

HOUSE BILL No. 2437

By Representative Highland

1-10

Proposed Amendments to
House Bill No. 2437
House Committee on Agriculture
Prepared by: Kyle Hamilton
Office of the Revisor of Statutes

1 AN ACT concerning agriculture; relating to the labeling of certain foods;
2 prohibiting the use of identifiable meat terms on labels ~~or in~~
3 ~~advertisements~~ of meat analogs without use of proper qualifying
4 language; amending K.S.A. 65-656 and 65-665 and repealing the
5 existing sections.
6

7 *Be it enacted by the Legislature of the State of Kansas:*

8 Section 1. K.S.A. 65-656 is hereby amended to read as follows: 65-
9 656. For the purpose of this act:

10 (a) "Secretary" means the secretary of agriculture or the secretary's
11 authorized representatives.

12 (b) "Person" means an individual, partnership, governmental entity,
13 corporation, or association of persons.

14 (c) "Food" means: (1) Articles used for food or drink for humans or
15 other animals; (2) chewing gum; and (3) articles used for components of
16 any such article.

17 (d) "Drug" means: (1) Articles recognized in the official United States
18 pharmacopoeia, official homeopathic pharmacopoeia of the United States,
19 or official national formulary, or any supplement to any of them; (2)
20 articles intended for use in diagnosis, cure, mitigation, treatment or
21 prevention of disease in humans or other animals; (3) articles, other than
22 food, intended to affect the structure or any function of the body of
23 humans or other animals; and (4) articles intended for use as a component
24 of any article specified in paragraph (1), (2); or (3); but does not include
25 devices or their components, parts or accessories. The term "drug" ~~shall~~
26 *does not include amygdalin (laetrile).*

27 (e) "Device," except as used in ~~subsection (j) of K.S.A. 65-657(j),~~
28 ~~subsection (f) of K.S.A. 65-665(f), subsections (c) and (e) of K.S.A. 65-~~
29 ~~669;(c) and (o) and subsection (e) of K.S.A. 65-671(c),~~ and amendments
30 thereto, means instruments, apparatus and contrivances, including their
31 components, parts and accessories, intended for use in the diagnosis, cure,
32 mitigation, treatment; or prevention of disease in humans or other animals
33 or to affect the structure or any function of the body of humans or other
34 animals.

35 (f) "Cosmetic" means: (1) Articles intended to be rubbed, poured,
36 sprinkled, or sprayed on, introduced into, or otherwise applied to the

Strike in lines 2 and 3

1 (m) *If it is a meat analog and: (1) Its labeling ~~or advertisement~~*
2 *utilizes an identifiable meat term; and (2) the labeling ~~or advertisement~~*
3 *does not have a disclaimer in the same font, style and size, immediately*
4 *before or after the identifiable meat term, stating "this product does not*
5 *contain meat." The provisions of this subsection shall not apply to a food*
6 *that can be defined as "imitation" under subsection (c) and is in*
7 *compliance with the provisions of such subsection.*
8 (n) *If any provision of this section is held to be invalid or*
9 *unconstitutional, it shall be conclusively presumed that the legislature*
10 *would have enacted the remainder of this section without such invalid or*
11 *unconstitutional provision.*
12 Sec. 3. K.S.A. 65-656 and 65-665 are hereby repealed.
13 Sec. 4. This act shall take effect and be in force from and after its
14 publication in the statute book.

Strike in lines 1 and 2

one of the following: (A)

"; (B) "meatless"; or (C) "meat-free

menu or menu board, or