
A BILL FOR AN ACT

RELATING TO PRE-PACKAGED MEAT.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. Section 159-3, Hawaii Revised Statutes, is
2 amended by amending the definition of "adulterated" to read as
3 follows:

4 "Adulterated" shall apply to any carcass, part thereof,
5 and meat or meat products under one or more of the following
6 circumstances:

7 (1) If it bears or contains any poisonous or deleterious
8 substance which may render it injurious to health; but
9 in case the substance is not an added substance, the
10 meat or meat products shall not be considered
11 adulterated under this paragraph if the quantity of
12 the substance in or on the meat or meat products does
13 not ordinarily render it injurious to health~~[+]~~;

14 (2) If it:

15 (A) [~~If it bears~~] Bears or contains (by reason of
16 administration of any substance to the live



1 animal or otherwise) any added poisonous or added
2 deleterious substance (other than one which is:

3 (i) [a] A pesticide chemical in or on a raw
4 agricultural commodity;

5 (ii) [a] A food additive; or

6 (iii) [a] A color additive) which, in the judgment
7 of the board, may make the meat or meat
8 products unfit for human consumption[-];

9 (B) [~~If it is,~~] Is in whole or in part, a raw
10 agricultural commodity and the commodity bears or
11 contains a pesticide chemical which is unsafe
12 within the meaning of the Hawaii Food, Drug, and
13 Cosmetic Act or [~~section~~] Section 408 of the
14 Federal Food, Drug, and Cosmetic Act[-];

15 (C) [~~If it bears~~] Bears or contains any food additive
16 which is unsafe within the meaning of the Hawaii
17 Food, Drug, and Cosmetic Act or [~~section~~] Section
18 409 of the Federal Food, Drug, and Cosmetic
19 Act[-];

20 (D) [~~If it bears~~] Bears or contains any color
21 additive which is unsafe within the meaning of
22 the Hawaii Food, Drug, and Cosmetic Act or



1 ~~[section]~~ Section 706 of the Federal Food, Drug,
2 and Cosmetic Act~~[-]~~; provided that meat or meat
3 products which are unadulterated under
4 ~~[subparagraphs]~~ Subparagraphs (B), (C), or (D)
5 shall nevertheless be deemed adulterated if use
6 of the pesticide chemical, food additive, or
7 color additive in or on the meat or meat products
8 is prohibited by rules of the board in
9 establishments at which inspection is maintained
10 under part IV~~[-]~~, or if the meat or meat product
11 is treated with gas or other technology to
12 enhance its color only;

13 (3) If it consists, in whole or in part, of any filthy,
14 putrid, or decomposed substance or is for any other
15 reason unsound, unhealthful, unwholesome, or otherwise
16 unfit for human food~~[-]~~;

17 (4) If it has been prepared, packed, or held under
18 unsanitary conditions whereby it may have become
19 contaminated with filth, or whereby it may have been
20 rendered injurious to health~~[-]~~;

21 (5) If it is, in whole or in part, the product of an
22 animal which had died otherwise than by slaughter~~[-]~~;

- 1 (6) If its container is composed, in whole or in part, of
2 any poisonous or deleterious substance which may
3 render the contents injurious to health[-];
- 4 (7) If it has been intentionally or unintentionally
5 subjected to radiation, unless the use of the
6 radiation was in conformity with a rule, regulation,
7 or exemption in effect pursuant to the Hawaii Food,
8 Drug, and Cosmetic Act or [~~section~~] Section 409 of the
9 Federal Food, Drug, and Cosmetic Act[-];
- 10 (8) If any valuable constituent has been in whole or in
11 part omitted or abstracted therefrom; or if any
12 substance has been substituted, wholly or in part
13 therefor; or if damage or inferiority has been
14 concealed in any manner; or if any substance has been
15 added thereto or mixed or packed therewith so as to
16 increase its bulk or weight, or reduce its quality or
17 strength, or make it appear better or of greater value
18 than it is[-]; or if the meat or meat product is
19 treated with gas or other technology to enhance color
20 only; and



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

4 SECTION 2. Statutory material to be repealed is bracketed
5 and stricken. New statutory material is underscored.

6 SECTION 3. This Act shall take effect on January 1, 2050.



S.B. NO. 2804
S.D. 1
H.D. 1

Report Title:

Pre-Packaged Meat; Adulterated; Definition

Description:

Amends the definition of "adulterated" to include pre-packaged meat that has been treated with gas or other technology to enhance color only. Effective January 1, 2050. (SB2804 HD1)

SB2804 HD1 HMS 2008-3145

