

JAN 22 2008

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 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) (A) If it bears or contains (by reason of
15 administration of any substance to the live
16 animal or otherwise) any added poisonous or added
17 deleterious substance (other than one which is



1 (i) a pesticide chemical in or on a raw
2 agricultural commodity; (ii) a food additive; or
3 (iii) a color additive) which, in the judgment of
4 the board, may make the meat or meat products
5 unfit for human consumption.

6 (B) If it is, in whole or in part, a raw agricultural
7 commodity and the commodity bears or contains a
8 pesticide chemical which is unsafe within the
9 meaning of the Hawaii Food, Drug, and Cosmetic
10 Act or section 408 of the Federal Food, Drug, and
11 Cosmetic Act.

12 (C) If it bears or contains any food additive which
13 is unsafe within the meaning of the Hawaii Food,
14 Drug, and Cosmetic Act or section 409 of the
15 Federal Food, Drug, and Cosmetic Act.

16 (D) If it bears or contains any color additive which
17 is unsafe within the meaning of the Hawaii Food,
18 Drug, and Cosmetic Act or section 706 of the
19 Federal Food, Drug, and Cosmetic Act, provided
20 that meat or meat products which are
21 unadulterated under subparagraphs (B), (C), or
22 (D) shall nevertheless be deemed adulterated if



1 use of the pesticide chemical, food additive,
2 [~~or~~] color additive in or on the meat or meat
3 products is prohibited by rules of the board in
4 establishments at which inspection is maintained
5 under part IV[-], or if the meat or meat product
6 is treated with gas or other technology to
7 enhance its color only.

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

12 (4) If it has been prepared, packed, or held under
13 unsanitary conditions whereby it may have become
14 contaminated with filth, or whereby it may have been
15 rendered injurious to health.

16 (5) If it is, in whole or in part, the product of an
17 animal which had died otherwise than by slaughter.

18 (6) If its container is composed, in whole or in part, of
19 any poisonous or deleterious substance which may
20 render the contents injurious to health.

21 (7) If it has been intentionally or unintentionally
22 subjected to radiation, unless the use of the



1 radiation was in conformity with a rule, regulation,
2 or exemption in effect pursuant to the Hawaii Food,
3 Drug, and Cosmetic Act or section 409 of the Federal
4 Food, Drug, and Cosmetic Act.

5 (8) If any valuable constituent has been in whole or in
6 part omitted or abstracted therefrom; or if any
7 substance has been substituted, wholly or in part
8 therefor; or if damage or inferiority has been
9 concealed in any manner; or if any substance has been
10 added thereto or mixed or packed therewith so as to
11 increase its bulk or weight, or reduce its quality or
12 strength, or make it appear better or of greater value
13 than it is[-], or if the meat or meat product is
14 treated with gas or other technology to enhance color
15 only.

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


19 SECTION 2. Statutory material to be repealed is bracketed
20 and stricken. New statutory material is underscored.



1 SECTION 3. This Act shall take effect upon its approval.

2

INTRODUCED BY:





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.

