

**SENATE COMMITTEE AMENDMENTS**

2024 Regular Session

Amendments proposed by Senate Committee on Health and Welfare to Original Senate Bill No. 166 by Senator Connick

1 AMENDMENT NO. 1

2 On page 1, at the end of line 2, delete "and" and at the beginning of line 3, delete "R.S.  
3 40:5.5.5"

4 AMENDMENT NO. 2

5 On page 1, at the end of line 15, insert "**potentially**"

6 AMENDMENT NO. 3

7 On page 1, line 16, change "**by solely relying**" to "**to solely rely**"

8 AMENDMENT NO. 4

9 On page 2, line 2, after "**countries**" insert "**that are not adhering to the same quality  
10 standards as Louisiana**"

11 AMENDMENT NO. 5

12 On page 2, line 5, after "**advertising**" insert "**of crawfish, shrimp, or any product thereof,**"  
13

14 AMENDMENT NO. 6

15 On page 2, line 6, after "**association is**" delete the remainder of the line and insert "**likely  
16 to deceive the public as to its origin.**"

17 AMENDMENT NO. 7

18 On page 2, line 7, delete "**their products**" and insert "**crawfish, shrimp, or any product  
19 thereof**"

20 AMENDMENT NO. 8

21 On page 2, between lines 10 and 11, insert the following:

22 **"(3) The prohibition in this Subsection shall not apply if the country of origin  
23 appears on the front of the package in bold typed print of not less than thirty point  
24 font."**

25 AMENDMENT NO. 9

26 On page 2, line 12, after "**Section.**" delete the remainder of the line, delete line 13, and insert  
27 the following:

28 **"When the commissioner has reason to believe that a violation has occurred, the  
29 commissioner may do any of the following:**

30 **(1) Issue a stop order prohibiting the continued distribution and sale of the  
31 seafood product.**

32 **(a) Any violation of a stop order shall constitute a separate violation.**

33 **(b) A stop order may be released by the commissioner upon a determination by  
34 the commissioner that the cause for issuing the stop order has been remedied.**

35 **(c) Any person aggrieved by a stop order may petition the commissioner for a  
36 hearing to contest the validity of the stop order by making a written request within five**

1 calendar days after issuance of the stop order. The hearing shall be held within ten  
2 calendar days of receipt of the written request for a hearing. The commissioner may  
3 appoint a hearing officer to preside over the matter. The commissioner shall issue a  
4 ruling in the matter. The hearing and any subsequent appeal shall be held in  
5 accordance with the provisions of the Administrative Procedure Act.

6 (d) Based upon the results of the hearing, or a consent agreement, the  
7 commissioner may take one or more of the following actions:

8 (i) Release the stop order.

9 (ii) Require the cause for the stop order to be remedied prior to releasing the  
10 stop order.

11 (iii) Amend the stop order.

12 (2) Issue fines for violations of this Section as follows:"

13 AMENDMENT NO. 10

14 On page 2, line 14, after "a fine of" delete "not less than five thousand dollars and"

15 AMENDMENT NO. 11

16 On page 2, line 16, after "a fine of" delete "not less than fifteen thousand dollars" and on  
17 line 17, delete "and"

18 AMENDMENT NO. 12

19 On page 2, line 18, after "a fine of" delete "not less than twenty-five" and on line 19, delete  
20 "thousand dollars and"

21 AMENDMENT NO. 13

22 On page 2, delete lines 20 and 21 and insert the following:

23 "D. If the commissioner issues a stop order for any crawfish, shrimp, or any  
24 product thereof, a retailer shall have a claim for reimbursement against the distributor  
25 that supplied the product in violation of this Section.

26 E. Penalties shall apply only to a person that places a label on crawfish, shrimp,  
27 or any product thereof, and may be assessed only by a ruling of the commissioner  
28 based upon an adjudicatory hearing held by the Louisiana Commission of Weights and  
29 Measures pursuant to R.S. 3:4605. "

30 AMENDMENT NO. 14

31 On page 2, line 22, change "E." to "F."

32 AMENDMENT NO. 15

33 On page 3, at the end of line 17, delete "and R.S." and on line 18, delete "40:5.5.5 is hereby  
34 enacted"

35 AMENDMENT NO. 16

36 On page 6, delete lines 2 through 19 and insert the following:

37 "B.(1) Any food service establishment that uses a menu as a standard business  
38 practice and sells or provides cooked or prepared crawfish or shrimp that originate outside  
39 of the United States shall display the following disclaimer in a clearly visible location on  
40 the menu:

41 "Some items served at this establishment may contain imported crawfish or  
42 shrimp. Ask for more information."

43 ~~on all menus the country of origin of such crawfish or shrimp, or denote that the crawfish~~  
44 ~~or shrimp are imported, in letters no smaller than the same size, font, and shade as the~~  
45 ~~product being offered, immediately adjacent to the menu listing of the seafood item being~~

1 sold. In lieu of this requirement, the notice shall be paper-clipped to the menu, with the same  
2 location, size, font, and shade restrictions required when the notice is listed directly on the  
3 menu.

4 ~~(2)~~**B.(1)** Any food service establishment that does not use a menu as a standard  
5 business practice and sells or provides cooked or prepared crawfish or shrimp that originate  
6 outside of the United States shall display **the following disclaimer** on a sign posted at the  
7 main entrance to the establishment:

8 **"Some items served at this establishment may contain imported seafood. Ask  
9 for more information."**

10 ~~that certain crawfish or shrimp, as applicable, being served within originate from a foreign  
11 country.~~

12 **(2)** Each sign shall be at least eighteen inches tall and eighteen inches wide and shall  
13 be written in the English language in letters not less than one inch in size. The sign shall be  
14 placed in an open area and in a conspicuous position not less than thirty-six inches from the  
15 floor so that it is visible to all patrons."

16 AMENDMENT NO. 17

17 On page 6, line 24, delete "**seafood**" and insert "**crawfish or shrimp**"

18 AMENDMENT NO. 18

19 On page 6, line 26, delete "**seafood**" and insert "**crawfish or shrimp**"

20 AMENDMENT NO. 19

21 On page 6, between lines 27 and 28, insert the following:

22 **"D. For any seafood that is sold unpackaged, a food establishment shall clearly  
23 display the country of origin in a manner that is easily visible to the consumer."**

24 AMENDMENT NO. 20

25 On page 6, line 28, change "**D.**" to "**E.**"

26 AMENDMENT NO. 21

27 On page 6, line 29, after "**Section.**" insert "**Any violation of this Section shall constitute  
28 a violation of the state Sanitary Code.**"

29 AMENDMENT NO. 22

30 On page 7, line 3, after "**violation.**" insert "**The department, in its discretion, may provide  
31 an opportunity for corrective action in lieu of a fine for a first offense.**"

32 AMENDMENT NO. 23

33 On page 7, line 16, change "**E.**" to "**F.**"

34 AMENDMENT NO. 24

35 On page 7, line 18, change "**F.**" to "**G.**"

36 AMENDMENT NO. 25

37 On page 7, line 23, change "**G.**" to "**H.**"

38 AMENDMENT NO. 26

39 On page 7, line 26, change "**H.**" to "**I.**" and after "shall" delete the remainder of the line and  
40 delete line 27, and insert "**mean any establishment provided for in R.S. 40:5.5 and any**"

1 **seafood market, grocer, vehicle, or other entity or person that sells food directly to the**  
2 **public for consumption.**"

3 AMENDMENT NO. 27

4 On page 7, delete lines 28 and 29 and on page 8, delete lines 1 through 26