	Type I Establishment - Processor, Slaughterer, or	
16	Processor and Slaughterer of Meat, Poultry or Meat and	
17	Poultry.....	\$50
18	Type II Establishment - Processor, Slaughterer, or	
19	Processor and Slaughterer of Meat, Poultry or Meat and	
20	Poultry.....	\$50

21 Application for licenses shall be made to the Department in
22 writing on forms prescribed by the Department.

23 (c) The license issued shall be in such form as the
24 Department prescribes, shall be under the seal of the
25 Department and shall contain the name of the licensee, the
26 location for which the license is issued, the type of
27 operation, the period of the license, and such other
28 information as the Department requires. The original license or
29 a certified copy of it shall be conspicuously displayed by the
30 licensee in the establishment.

31 (d) Failure to meet all of the conditions to retain a
32 license may result in a denial of a renewal of a license. The
33 licensee may request an administrative hearing to dispute the
34 denial of renewal, after which the Director shall enter an
35 order either renewing or refusing to renew the license.

1 (e) A penalty of \$50 shall be assessed if renewal license
2 applications are not received by July 1 of each year and
3 establishment operations shall be discontinued until payment
4 is received in full.

5 (Source: P.A. 90-655, eff. 7-30-98; 91-170, eff. 1-1-00.)

6 (225 ILCS 650/5.2)

7 Sec. 5.2. Type II licenses.

8 (a) Type II establishments licensed under this Act for
9 custom slaughtering and custom processing shall:

10 (1) Be permitted to receive, for processing, meat
11 products and poultry products from animals and poultry
12 slaughtered by the owner or for the owner for his or her
13 own personal use or for use by his or her household.

14 (2) Be permitted to receive live animals and poultry
15 presented by the owner to be slaughtered and processed for
16 the owner's own personal use or for use by his or her
17 household.

18 (3) Be permitted to receive, for processing, inspected
19 meat products and inspected poultry products for the
20 owner's own personal use or for use by his or her
21 household.

22 (4) Stamp the words "~~NOT FOR SALE-~~ NOT INSPECTED" in
23 letters at least 3/8 inches in height on all carcasses of
24 animals and immediate poultry product containers for
25 poultry slaughtered in such establishment and on all meat
26 products and immediate poultry product containers for
27 poultry products processed in that establishment.

28 (5) Conspicuously display a license issued by the
29 Department and bearing the words "NO SALES PERMITTED".

30 (6) Keep a record of the name and address of the owner
31 of each carcass or portion thereof received in such
32 licensed establishment, the date received, and the dressed
33 weight. Such records shall be maintained for at least one
34 year and shall be available, during reasonable hours, for
35 inspection by Department personnel.

1 (b) No custom slaughterer or custom processor shall engage
2 in the business of buying or selling any poultry or meat
3 products capable of use as human food, or slaughter of any
4 animals or poultry intended for sale.

5 (Source: P.A. 91-170, eff. 1-1-00.)

6 (225 ILCS 650/13) (from Ch. 56 1/2, par. 313)

7 Sec. 13. Official Inspection Legend, Marking and Labeling.

8 (a) It is unlawful for any person except employees of the
9 United States Department of Agriculture, the Department or an
10 authorized municipal inspection department to possess, ~~use,~~ or
11 keep an inspection stamp, mark, or brand provided or used for
12 stamping, marking, branding, or otherwise identifying
13 carcasses of meat or poultry products, or to possess, ~~use or~~
14 keep any stamp, mark or brand having thereon a device, words,
15 or insignia the same or similar in character or import to the
16 stamps, marks, or brands provided or used by the United States
17 Department of Agriculture, the State Department of Agriculture
18 or any approved municipal inspection department for stamping,
19 marking, branding or otherwise identifying the carcasses of
20 meat or poultry or meat and poultry products or parts thereof
21 intended for human food.

