

Stricken language would be deleted from and underlined language would be added to present law.

State of Arkansas  
92nd General Assembly  
Regular Session, 2019

# A Bill

SENATE BILL 529

By: Senator Maloch

## For An Act To Be Entitled

AN ACT REGARDING LABELING OF AGRICULTURAL PRODUCTS EDIBLE BY HUMANS; TO AUTHORIZE THE STATE PLANT BOARD TO PROMULGATE RULES REGARDING LABELING OF HORTICULTURAL AND VITICULTURAL PRODUCTS EDIBLE BY HUMANS; TO AUTHORIZE THE ARKANSAS LIVESTOCK AND POULTRY COMMISSION TO PROMULGATE RULES REGARDING THE LABELING OF LIVESTOCK PRODUCTS EDIBLE BY HUMANS; AND FOR OTHER PURPOSES.

## Subtitle

REGARDING LABELING OF AGRICULTURAL PRODUCTS EDIBLE BY HUMANS; AND TO AUTHORIZE THE STATE PLANT BOARD AND ARKANSAS LIVESTOCK AND POULTRY COMMISSION TO PROMULGATE RULES REGARDING LABELING OF AGRICULTURAL PRODUCTS.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. DO NOT CODIFY. Legislative intent.

It is the intent of the General Assembly to protect consumers from misleading and false labeling of agricultural products that are edible by humans by initiating this act.

SECTION 2. Arkansas Code Title 2, Chapter 20, Subchapter 1, is amended to add an additional section to read as follows:

2-20-118. Labeling of agricultural products edible by humans.



(a) The State Plant Board may promulgate rules regarding the labeling of horticultural and viticultural products that are edible by humans, including without limitation rice.

(b) The board may receive and investigate complaints regarding alleged violations of the rules promulgated under subsection (a) of this section.

(c)(1) The board may assess a civil penalty not to exceed one thousand dollars (\$1,000) for each violation of the rules promulgated under subsection (a) of this section.

(2) A civil penalty assessed and collected under subdivision (c)(1) of this section shall be deposited into the Plant Board Fund.

SECTION 3. Arkansas Code Title 2, Chapter 33, Subchapter 1, is amended to add an additional section to read as follows:

2-33-117. Labeling of agricultural products edible by humans.

(a) The Arkansas Livestock and Poultry Commission may promulgate rules regarding the labeling of livestock and poultry products that are edible by humans.

(b) The commission may receive and investigate complaints regarding alleged violations of the rules promulgated under subsection (a) of this section.

(c)(1) The commission may assess a civil penalty not to exceed one thousand dollars (\$1,000) for each violation of the rules promulgated under subsection (a) of this section.

(2) A civil penalty assessed and collected under subdivision (c)(1) of this section shall be deposited into the Livestock and Poultry Special Revenue Fund.

SECTION 4. Arkansas Code § 19-6-301(34), concerning fees and revenues of the Arkansas Livestock and Poultry Commission, is amended to add an additional subdivision to read as follows:

(I) Civil penalties collected under § 2-33-117.

SECTION 5. Arkansas Code § 19-6-301, concerning the enumeration of special revenues, is amended to add an additional subdivision to read as follows:

(263) Civil penalties collected under § 2-20-118.

SECTION 6. Arkansas Code § 19-6-408(1), concerning special revenues deposited into the Plant Board Fund, is amended to read as follows:

(1) Those special revenues as specified in § 19-6-301(46), (49)-(55), (122), (169), (221), ~~and (225)+,~~ and (263);

SECTION 7. DO NOT CODIFY. SEVERABILITY CLAUSE. If a provision of this act or the application of this act to a person or circumstance is held invalid, the invalidity shall not affect the other provisions or applications of this act which can be given effect without the invalid provision or application, and to this end, the provisions of this act are declared severable.