1   State of Arkansas
2   92nd General Assembly   A Bill
3   Regular Session, 2019   SENATE BILL 529
4
5   By: Senator Maloch
6
7   **For An Act To Be Entitled**
8   AN ACT REGARDING LABELING OF AGRICULTURAL PRODUCTS
9   EDIBLE BY HUMANS; TO AUTHORIZE THE STATE PLANT BOARD
10   TO PROMULGATE RULES REGARDING LABELING OF
11   HORTICULTURAL AND VITICULTURAL PRODUCTS EDIBLE BY
12   HUMANS; TO AUTHORIZE THE ARKANSAS LIVESTOCK AND
13   POULTRY COMMISSION TO PROMULGATE RULES REGARDING THE
14   LABELING OF LIVESTOCK PRODUCTS EDIBLE BY HUMANS; AND
15   FOR OTHER PURPOSES.
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18   **Subtitle**
19   REGARDING LABELING OF AGRICULTURAL
20   PRODUCTS EDIBLE BY HUMANS; AND TO
21   AUTHORIZE THE STATE PLANT BOARD AND
22   ARKANSAS LIVESTOCK AND POULTRY COMMISSION
23   TO PROMULGATE RULES REGARDING LABELING OF
24   AGRICULTURAL PRODUCTS.
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27   BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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29   SECTION 1. DO NOT CODIFY. Legislative intent.
30   It is the intent of the General Assembly to protect consumers from misleading
31   and false labeling of agricultural products that are edible by humans by
32   initiating this act.
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34   SECTION 2. Arkansas Code Title 2, Chapter 20, Subchapter 1, is amended
35   to add an additional section to read as follows:
36   2-20-118. Labeling of agricultural products edible by humans.

 1   (a) The State Plant Board may promulgate rules regarding the labeling
 2   of horticultural and viticultural products that are edible by humans,
 3   including without limitation rice.
 4   (b) The board may receive and investigate complaints regarding alleged
 5   violations of the rules promulgated under subsection (a) of this section.
 6   (c)(1) The board may assess a civil penalty not to exceed one thousand
 7   dollars ($1,000) for each violation of the rules promulgated under subsection
 8   (a) of this section.
 9   (2) A civil penalty assessed and collected under subdivision
10   (c)(1) of this section shall be deposited into the Plant Board Fund.
11
12   SECTION 3. Arkansas Code Title 2, Chapter 33, Subchapter 1, is amended
13   to add an additional section to read as follows:
14   2-33-117. Labeling of agricultural products edible by humans.
15   (a) The Arkansas Livestock and Poultry Commission may promulgate rules
16   regarding the labeling of livestock and poultry products that are edible by
17   humans.
18   (b) The commission may receive and investigate complaints regarding
19   alleged violations of the rules promulgated under subsection (a) of this
20   section.
21   (c)(1) The commission may assess a civil penalty not to exceed one
22   thousand dollars ($1,000) for each violation of the rules promulgated under
23   subsection (a) of this section.
24   (2) A civil penalty assessed and collected under subdivision
25   (c)(1) of this section shall be deposited into the Livestock and Poultry
26   Special Revenue Fund.
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28   SECTION 4. Arkansas Code § 19-6-301(34), concerning fees and revenues
29   of the Arkansas Livestock and Poultry Commission, is amended to add an
30   additional subdivision to read as follows:
31   (I) Civil penalties collected under § 2-33-117.
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33   SECTION 5. Arkansas Code § 19-6-301, concerning the enumeration of
34   special revenues, is amended to add an additional subdivision to read as
35   follows:
36   (263) Civil penalties collected under § 2-20-118.

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2   SECTION 6. Arkansas Code § 19-6-408(1), concerning special revenues

3 deposited into the Plant Board Fund, is amended to read as follows:

4   (1) Those special revenues as specified in § 19-6-301(46), (49)-

5 (55), (122), (169), (221), ~~and~~ (225)~~;~~, and (263);

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7   SECTION 7. DO NOT CODIFY. SEVERABILITY CLAUSE. If a provision of

8 this act or the application of this act to a person or circumstance is held

9 invalid, the invalidity shall not affect the other provisions or applications

10 of this act which can be given effect without the invalid provision or

11 application, and to this end, the provisions of this act are declared

12 severable.

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