22 (b) When any meat or meat food product which has been
23 inspected as provided in this Act and marked "Illinois
24 Inspected and Passed" is placed or packed in an immediate
25 container in any establishment where inspection under this Act
26 is maintained, the person, firm, or corporation preparing the
27 product shall attach a label as required to the immediate
28 container under supervision of an inspector. The label shall
29 state that the contents have been "Illinois Inspected and
30 Passed" under this Act, and no inspection and examination of
31 meat or meat food products or poultry or poultry food products
32 deposited or enclosed in an immediate container in any
33 establishment where inspection under this Act is maintained is
34 complete until the meat or meat food products or poultry or
35 poultry food products have been sealed or enclosed in an

1 immediate container under the supervision of an inspector. At
2 minimum, all amenable products derived from inspected meat,
3 meat food products, poultry, or poultry food products shall
4 bear a mark with an establishment name, owner/customer name,
5 and handling statement.

6 (c) All carcasses, parts of carcasses, meat, meat food
7 products, poultry, or poultry food products inspected at any
8 establishment under the authority of this Act and found to be
9 not adulterated shall at the time they leave the establishment
10 bear in distinctly legible form, directly thereon or on their
11 containers, as the Director may require, the information
12 required under Section 2.20 of this Act.

13 (d) The styles and sizes of type to be used with respect to
14 material required to be incorporated in labeling to avoid
15 misbranding, false or misleading labeling of any articles
16 subject to this Act, definitions and standards of identity or
17 composition for articles subject to this Act, and standards of
18 fill of containers for the articles shall be the standards as
19 established under the Federal Food, Drug, and Cosmetic Act or
20 the Federal Meat Inspection Act.

21 (e) No article subject to this Act shall be sold or offered
22 for sale by any person, firm, or corporation under any name or
23 other marking or labeling which is false or misleading, or in
24 any container of a misleading form or size. Established product
25 names and other marking and labeling and containers which are
26 not false or misleading and which are approved by the Director
27 are permitted.

28 (f) If the Director has reason to believe that any marking
29 or labeling or the size or form of any container in use or
30 proposed for use with respect to any article subject to this
31 Act is false or misleading in any particular, he may direct
32 that the use be withheld unless the marking, labeling, or
33 container is modified in a manner as he may prescribe so that
34 it will not be false or misleading. If the person, firm, or
35 corporation using or proposing to use the marking, labeling, or
36 container does not accept the determination of the Director,

1 the person, firm, or corporation may request a hearing, but the
2 use of the marking, labeling, or container shall, if the
3 Director so directs, be withheld pending hearing and final
4 determination by the Director. Any determination by the
5 Director shall be conclusive unless within 30 days after
6 receipt of notice of the final determination, the person, firm,
7 or corporation adversely affected appeals to the appropriate
8 authority.

9 (g) No person, firm, or corporation shall advertise for
10 sale, solicit, offer to sell or sell meats or frozen foods
11 intended for storage in locker boxes, home freezers or freezer
12 units by newspapers, handbills, placards, radio, television or
13 other medium unless the advertising is truthful and accurate.
14 The advertising shall not be misleading or deceiving in respect
15 to grade, quality, quantity, price per pound or piece, or in
16 any other manner. For grade determination of meats, the grades
17 shall conform with United States Department of Agriculture
18 standards for designating meat grades and the standards of this
19 Act.

20 No person advertising, offering for sale or selling any
21 carcasses or parts thereof or food plan shall engage in any
22 misleading or deceptive practices and particularly including,
23 but not limited to, the following:

24 (1) Bait selling.

25 (A) Disparage or degrade any product advertised or
26 offered for sale by the seller, or display any product
27 or depiction thereof to any buyer in order to induce
28 the purchase of another product, or represent that a
29 product is for sale when the representation is used
30 primarily to sell another product.

31 (B) Substitute any product for that ordered by the
32 buyer without the buyer's consent.

33 (C) Fail to have available a sufficient quantity of
34 any product represented as being for sale to meet
35 reasonably anticipated demands.

36 (2) Price representation.

1 (A) Use any price list related to the seller's food
2 plan that contains prices other than the seller's
3 current billing prices.

