

- (11) "Misbrand" means to intentionally identify or label an agricultural product in a false or misleading way.
- (12) "Misrepresent" means to intentionally use any untrue, misleading, or deceptive oral or written statement, advertisement, label, display, picture, illustration, or sample.
- (13) "Person" means an individual, partnership, limited liability company, limited liability partnership, corporation, trust, firm, company, or other entity doing business in Louisiana.
- (14) "Pork" means the flesh of a domesticated swine that is edible by humans.
- (15) "Pork product" means a type of agricultural product that is edible by humans and produced in whole or in part from pork, including bacon, bratwurst, ground pork, ham, pork chops, ribs, roast, and sausage.
- (16) "Poultry" means domesticated birds that are edible by humans.
- (17) "Rice" means the whole, broken, or ground kernels or by-products obtained from the species *Oryza sativa* L. or *Oryza glaberrima*, or wild rice, which is obtained from one of the four species of grasses from the genus *Zizania* or *Porteresia*.

Proposed law applies to a person that places a label on an agricultural product that is edible by humans.

Proposed law prohibits intentionally misbranding or misrepresenting an agricultural product through any activity including:

- (1) Affixing a label to an agricultural product that is false or misleading.
- (2) Selling an agricultural product under the name of another food.
- (3) Representing an agricultural product as a food for which a definition and standard of identity has been provided by the Federal Food, Drug, and Cosmetic Act, 21 U.S.C. §301 et seq., unless:
 - (a) The agricultural product conforms to the definition and standard.
 - (b) The label of the agricultural product bears the name of the food specified in the definition and standard and includes the common names of optional ingredients other than spices, flavoring, and coloring present in the food as regulations require.
- (4) Representing an agricultural product as meat or a meat product when the agricultural product is not derived from a harvested beef, pork, poultry, crawfish, or shrimp carcass.
- (5) Representing an agricultural product as rice when the agricultural product is not rice.

- (6) Representing an agricultural product as beef or a beef product when the agricultural product is not derived from a domesticated bovine.
- (7) Representing an agricultural product as pork or a pork product when the agricultural product is not derived from a domesticated swine.
- (8) Representing an agricultural product as poultry when the agricultural product is not derived from domesticated birds.
- (9) Utilizing a term that is the same as or similar to a term that has been used or defined historically in reference to a specific agricultural product.
- (10) Affixing a label that uses a variation of rice in the name of the agricultural product when the agricultural product is not rice or derived from rice.
- (11) Representing a cell cultured food product as a meat product.

Proposed law requires the commissioner to administer and enforce the provisions of proposed law and adopt rules and regulations as are necessary to enforce the provisions of proposed law.

Proposed law authorizes the commissioner to:

- (1) Employ personnel to enforce the provisions of proposed law.
- (2) Receive and investigate complaints.
- (3) Seek and obtain injunctive or other civil relief to restrain and prevent violations of proposed law.
- (4) Institute civil proceedings to enforce his rulings or collect any penalties due.

Proposed law provides for a civil penalty of not more than \$500 for violations. Each day on which a violation occurs is a separate offense.

Proposed law authorizes penalties to be assessed by a ruling of the commissioner based upon an adjudicatory hearing held by the La. Commission of Weights and Measures. Further authorizes the commissioner to assess the proportionate costs of the adjudicatory hearing against the offender.

Proposed law authorizes the commissioner to institute civil proceedings to enforce his rulings or seek injunctive relief to restrain and prevent the violation of the provisions of proposed law.

Effective upon signature of the governor or lapse of time for gubernatorial action.

(Adds R.S. 3:4741- 4746)