

State of South Dakota

NINETY-SECOND SESSION
LEGISLATIVE ASSEMBLY, 2017

615Y0444

SENATE STATE AFFAIRS
ENGROSSED NO. **SB 135** - 2/15/2017

Introduced by: Senators Russell, Frerichs, Heinert, and Maher and Representatives Brunner, Lesmeister, Marty, May, McCleerey, and Otten (Herman)

1 FOR AN ACT ENTITLED, An Act to revise certain meat labeling requirements.

2 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

3 Section 1. That § 39-5-5 be repealed.

4 ~~— 39-5-5. Any person who knowingly sells or offers for sale any meat which is the product of~~
5 ~~any foreign country or imported from without the boundaries of the United States, or any meat~~
6 ~~product containing such imported meat, without indicating this fact by display of a conspicuous~~
7 ~~sign in his place of business and by labels or brands on each quarter, half or whole carcass of~~
8 ~~such meat, or on each can, case, or package containing any of the above-mentioned product,~~
9 ~~naming the country of its origin and the date of exportation is guilty of a Class 2 misdemeanor.~~

10 Section 2. That the code be amended by adding a NEW SECTION to read:

11 Terms used in this Act mean:

12 (1) "Beef," any meat product produced from cattle, including veal;

13 (2) "Ground beef," chopped fresh or frozen beef;

14 (3) "Placard," any sign or post on or near the article and placed in a conspicuous location



1 as to render it likely to be read and understood by a customer under normal
2 conditions of purchase;

3 (4) "Secretary," executive secretary of the South Dakota Animal Industry Board; and

4 (5) "Slaughter," the killing of livestock for processing for human consumption.

5 Section 3. That the code be amended by adding a NEW SECTION to read:

6 All beef and ground beef sold for retail sale within the state, except prepared foods for
7 immediate sale or ready to eat, shall bear a placard that denotes the country of origin. Any beef
8 or ground beef verified as originating in the United States shall bear a placard declaring it to be
9 a product of the United States of America. Any beef or ground beef determined to be of
10 imported or mixed origin shall bear a placard declaring the country or countries of origin. If the
11 origin of any beef or ground beef cannot be determined, the product shall bear a placard that
12 denotes the origin as, unknown, or as, country of origin unknown.

13 Section 4. That the code be amended by adding a NEW SECTION to read:

14 All placards shall comply with federal regulation and not obscure other labeling information
15 required by other federal regulations. All placards shall comply with the country abbreviations
16 for use under customs and border protection rules, regulation, and policies. A symbol or flag
17 alone may not be used to denote a country of origin.

18 Section 5. That the code be amended by adding a NEW SECTION to read:

19 Any person engaged in the business of retail vending of beef and ground beef who
20 knowingly or purposely offers beef or ground beef for sale without ensuring the products are
21 clearly labeled with a placard denoting the country of origin pursuant to section 3 of this Act is
22 guilty of a petty offense.