4 (B) Misrepresent the amount of money that the buyer
5 will save on purchases of any products that are not of
6 the same grade or quality.

7 (C) Fail to disclose fully and conspicuously in at
8 least 10 point type any charge for cutting, wrapping,
9 freezing, delivery or other services.

10 (D) Represent the price of any meat product to be
11 offered for sale in bundles in units larger than one
12 pound in terms other than price per single pound for
13 meat products in at least 10 point type except when the
14 advertisement or offer for sale pertains to containers
15 of meat products weighing 15 pounds or less.

16 (3) Product Representation.

17 (A) Misrepresent the cut, grade, brand or trade
18 name, or weight or measure of any product.

19 (B) Use the abbreviation "U.S." in describing a
20 product not graded by the United States Department of
21 Agriculture, except that product may be described as
22 "U.S. Inspected" when true.

23 (C) Misrepresent a product through the use of any
24 term similar to a government grade.

25 (D) (Blank).

26 (E) Advertise or offer for sale any combinations of
27 parts of carcasses with one unit price, except when the
28 advertisement or offer for sale pertains to
29 combinations consisting only of poultry or poultry
30 products.

31 (F) Fail to disclose fully and conspicuously the
32 correct government grade for any product if the product
33 is represented as having been graded.

34 (G) Fail to disclose fully and conspicuously that
35 the yield of consumable meat from any carcass or part
36 of a carcass will be less than the weight of the

1 carcass or part thereof. The seller shall, for each
2 carcass or part of carcass advertised, use separately
3 and distinctly (in at least 10 point type) the
4 following disclosure: "Sold hanging weight subject to
5 cutting loss".

6 (H) Misrepresent the amount or proportion of
7 retail cuts that a carcass or part of carcass will
8 yield.

9 (I) (Blank).

10 (J) Fail to disclose fully and conspicuously
11 whether a quarter of a carcass is the front or hind
12 quarter, and "quarters" or "sides" or "halves" must
13 consist of only anatomically natural proportions of
14 cuts from front or hind quarters. A "pre-trimmed side",
15 "packer-trimmed side" or similar term describing part
16 of a carcass shall not be represented as a side or
17 quarter of beef, and the descriptions shall not be used
18 for comparison to induce the sale of the product.

19 (K) Represent any part of a carcass as a "half" or
20 "side" unless it consists exclusively of a front and
21 hind quarter. Both quarters must be from the same side
22 of the same animal unless the seller discloses fully
23 and conspicuously that they are from different sides or
24 different animals as the case may be. Each quarter
25 shall be of the same grade or quality as the other
26 quarters comprising the half or side and the seller
27 shall advise the buyer of the weight of each quarter
28 prior to sale. In selling quarters individually or as
29 part of a half or side, if actual weights are not known
30 or cannot be determined prior to sale, approximate
31 weights may be used, provided the buyer is informed
32 that the weights are approximate, the weights are so
33 identified on any purchase order or contract, and the
34 seller agrees with the buyer, in writing, to make a
35 cash refund or grant a credit on delivery for the
36 difference between actual weight and the approximate

1 weight on which the sale was made.

2 (L) Use the words, "bundle", "sample order",
3 "split side", or words of similar import to describe a
4 quantity of meat or poultry unless the seller itemizes
5 each cut and the weight thereof which the buyer will
6 receive.

7 (M) Advertise or offer free, bonus, extra product,
8 or service combined with or conditioned on the purchase
9 of any other product or service unless the additional
10 product or service is accurately described including,
11 whenever applicable, grade, net weight or measure,
12 type, and brand or trade name. The words "free",
13 "bonus", or other words of similar import shall not be
14 used in any advertisement unless the advertisement
15 clearly and conspicuously sets forth the total price or
16 amount that must be paid to entitle the buyer to the
17 additional product or service.

18 (N) Misrepresent the breed, origin, or diet of
19 slaughtered animals or parts thereof offered for sale.
20 Sellers making these claims shall have written records
21 available to substantiate the fact.

22 (Source: P.A. 91-170, eff. 1-1-00.)